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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
)  
Amendment of Section 73.202(b), )  
FM Table of Allotments, )  
FM Broadcast Stations. )  
(Comanche, Texas) )

MM Docket No. 01-159 )  
RM-10164 )  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

COUNTERPROPOSAL

Mullin Broadcasters, by its counsel, hereby submits this counterproposal to the *Notice of Proposed Rule Making*, DA 01-1736 (rel. July 20, 2001) in the above-captioned proceeding ("*NPRM*"). Mullin Broadcasters proposes to allot Channel 224C3 to Mullin, Texas, as that community's first local service. In order to accommodate that allotment, Mullin Broadcasters requests the substitution of Channel 259A for vacant Channel 224A at Mason, Texas. In support hereof, Mullin Broadcasters states as follows:

1. As indicated in the attached Engineering Statement, this proposal conflicts with the *NPRM* proposal to allot Channel 224A to Comanche, Texas. However, the Commission should favor this Counterproposal over the Comanche proposal under its FM allotment priorities. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982). This counterproposal would result in a first local service to Mullin, Texas (priority 3), whereas the Comanche proposal would result in that community's third local service (priority 4).

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2. As indicated in the attached channel study, Exhibit M3, Channel 224C3 can be allotted to Mullin in compliance with the Commission's spacing rules provided that the vacant allotment of Channel 224A at Mason, Texas is modified to Channel 259A as described below. From the proposed site the station will provide a 70 dBu signal to Mullin. See Exhibit M4.

3. Mullin is a community deserving of a first local preference. The Mullin townsite was constructed with the Santa Fe Railroad in the late 1880s. Mullin was incorporated concurrently with the creation of Mills County in 1887 and has a population of 175 persons according to the U.S. Census 2000 data (See Exhibit A). Mullin has its own zip code: 76864. The town has four churches, a county precinct office, and a post office (See Exhibit A). The town is governed by a mayor and five council members who meet monthly. The town furnishes fire services to its residents. Mullin Independent School is the local public school offering elementary, middle and high school instruction (See Exhibit A). *The Mullin Enterprise* is a local newspaper catered for the area that is published every Thursday.

4. There are a wide variety of retail goods and service outlets in Mullin, including a grocery store, a book bindery, a restaurant, a gas station, a horse breeder and a realtor. Specifically, the following businesses are located in Mullin: the Downtown Grocers, Mullin Café, Francis Carlisle-Bar C. Realty, Rolling Thunder Ranch, Downtown Auto Parts, Mullin Service Center, Lonnie Waldrip Construction Co., Leverett Enterprises, Inc., Upton Beauty Shop, Swinging Bridge Camp, Superior Handcraft Furniture, Ids Financial Services, Weavecrafters, and The Bargain Barn. Jewelry stores include Purple Sage Designs, The West Collection, and K B Henry Company. Gift and novelty stores include Keepers and Home and Neely's. Long term care and residential facilities are available in Mullin offered and provided by Caring Family Network and New Hope Lifestyles, Inc (See Exhibit A). Several businesses

specifically identify themselves with Mullin, including the Mullin Café and the Mullin Service Center.

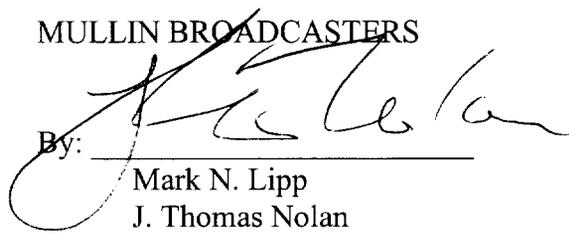
5. Mullin Broadcasters hereby states that it will apply for Channel 224C3 to serve Mullin and construct the facility if a permit is granted.

6. The allotment of channel 224C3 at Mullin requires the substitution of Channel 259A for vacant Channel 224A at Mason, Texas. The channel study, Exhibit M1, shows that Channel 259A can be allotted to Mason, Texas at the reference coordinates for the existing allotment in compliance with the Commission's spacing rules. From those coordinates, 70 dBu coverage of Mason is obtained. See Exhibit M2.

