

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 28TH 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 Houston Hill W. L. Pier Lacy Boggess	A. T. Seymour, Jr.

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.

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

1.

The minutes of September 14, 1954 having been read by  
the members of the Board, it was unanimously ordered that the said  
minutes be approved, signed and placed of record, all the Directors  
present voted aye thereon.

2.

On motion of Director Boggess, seconded by Director Hill,  
Voucher-checks #5757 to #5814, inclusive; dated September 30, 1954,  
were approved, having theretofore received the approval and verifi-  
cation 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.

Mr. Ben Hickey presented to the Board the matter of the acquisition of four tracts of land within the corporate limits of Fort Worth, Tarrant County, Texas, of which George G. Phiripes and wife are the owners; as explained by Mr. Hickey, this land was needed as an additional unit in the completion of the Program B in the Brookside-Crestwood Area for the Levee to be built in said area by the Federal Army Engineers. The description of the land is as follows, to-wit:

TRACT NO. 1 - All of Lot 114 of Brookside Acres as shown by the map of record in Vol. 388-A, page 81 of the deed records of Tarrant County, Texas, and

TRACT NO. 2 - A portion of Lots A and B, a subdivision of lot 111 of said Brookside Acres as shown by the map of record in Vol. 388-F, page 99 of said Deed Records.

Beginning at an iron at the southwest corner of said lot A.

Thence North 17 degrees West, along the westerly line of said lot 36-4/10 feet to the northwest corner of said lot 114.

Thence South 87 degrees 03 minutes East 106-4/10 feet to the southeast corner of said lot B.

Thence South 73 degrees West, along the south lines of said lots B and A, 100 feet to the place of beginning and containing thirty-six hundred forty (3640) square feet.

TRACT NO. 3 - A portion of lot 1 of block 1 of Brookside Annex as same appears on the map of record in Vol. 388-A, page 86 of the deed records of Tarrant County, Texas and embracing portions of the tracts conveyed to George G. Phiripes by deeds of record in Vol. 1573, page 388 and in Vol. 2708, page 512 of said Deed Records.

Beginning at an iron set for the southwest corner of said lot 1.

Thence East, along the south line of said lot, 14-9/10 feet.

Thence North 5 degrees 41 minutes East 41 feet to an iron.

Thence North 73 degrees 17 minutes East 82 feet to a point in the east line of said lot.

Thence North, along said line, 130-5/10 feet to a point 161-9/10 feet from the northeast corner of said lot.

Thence South 73 degrees 17 minutes West 82-6/10 feet.

Thence North 8 degrees 19 minutes West 136-7/10 feet to a point in the west line of said lot 51-2/10 feet from its northwest corner.

Thence South no degrees 16 minutes East, along the west line of said lot 306-5/10 feet to the place of beginning and containing fourteen thousand seven hundred seventy-five (14,775) square feet.

TRACT NO. 4 - A portion of the J. Watson Survey situated about 3-1/2 miles west of the Courthouse in Tarrant County, Texas.

Beginning at an iron set in the most southerly north line of said survey 38-7/10 feet from a reentrant corner of said survey, and being the southwest corner of lot 1 of block 1 of Brookside Annex as same appears on the map of record in Vol. 388-A, page 86 of the deed records of said Tarrant County.

Thence East, along said line, 14-9/10 feet.

Thence South 5 degrees 41 minutes West to a point in the north right-of-way line of White Settlement Road.

Thence Southwesterly, along said line, to its intersection with a southerly extension of the east line of Isbell Road.

Thence North no degrees 16 minutes West, along said extension of said east line, to the place of beginning.

