

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD IN THE DISTRICT OFFICE AT FORT WORTH, TEXAS, ON  
THE 14TH DAY OF SEPTEMBER, 1954, AT 1:30 P. M.

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The call of the roll disclosed the presence or absence of the Directors as follows:

<u>PRESENT</u>	<u>ABSENT</u>
Joe B. Hogsett	W. L. Pier
Houston Hill	A. T. Seymour, Jr.
Lacy Boggess	

Also present were Messrs. Sidney L. Samuels, General Counsel of the District; C. L. McNair, General Manager of the District; Ben F. Hickey, Land Agent and Office Manager of the District and Marvin C. Nichols of the firm of Freese and Nichols, Consulting Engineers for the District.

Director Hogsett acted in his capacity as President, and Director Boggess acted in his capacity as Secretary, whereupon proceedings were had and done as follows:

1.

The minutes of meeting of the Board of August 31, 1954 having been read by each and all members of the Board of Directors, on motion of Director Hill, seconded by Director Boggess such minutes were approved and ordered of record.

2.

On motion of Director Hill, seconded by Director Boggess, Voucher-checks #5701 to #5756, inclusive; dated September 14, 1954, were approved, having theretofore received the approval and verification of Mr. J. M. Williams, County Auditor, who by virtue of the

Statutes is the Auditor of this District as well. All the Directors present voted aye thereon.

3.

A written communication was presented to the Board from Mr. W. E. Buckmaster, Route 1, Box 251-E, Azle, Texas (who is in charge of the used cars of the Sanford Webb Motor Company, Fort Worth, Texas). In the written communication, Mr. Buckmaster stated that he was Lessee of approximately 1.00 acre of land, the property of the District, known as Tract 32<sup>4</sup>, purchased by the District from E. A. Corbett and known as Lot No. 5 of the Subdivision situated in Tarrant County, Texas, at elevation higher than 649 feet above mean sea-level. The lease was granted to Mr. Buckmaster, who was living at 4021 Collinwood, Fort Worth, Texas. The lease was to cover the period January 1, 1954 to December 31, 1954, for which Mr. Buckmaster was to pay \$50.00 for the period of time above mentioned and which it appears had already been paid to the District by the Lessee, Mr. Buckmaster. In this written communication from Mr. Buckmaster dated September 15, 1954, he asked consent of the District to transfer the lease, with the improvements, to Mr. J. Z. Phillips, a policeman of the City of Fort Worth, who resides at 2703 Ave. D in the City of Fort Worth, Texas. Mr. Buckmaster asked permission to sell the improvements on the lease land to Mr. Phillips and to retain a chattel mortgage lien on such improvements that now exist on the premises, he, the said Buckmaster, to be responsible for payment for the rental. The District agreed to renew same for a period of one year and for each successive calendar year thereafter, including the year ending December 13, 1956, and with the further

option to Mr. Buckmaster to renew for another five year period beginning January 1, 1957, at an annual rental to be determined by the Board, which may be greater than that heretofore paid, but shall not be more than \$100.00 per year. Mr. Buckmaster appeared in person to urge the Board to grant him permission to transfer the lease to Mr. Phillips and to sell the improvements thereon. It was resolved by the Board, all Directors voting aye thereon, that such transfer be granted conditioned that Mr. Buckmaster be not released from his agreement to pay the rent on the premises and that any lien retained by Mr. Buckmaster on the improvements should be secondary and inferior to the lien of the District on such improvements, and that such improvements should not be removed until the time of the leasehold period, including the renewals, had expired. Mr. Buckmaster, who was present and heard the discussion, agreed to the foregoing stipulation.

4.

There was presented to the Board an instrument dated September 3, 1954 which appeared to be the monthly audited statements of Cash Receipts and Disbursements of the several funds of the District covering the month of July, 1954, and the year 1954 to date, compared with the same period of the previous year. This audit was prepared by Pitner and Adams, signed by Mr. R. M. Pitner, Certified Public Accountant. In view of the fact that Director Pier and Director Seymour were absent, it was ordered by the Board that such document be received and filed and consideration be postponed until a full Board could be present. All the Directors present voted aye thereon.

5.