7. Grant of this Counterproposal is in the public interest because it will provide a new first local service at Mullin, Texas. No existing stations are affected. Accordingly, the Commission should expeditiously grant this Counterproposal.

Respectfully submitted,

MULLIN BROADCASTERS

By: 

Mark N. Lipp  
J. Thomas Nolan  
Shook, Hardy & Bacon, L.L.P.  
600 14th Street, N.W., Suite 800  
Washington, D.C. 20005-2004  
(202) 783-8400

Its Attorneys

September 10, 2001

## Technical Narrative

### I. Comanche, TX

Comanche, TX is an incorporated place with a population of 4,482 persons according to the 2000 U.S. Census. Comanche is already served by station KYOX-FM and KCOM-AM. This would be the third local service for Comanche.

The Petitioner (Charles Crawford) has requested channel 224A at coordinates 31-52-55 N and 98-40-06 W. 224A requires a site restriction, owing to the required spacing to KTFW operating on 221C1, at Glen Rose, TX.

### II. Mullin, TX

Mullin, TX is an incorporated place with a population of 175 persons according to the U.S. Census. Mullin does not presently have local aural service. This Counterproposal puts forth 224C3 as a first local service.

224C3 can be allotted at Mullin, TX in compliance with 47 CFR 73.207 and 47 CFR 73.315. See Exhibits M3 and M4. The allotment of 224C3 at Mullin, TX is MX with the Petitioner's request for 224 A at Comanche, TX. See Exhibit M3.

224A can be allotted at Mullin, TX without a site restriction at coordinates 31-33-24 N 98-39-55 W. 224C3 as shown in Exhibits M3 and M4 would provide interference-free service to 39,775 persons over 4,803 square kilometers.

### III. Mason, TX

In order to accommodate the allotment of 224C3 at Mullin, TX, the shortspace of 37.4 kilometers to 224A at Mason, TX must be addressed. This Counterproposal requests that 259A be substituted for 224A at Mason, TX at the identical reference coordinates of the present 224A allotment.

259A can be allotted at the present 224A Mason, TX site reference in compliance with 47 CFR 73.207 and 47 CFR 73.315. See Exhibits M1 and M2.

#### IV. Summary

This Counterproposal will provide interference-free service to 39,775 persons, some 25,183 persons more than the Petitioner's proposal. Similarly, the area served is 2,287 square kilometers greater than the Petitioner's proposal.

The Petitioner's proposal requires a site restriction at Comanche, TX where the Counterproposal requires no site restriction at Mullin, TX.

For these reasons, this Counterproposal should be adopted in its entirety.

FM Study for: **ALLOC**  
 Location: **MULLIN, TX**

FCC Database Date: 7/29/2001  
 Channel Class: **C3**

**31-33-24**  
**98-39-55**

[\*] by HAAT indicates calculated as missing in database.

[^] by HAAT indicates value taken from 1999 VAX file.

Call Status	City, State	Proponent	Chan Class	Freq	kW	Latitude	Dist.	Required Clear (km)
			File Number	HAAT	Longitude	Azm.		

>>>>>> **Study For Channel 224 92.7 MHz** <<<<<<<

ALLOCR	COMANCHE, TX		224 A	92.7		31-52-55	36.1	142
ADD			RM-10164		0	98-40-06	359.5	-105.9
<b>Note:</b> Counterproposal is MX with Petitioner's request for 224A at Comanche, TX.								

ALLOC	MASON, TX		224 A	92.7		30-45-00	104.6	142
VAC	Fac. No. 96378		Docket-1997-244		0	99-14-00	211.3	-37.4
Use of 73.215 for short spacing requires: 119 -14.4 SHORT								
<b>Note:</b> 259A can be substituted at Mason, TX for 224A at the identical reference coordinates. See Exhibits M1 and M2.								