Mr. Hickey further stated that the owners of the foregoing land were to be paid the sum of \$9,850.00 as complete consideration for purchase of the said lands and dismissal of Suit in the County Court-of-Law, Tarrant County, Texas, Cause No. 47605. The said owners (George Phiripes and wife) are to execute a Deed of Conveyance in fee simple with General Warranty to the District. Further, the transfer was to be consummated in the office of the Rattikin Title Company and said Title Company is to issue a Title Insurance Policy to the District, and the District is to pay the Rattikin Title Company for such Title Policy and the said owners of the land to warrant the property free of encumbrance. Having heard the explanation of the matter, it was moved by Director Pier, seconded by Director Hill that Mr. Hickey be authorized and instructed to proceed with the acquisition of the property in the manner and form above

mentioned, and that when the Deed of Conveyance and Title Policy are ready to be delivered, and the dismissal of Suit known as Cause No. 47605; a Voucher be issued in the said amount of \$9,850.00, payable to the order of said George G. Phiripes, husband and wife, and that the voucher and said deed be delivered at the same time which should mark the completion of the purchase. All the Directors present voted aye thereon.

Mr. Hickey further explained to the District the necessities that arise for re-aligning levee in the Brookside Area, which forms a part of Program B of the Floodway Program; that it is essential that new condemnation proceeding be instituted against Gus Phiripes and wife, and that the former proceedings heretofore issued in the County Court-of-Law of Tarrant County, Texas be dismissed.. Mr. Hickey further stated that no agreement could be reached with the aforesaid owners of the property and that the owners had refused to accept any offers of payment by the District for purchase of said property and therefore in view of these circumstances, Cause No. 47606 in the said County Court-of-Law, of Tarrant County, Texas on the docket of said Court in which said original proceeding in condemnation has been instituted should be dismissed and a new condemnation authorized, due to re-alignment of said Levee. After having made this explanation to the Board of Directors, and the Board of Directors having been satisfied that the old Suit of Condemnation should be dismissed and that a new Suit should be instituted against the said Gus Phiripes and wife, on motion of Director Hill, seconded by Director Pier, it was resolved that a new Suit in Eminent Domain

be instituted by the District in the County Court of Tarrant County, for the acquisition of the foregoing property to the uses of the District and that Mr. Hickey, aided by the Lawyers of the District, proceed with condemnation proceedings with as much speed as may be permitted by law. The motion thereof to authorize the new proceedings having been submitted, all Directors present voted aye thereon. The motion was therefore unanimously carried.

4.

Mr. Ben Hickey once again appeared before the Board to explain the necessity for paying an additional amount to Miss Hope Key, the owner of .3 of an acre of land in Tarrant County, Texas, more particularly described in Volume 2527, page 543 of the Deed Records of Tarrant County, Texas. It appeared in this connection that Miss Hope Key had been paid \$250.00 for lands as above described, but that it was now found that additional land was used other than that as first had been explained by Mr. Ben Hickey to Miss Hope Key; and, therefore, Mr. Hickey recommended that, in addition to the \$250.00, \$125.00 should also be paid for the quantity of land needed for the Flood Control Program. Mr. Hickey further proceeded to say that an arrangement comparable to that made with Miss Key should be made with J. T. James and wife, Melba, from whom had been acquired .33 acres in the F. G. Mullikin Survey in Tarrant County, Texas. The land to be used from J. T. James and wife, Melba, had been erroneously described and that therefor there should be paid to J. T. James and wife the sum of \$125.00 in addition to the sum of \$250.00 that had been previously paid. The land owned by James and wife is more particularly described in Volume 2527, page 576, of the Deed Records

of Tarrant County, Texas.

The members of the Board having heard this explanation from Mr. Hickey, on motion of Director Hill, seconded by Director Pier, Mr. Hickey was instructed to make the additional payments hereinbefore stated and prepare vouchers to be issued therefor. The motion having been submitted, the same was unanimously carried all the Directors present voted aye thereon.

6.