There was also presented a written communication on the letterhead of Freese and Nichols, Engineers of the District, dated September 7, 1954, executed by Freese and Nichols, by and through Mr. Joe B. Mapes of the staff of Freese and Nichols. In this communication it was stated that the new Floodway Levee which crosses the intersection of Kansas and Viola Streets had necessitated the revision on an existing storm sewer. Further, the revision consists of 120 Linear Feet of 36" storm sewer, 2 new curb inlets together with 18" connecting pipes, and two new junction boxes. It was further stated in the communication that the Engineers had received two lump-sum bids for the work as follows:

Cleal T. Watts	\$ 3,977.50
Whittle Contracting Co.	2,650.00

This communication further stated that "Our estimate based on recent construction costs used by the City of Fort Worth on work of this kind was \$2,619.00." It was the recommendation of the Engineers that this work be authorized, and that the contract be awarded to Whittle Contracting Company on the basis of the low bid which was in the total amount of \$2,650.00. A copy of this communication had been sent to C. M. Thelin, Director of Public Works of the City of Fort Worth, and attached to the communication was copy of the letter by Whittle Contracting Company, P. O. Box 5602, Dallas, Texas, to the effect that the Board of Directors of the District had authorized storm sewer work on Greenleaf storm sewer extension at Viola and Kansas Streets, Fort Worth, Texas on the bid of Whittle Contracting Company in the amount of \$2,650.00, and that it was requested said company proceed as soon as possible. This letter also shows copies

of communication had been sent to Mr. Thelin and Mr. J. Van Renfro. On motion of Director Hill, seconded by Director Boggess, the communication from Freese and Nichols was ratified and authorized the work to be done and the Contract awarded to Whittle Contracting Company. All Directors present voted aye thereon.

6.

It appears that at a previous meeting of the Board it was authorized that bids be received by the Board on granting Lease for Oil and Gas purposes on lands situated in Wise County, Texas, consisting of approximately 12,000 acres in and adjacent to the Bridgeport Lake Basin. On motion of Director Hill, seconded by Director Boggess, it was ordered by the Board, all Directors present voting aye thereon, that notices be given to the public and all persons interested therein, through publication in three newspapers to-wit:

Fort Worth Star-Telegram  
Fort Worth Press  
Wise County Messenger

and that such advertisement be published in the issues of each of the said papers on the following dates:

Friday, September 17, 1954;

Friday, September 24, 1954;

Friday, October 1, 1954.

Mr. Ben F. Hickey, Office Manager of the District, is to see to it that such advertisement is published in each of said papers on date and days aforesaid. A copy of said advertisement, authorized by the Board, is attached in folio to these minutes and made a part hereof.

7.

Mr. Ben F. Hickey, Office Manager of the District, appeared before the Board and presented the following matter for proceedings in condemnation in respect to the following real property.

A portion of Lot 5 in Land 600 of the M. Baugh Survey in Tarrant County, Texas, and more particularly described in Vol. 1397, page 399 (less that amount deeded to Tarrant County Water Control and Improvement District Number One in Vol. 2542, page 303), all in the Deed Records of Tarrant County, Texas.

Mr. Hickey further stated that he had endeavored to negotiate the purchase of this property from the owner, Miss Lois Gray, a single lady, but that all efforts of negotiation had failed because Miss Gray, the owner, refused the amount Mr. Hickey was authorized by the District to pay for said property. Mr. Hickey further stated that said property was needed for Floodway purposes under appropriate Article, Program B. Following this explanation, it was moved by Director Hill, seconded by Director Boggess that said land be condemned to the use of the District, and that Mr. Hickey on behalf of the District and in its name be authorized to proceed with condemnation of said property and to use all necessary steps and facilities for the condemnation of sale. The following resolution was unanimously carried and ordered of record. All the Directors present voted aye thereon.