KBLK	BURNET, TX		223 A	92.5	1.10	30-49-41	89.46	89
LIC	Fac. No. 40764		BLH-19951002KB	167		98-15-43	154.4	+0.46
CLOSE								

KULL	ABILENE, TX		223 C2	92.5	44.0	32-15-58	126.0	117
LIC	Fac. No. 22158		BLH-19971104KF	160		99-42-23	308.9	+9.0
CLOSE								

ALLOC	CEDAR PARK, TX		227 C	93.3		30-43-34	112.4	96
RSV			RM-9363		0	97-59-23	144.8	+16.4
CLEAR								

ALLOC	KILLEEN, TX		227 C	93.3		30-43-34	112.4	96
USE	Fac. No. 23604		-		0	97-59-23	144.8	+16.4
CLEAR								

KLNC	CEDAR PARK, TX		227 C	93.3	100.	30-43-34	112.4	96
LIC	Fac. No. 23604		BMLH-20000328AHS	600*		97-59-23	144.8	+16.4
CLEAR								

KZPS	DALLAS, TX		223 C	92.5	96.0	32-35-22	196.9	176
LIC	Fac. No. 6378		BLH-19801126AA	485		96-58-10	54.0	+20.9
CLEAR								

KZPS	DALLAS, TX		223 C	92.5	99.0	32-35-19	196.9	176
CP	Fac. No. 6378		BPH-20000824ABH	603*		96-58-05	54.0	+20.9
CLEAR								

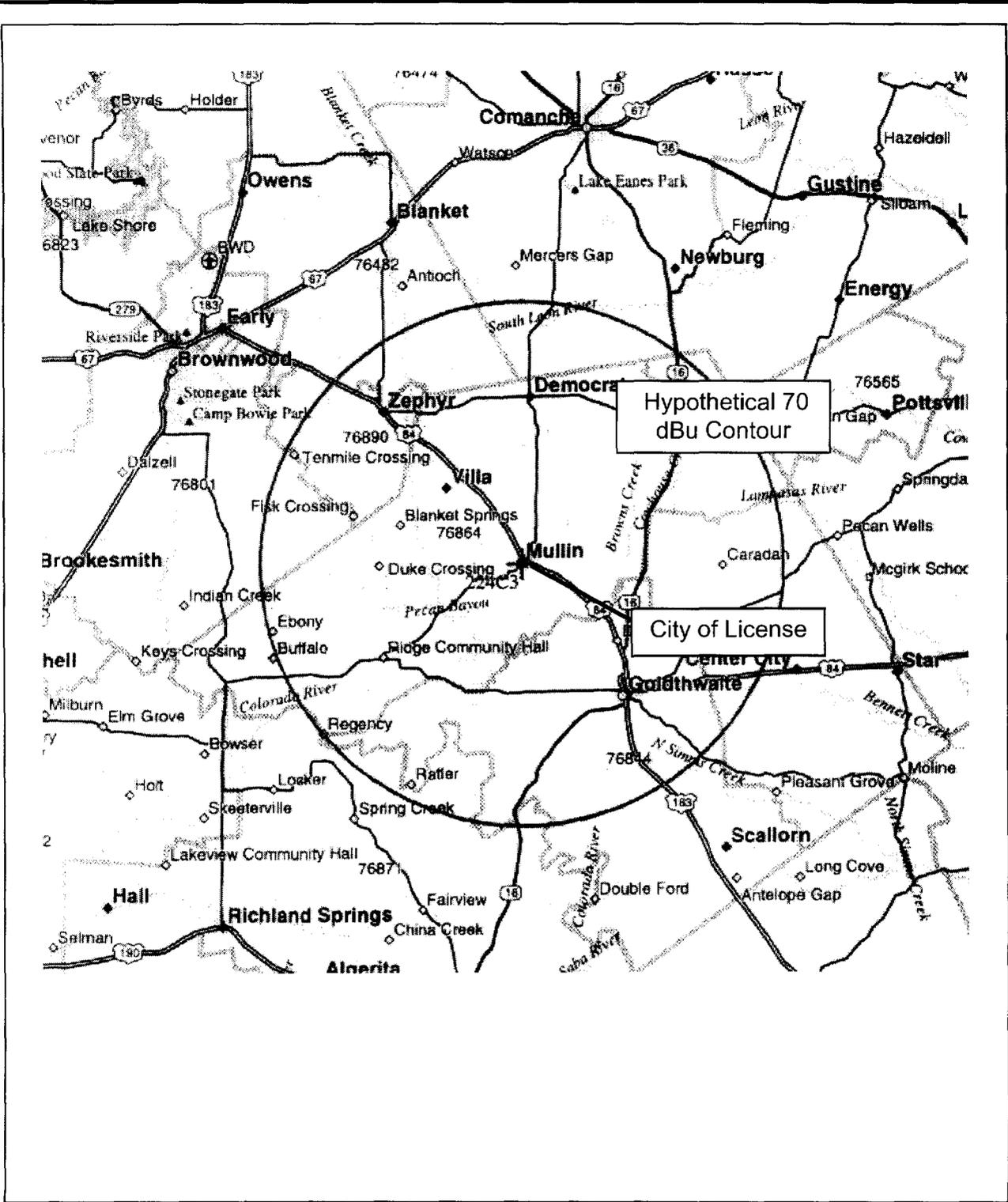
KLRK	MARLIN, TX		225 C2	92.9	50.0	31-24-45	139.1	117
LIC	Fac. No. 35581		BLH-20001221AAL	150		97-12-40	96.2	+22.1
CLEAR								

KTFW	GLEN ROSE, TX		221 C1	92.1	25.0	32-16-31	100.2	76
LIC	Fac. No. 65314		BLH-19990429KC	432		98-01-22	37.2	+24.2
CLEAR								

**Frank McCoy**  
**Exhibit M3**

**224C3**  
**Mullin, TX**  
**Channel Study**

**Allotment**  
**Coordinates**  
**31-33-24 North**  
**98-39-55 West**



Frank McCoy  
 Exhibit M4  
 Scale 1:500,000

224C3  
 Mullin, TX  
 Hypothetical 70 dBu  
 Coverage

Allotment  
 Coordinates  
 31-33-24 North  
 98-39-55 West

09-01-2001

Frank McCoy

PAGE 1

FM Study for: **VAC** FCC Database Date: 7/29/2001 **30-45-00**

Location: **MASON, TX** Channel Class: **A** **99-14-00**

[\*] by HAAT indicates calculated as missing in database.

[^] by HAAT indicates value taken from 1999 VAX file.

Call	City, State	Chan Class	Freq	kW	Latitude	Dist.	Required
Status	Proponent	File Number	HAAT	Longitude	Azm.	Clear (km)	

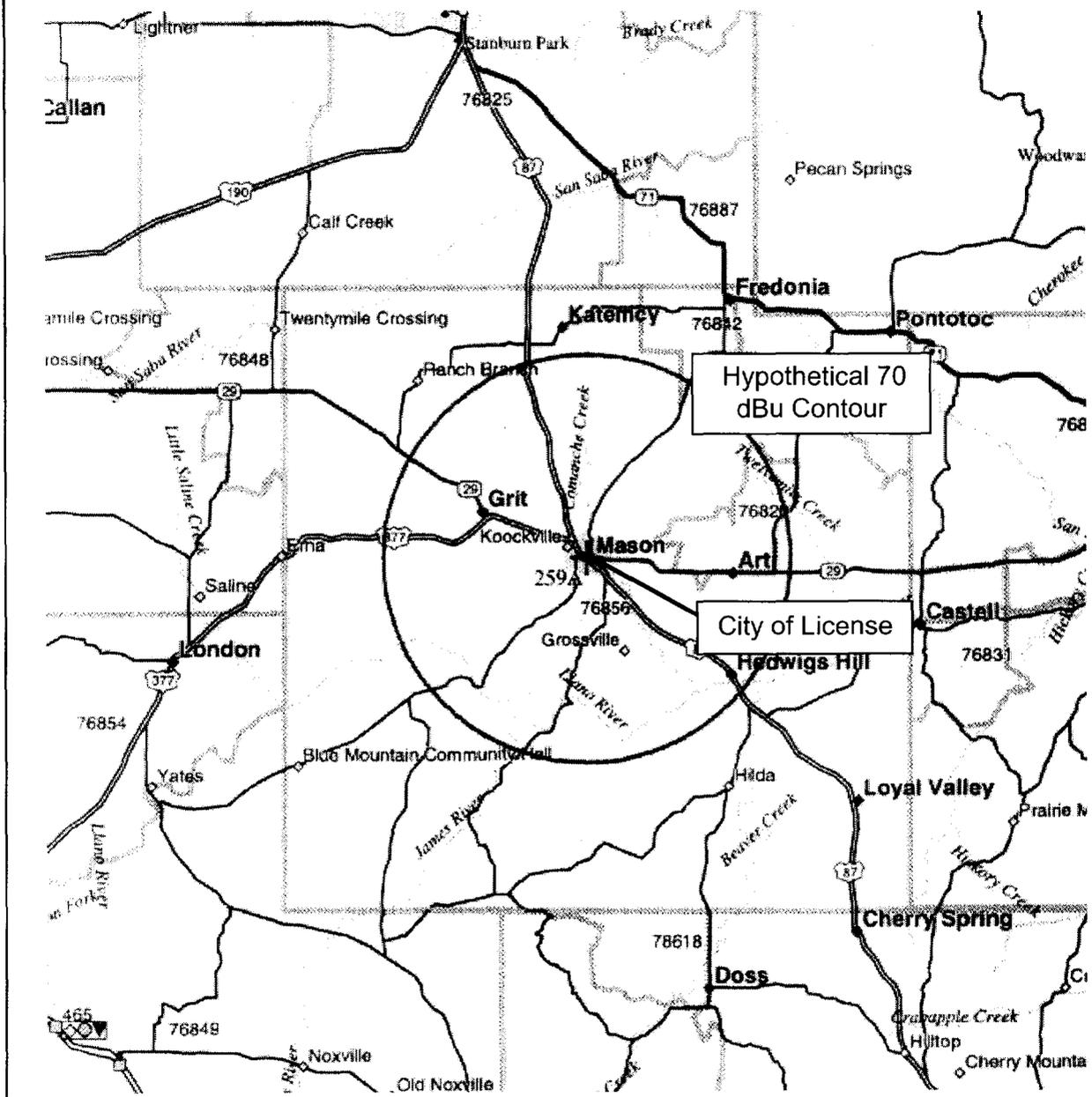
>>>>>>> Study For Channel 259 99.7 MHz <<<<<<<<

ALLOCR HUNT, TX	260 A	99.9		30-07-18	72.09	72	
ADD	RM-9645		0	99-25-39	195.0	+0.09	CLOSE
KBCY TYE, TX	259 C1	99.7	100.	32-24-39	201.97	200	
LIC Fac. No. 68642	BLH-19870506KI	227		100-06-26	336.0	+1.97	CLOSE
KISSFM SAN ANTONIO, TX	258 C	99.5	100.	29-16-29	188.4	165	