"BE IT RESOLVED BY THE BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE:

It appearing to the Board, and the Board having so found, that it is necessary to the uses of the District in widening and straightening the channel of the Trinity River, within the

borders of the District for the purposes of flood protection, a step which is essential to the welfare and safety of lives and property within the District, it is necessary that the said Tarrant County Water Control and Improvement District Number One acquire for such purposes the tracts of land hereinabove set forth and described in the minutes of this meeting preceding the enactment of this resolution, and it further appearing that negotiations were had between the representatives of this District and the owners of said properties and that the said District, through its agent and representatives, has been unable to agree upon a price or compensation with said owners for the acquisition of said lands,

NOW THEREFORE: Be it further resolved that the attorneys for the District be, and they are hereby authorized, empowered and instructed to proceed with the condemnation, under the right of eminent domain, of said properties, and that the procedure to be employed for this purpose is contained in the provisions of Title 52 Eminent Domain of the Revised Civil Statutes of Texas of the year 1925, as therein provided for counties, reference to which is made in subdivision a. of Art. 7880-126 on page 329 of Vol. 21 of Vernon's Civil Statutes of the State of Texas, and to take such other and further steps in connection therewith as may be appropriate and necessary to condemn such properties to the uses of said District as hereinabove provided."

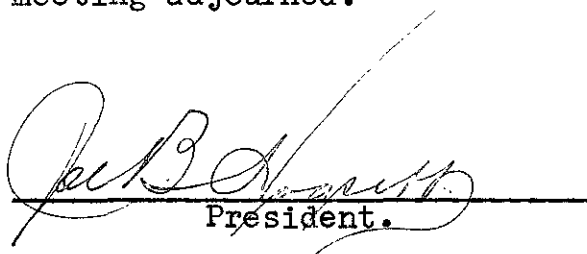
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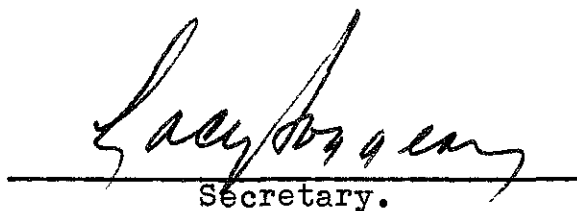
Mr. Hickey had this further matter to present to the Board concerning property known and described as the F. H. Johnson

tract located on Jacksboro Highway, situated in the corporate limits of the City of Fort Worth, Texas, which the District had leased from Johnson and which now, with the consent of the Board, has been leased to Mr. E. G. Haas, for the consideration of \$250.00 per month. Mr. Hickey further stated that the lease heretofore made to Mr. Haas was and is to run for a period of one year from June 15, 1954, but due to interference in the use of the property by Contractors of the District, it is ordered that the rent of Mr. Haas for the month of September, 1954 be reduced from \$250.00 to \$150.00, per month, but that the stipulated rent of \$250.00 per month should be required after the expiration of the month of September. This arrangement having been submitted to the Board, all Directors present voted aye thereon, and Mr. Haas accordingly so instructed.

9.

There being no further business before the Board, the meeting adjourned.

  
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President.

  
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Secretary.



S. W. FREESE  
M. C. NICHOLS  
S. G. ENDRESS

**FREESE AND NICHOLS**  
CONSULTING ENGINEERS  
407-410 DANCIGER BUILDING  
TELEPHONE ED-5431  
FORT WORTH 2, TEXAS

September 7, 1954

Board of Directors  
Tarrant County Water Control  
and Improvement District No. 1  
502 Danciger Building  
Fort Worth, Texas

Re: Greenleaf Storm Sewer  
Extension at  
Viola and Kansas Street  
Fort Worth, Texas

Gentlemen:

The new floodway levee which crosses the intersection of Kansas and Viola Street has necessitated the revision on an existing storm sewer. The revision consists of 120 L.F. of 36" storm sewer, 2 new curb inlets together with 18" connecting pipes, and two new junction boxes.

We have received two lump sum bids for this work as follows:

Cleal T. Watts	\$3,977.50
Whittle Contracting Co.	\$2,650.00

Our estimate based on recent construction costs used by the City of Fort Worth on work of this kind was \$2,619.00.

It is our recommendation that this work be authorized, and that the contract be awarded to Whittle Contracting Company on the basis of their low bid in the total amount of \$2,650.00.

Yours very truly,

FREESE AND NICHOLS

  
Joe B. Mapes

JBM:vs

cc: Tarrant County Water Control  
and Improvement District No. 1  
cc: C. M. Thelin

9-8-1954  
OK  
[Handwritten initials]