LIC Fac. No. 34976	BLH-19870928KB	339		98-15-52	150.0	+23.4	CLEAR
WACOFM WACO, TX	260 C	99.9	90.0	31-20-15	194.8	165	
LIC Fac. No. 59264	BLH-19901116KD	627*		97-18-37	70.0	+29.8	CLEAR
ALLOCR BROWNWOOD, TX	257 C1	99.3		31-42-16	108.1	75	
ADD	RM-		0	99-00-05	11.7	+33.1	CLEAR

**Frank McCoy  
Exhibit M1**

**259A  
Mason, TX  
Channel Study**

**Allotment  
Coordinates  
30-45-00 North  
99-14-00 West**



Frank McCoy  
 Exhibit M2  
 Scale 1:500,000

259A  
 Mason, TX  
 Hypothetical 70 dBu  
 Coverage

Allotment  
 Coordinates  
 30-45-00 North  
 99-14-00 West

## Engineering Statement

The foregoing engineering analysis, offered in support of a request to amend the Table of Allotments [47 CFR 73.202(b)] was prepared by Frank McCoy or under his direct supervision.

Data used was taken from the FCC CDBS Database as it was available on the FCC FTP servers as of 7/29/2001.

Every effort has been made to avoid inaccuracies and the foregoing engineering exhibits are believed to correctly reflect the FM broadcast spectrum at the time of their preparation, to the best of the preparers' knowledge.

A handwritten signature in black ink that reads "Frank McCoy". The signature is written in a cursive, somewhat stylized font.

Frank McCoy

September 2, 2001



# EXHIBIT A



**Quick Tables**

QT-PL. Race, Hispanic or Latino, and Age: 2000  
 Data Set: Census 2000 Redistricting Data (Public Law 94-171) Summary File  
 Geographic Area: **Mullin town, Texas**

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://factfinder.census.gov/home/en/datanotes/expplu.html>.

Subject	All ages		18 years and over	
	Number	Percent	Number	Percent
<b>RACE</b>				
<b>Total population</b>	<b>175</b>	<b>100.0</b>	<b>125</b>	<b>100.0</b>
One race	174	99.4	124	99.2
White	159	90.9	117	93.6
Black or African American	0	0.0	0	0.0
American Indian and Alaska Native	0	0.0	0	0.0
Asian	0	0.0	0	0.0
Native Hawaiian and Other Pacific Islander	0	0.0	0	0.0
Some other race	15	8.6	7	5.6
Two or more races	1	0.6	1	0.8
<b>HISPANIC OR LATINO AND RACE</b>				
<b>Total population</b>	<b>175</b>	<b>100.0</b>	<b>125</b>	<b>100.0</b>
Hispanic or Latino (of any race)	17	9.7	9	7.2
Not Hispanic or Latino	158	90.3	116	92.8
One race	158	90.3	116	92.8
White	158	90.3	116	92.8
Black or African American	0	0.0	0	0.0
American Indian and Alaska Native	0	0.0	0	0.0
Asian	0	0.0	0	0.0
Native Hawaiian and Other Pacific Islander	0	0.0	0	0.0
Some other race	0	0.0	0	0.0
Two or more races	0	0.0	0	0.0

(X) Not applicable

Source: U.S. Census Bureau, Census 2000 Redistricting Data (Public Law 94-171) Summary File, Matrices PL1, PL2, PL3, and PL4.

## City State / ZIP Code Associations

To find the ZIP Code for a mailing address, check out our [ZIP+4 Code Lookup](#).  
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---

**MULLIN TX**

is associated with the  
following ZIP Codes:

For these ZIP Codes,  
the city name is:

ZIP Code  
Type

---

76864

ACCEPTABLE (DEFAULT)

STANDARD

---

*Version 5.0 Database 09/2001*

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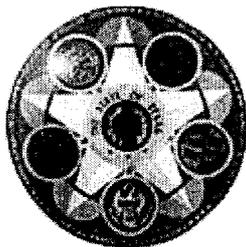
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**MULLIN, TEXAS.** Mullin, on Mullin Creek, U.S. Highway 84/183, Farm Road 573, and the Santa Fe line, ten miles north of Goldthwaite in west central Mills County, became a townsite with the construction of the Santa Fe track through the area in the late 1880s. Both the creek and the town were named for a pioneer family. Among the first businesses in the area were a saloon and a hotel in 1885. Dr. W. D. Kirkpatrick donated the townsite in return for the construction of the railroad through the area. The population of Mullin was 100 in 1890; in 1894 the first permanent schoolhouse was built. A gristmill and cotton gin were among the early businesses. By 1910 the town had three churches, a bank, a weekly newspaper named the *Enterprise*, and 750 residents. The population fell to 558 by 1920 and 404 by 1947. In 1958 there were only two stores left in the community. The population was 213 in 1980, and in 1990 it was 194.

**BIBLIOGRAPHY:** Flora Gatlin Bowles, *A No Man's Land Becomes a County* (Austin: Steck, 1958).

*William R. Hunt*

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**MULLIN, TEXAS.** Mullin, on Mullin Creek, U.S. Highway 84/183, Farm Road 573, and the Santa Fe line, ten miles north of Goldthwaite in west central Mills County, became a townsite with the construction of the Santa Fe track through the area in the late 1880s. Both the creek and the town were named for a pioneer family. Among the first businesses in the area were a saloon and a hotel in 1885. Dr. W. D. Kirkpatrick donated the townsite in return for the construction of the railroad through the area. The population of Mullin was 100 in 1890; in 1894 the first permanent schoolhouse was built. A gristmill and cotton gin were among the early businesses. By 1910 the town had three churches, a bank, a weekly newspaper named the *Enterprise*, and 750 residents. The population fell to 558 by 1920 and 404 by 1947. In 1958 there were only two stores left in the community. The population was 213 in 1980, and in 1990 it was 194.

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*William R. Hunt*

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### Mullin ISD Data

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- [View Student Performance Reports for this ISD](#)
- [Link to School District Web site](#)

#### School Campuses and their Location:

SCHOOL_NAME	SCHOOL_NUMBER	ADDRESS	CITY	STATE	ZIP	ZIP0000	AREACODE	PHONE_NUM
MULLIN SCHOOL	167902001	SCHOOL ST	MULLIN	TX	76864	0128	915	9853374



#### District Officials and their Contacts

OFFICIAL	DESCRIPTION	FIRST_NAME	LAST_NAME	STREET_ADDRESS	CITY	STATE	ZIP	ZI
SUPERINTENDENT	DISTRICT EXEC ADMINISTRATOR	C	HAMMOND	P O BOX 128	MULLIN	TX	76864	012
BOARD MEMBER	DISTRICT BOARD MEMBERS	DALE	PORTER	P O BOX 128	MULLIN	TX	76864	012
BOARD MEMBER	DISTRICT BOARD MEMBERS	LEE	SINGLETON	P O BOX 128	MULLIN	TX	76864	012
BOARD MEMBER	DISTRICT BOARD MEMBERS	THOMAS	BURRUS	P O BOX 128	MULLIN	TX	76864	012
BOARD MEMBER	DISTRICT BOARD MEMBERS	SUZANNE	PROSISE	P O BOX 128	MULLIN	TX	76864	012
BOARD PRESIDENT	DISTRICT BOARD MEMBERS	SCOTT	RUSSELL	P O BOX 128	MULLIN	TX	76864	012
BOARD SECRETARY	DISTRICT BOARD MEMBERS	LENA	DAY	P O BOX 128	MULLIN	TX	76864	012
BOARD VICE-PRESIDENT	DISTRICT BOARD MEMBERS	CARL	GREER	P O BOX 128	MULLIN	TX	76864	012
AREA SUPERINTENDENT	DISTRICT STAFF	C	HAMMOND	P O BOX 128	MULLIN	TX	76864	012
AT-RISK/DROPOUT PREVENTION	DISTRICT STAFF			P O BOX 128	MULLIN	TX	76864	012
BUSINESS MANAGER	DISTRICT STAFF			P O BOX 128	MULLIN	TX	76864	012
CHILD FIND CONTACT	DISTRICT STAFF	LINDA	BUFFE	PO BOX 128	MULLIN	TX	76864	
IVR/WEB ER CONTACT	DISTRICT STAFF			P O BOX 128	MULLIN	TX	76864	012

PEIMS COORDINATOR	DISTRICT STAFF			P O BOX 128	MULLIN TX	76864	012
SCHOOL SOCIAL WORKER	DISTRICT STAFF			P O BOX 128	MULLIN TX	76864	012
TAAS COORDINATOR	DISTRICT STAFF	STEVE	COSTON	P O BOX 128	MULLIN TX	76864	012
TECHNOLOGY COORDINATOR	DISTRICT STAFF			P O BOX 128	MULLIN TX	76864	012
TED ADMINISTRATOR	DISTRICT STAFF	C	HAMMOND	P O BOX 128	MULLIN TX	76864	012

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This page is intended to show my Special Thanks to the Goldthwaite Eagle-Mullin Enterprise and Mr. and Mrs. G. Frank Bridges, Editors & Publishers For allowing us to transcribe various Obituaries and Articles for the following Mills County Pages

Mills County, TX GenWeb Page  
Mills County Historical Commission Page  
Mills County Military Veterans Page by the IvyPlace

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 Location: 5th and Fisher, across from courthouse square.

In 1885 William H. Thompson (1842-1896) started a weekly newspaper, "The Mountaineer", which closed but was re-established in 1894. He sold it in 1896 to R.M. Thompson, his nephew, who renamed it "The Goldthwaite Eagle". At that time eagles still lived in the hills of Mills County. The paper was bought in 1920 by Dr. E.M. Wilson. It changed hands between the Wilson and Thompson Families until 1950, when Charlie T. Wilson sold it to H.R. Ekins. A merger with "The Mullin Enterprise" made it the county's only

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 and the Mullin Enterprise**

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Business Name	Address	City	Phone
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#### Used Merchandise Stores

**THE BARGAIN BARN**  
 HWY 183 & 84  
 MULLIN, TX 76864  
 915/985-3508

#### Sporting Goods Stores and Bicycle Shops Home

**WALDRIPS GUN SHOP**  
 1 MILE SO OF MULLIN ON HWY 573  
 MULLIN, TX 76864  
 915/985-3850

**WALDRIPS GUN SHOP**  
 1 MI S OF MULLIN ON HWY 573 ON THE RIGHT  
 MULLIN, TX 76864  
 915/985-3850

#### Jewelry Stores Home

**K B HENRY COMPANY**  
**HWY 183**  
**MULLIN, TX 76864**  
**915/985-3577**

**PURPLE SAGE DESIGNS**  
**9 MI N OF MULLIN HWY 84**  
**MULLIN, TX 76864**  
**915/985-3754**

**THE WEST COLLECTION**  
**RR 1 BOX 183**  
**MULLIN, TX 76864**  
**915/985-3808**

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**Gift, Novelty, and Souvenir Shops Home**

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**KEEPERS AT HOME**  
**HC 63 BOX 53**  
**MULLIN, TX 76864**  
**915/938-5503**

**NEELY'S**  
**4 MI N ON HWY 183**  
**MULLIN, TX 76864**  
**915/985-3348**

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**Miscellaneous Retail Stores, NEC Home**

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**NEW HOPE LIFESTYLES INC**  
**4 MIL NW ON FM 1029**  
**MULLIN, TX 76864**  
**915/985-3994**

**POMPEY MOUNTAIN COMMUNICATIONS**  
**6 MI N OF MULLIN ON 573**  
**MULLIN, TX 76864**  
**915/985-3361**

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<ul style="list-style-type: none"> <li>- BAYPORT</li> <li>- PROBE. CAMEO 4 PIECE</li> <li>- FL. AIR III. TIERRA</li> <li>- VARSITY XS</li> <li>- CELEBRITY</li> <li>- BIG SUR 2000</li> <li>- PALISADES</li> <li>- RODEO DRIVE</li> <li>- WESTERN PACK</li> <li>- ORGANIZERS</li> </ul>			<p><i>90° Skyway</i></p> <p><b>LUGGAGEMALL.COM</b></p> <ul style="list-style-type: none"> <li>- luggage</li> <li>- computer bags</li> <li>- carry alongs</li> <li>- basic necessities</li> <li>- grooming accessories</li> </ul>
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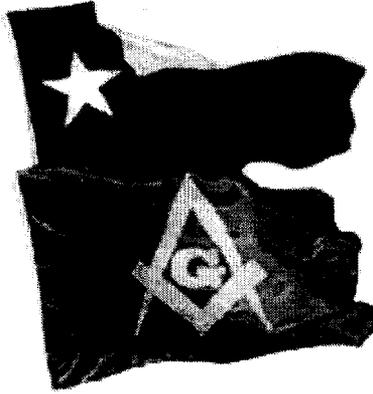
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## **Mullin Lodge No. 806**

**Ancient Free & Accepted Masons of Texas**

**Main - Sherman St.  
Mullin, Texas 76864**

**Mailing Address: P.O. Box 44  
Mullin, TX 76864**

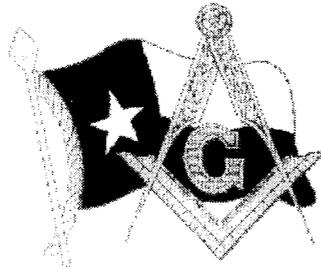
**Meetings: Second Tuesday of each month at 8:00 PM**

**Chartered by The Grand Lodge of Texas, AF&AM  
on December 10, 1896  
Membership: 32**



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"Can joining the Masons of Texas help me better myself through service to others?"





**The Grand Lodge  
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