It was moved by Director Hill, seconded by Director Boggess that Mr. Ben Hickey be authorized to offer to Mr. Skeet Fincher (doing business under the name and title of "Sycamore Golf Course") a lease on behalf of the District to the following described property:

Lots 7 through 22, Inclusive, Block 21, McCurdy's Addition.  
Lots 4, 5 and 6 of Block C, and 1/2 of Block D, Carl's Court.  
Lots 1 through 13, Inclusive, Block 2, Hollywood Addition.  
Lots 1, 2 and 3, Block E, Carl's Court.  
Lots 1, 2 and 3, Block F, Carl's Court.  
Lots 1 through 16, Inclusive, Block G, Carl's Court.  
Lots 1 through 20, Inclusive, Block 6, McCurdy's Addition.  
Lots 1 and 2, Vale Addition.

Such property to be used as a Golf Course and for no other purposes and to embrace the property hereinabove set forth. Said lease to run for a period of five (5) years with option for a renewal by said Skeet Fincher for another period of five (5) years from the expiration for the first five (5) year period. However, such option to renew should be exercised in writing, signed by the said Skeet Fincher

and delivered to Mr. Hickey at the office of the Tarrant County Water Control and Improvement District Number One in Fort Worth, Texas fully six (6) months in advance of the day and date of the expiration of the first five (5) year period. Further, that the rental for first five (5) year period, and also for the renewal period, should be on terms to be agreed on by the Lessor and Lessee and expressly authorized by the Board of Directors of the District. Furthermore, that the lease Contract with further terms and conditions be approved by the Attorney of the District and thereafter said Lease to be approved by the Board of Directors when duly prepared. All the Directors voted aye thereon.

7.

There was presented to the Board and read before the members thereof on the letterhead of Freese and Nichols, Engineers of the District, a communication signed by Freese and Nichols by Mr. Joe B. Mapes, a member of the staff of Freese and Nichols, with carbon copies of the communication sent to Mr. C.M. Thelin, Director of Public Works of the City of Fort Worth and Mr. J. Van Renfro, Engineer of Freese and Nichols. This communication related to 14" Sanitary Sewer Siphon across West Fork of the Trinity River in the Brookside-Crestwood Floodway. From the contents of the communication, it was stated that the following Firms and Companies submitted bids to the Board of Directors for the Construction of said Sanitary Sewer, as follows:

<u>BIDDER</u>	<u>LUMP SUM BID</u>	<u>CONSTRUCTION TIME</u>
Whittle Contracting Co. Box 5602 Dallas, Texas	\$ 17,800.00	50 calendar days

#120

E. H. Reeder Constr. Co., Inc.  
2128 Hawes Ave.  
Dallas, Texas

\$ 19,373.00 75 calendar days

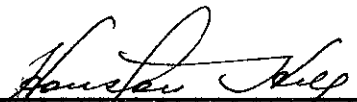
Glade Constr. Co.  
Box 2055  
Fort Worth, Texas

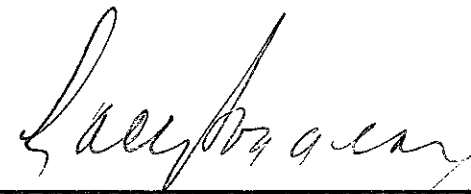
\$ 42,250.00 60 calendar days

Following the tabulation of said bids above mentioned, the communication from Freese and Nichols further stated that "It is our recommendation that the contract be awarded to Whittle Contracting Company as having submitted the lowest and best bid in the total amount of \$17,800.00". On motion of Director Hill, seconded by Director Boggess, it was resolved unanimously by the Directors that in accordance with recommendation of Freese and Nichols that the bid in the amount of \$17,800.00 submitted by Whittle Contracting Company, it being the lowest and best bid should be accepted by the District and the Contract awarded to said Whittle Contracting Company. Further that the contract should be prepared by the Engineers and submitted to Sidney L. Samuels, Attorney for the District. The successful Bidder should execute Customary Bond with an approved Surety Company to be approved by the District. The motion was unanimously passed, all the Directors present voted aye thereon. It was further, ordered that the communication from Freese and Nichols be attached to these minutes in folio.

8.

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 16, 1954

*To be attached to  
Minutes of a Meeting  
held September 28, 1954.*

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

Re: 14" Sanitary Sewer Siphon  
Across West Fork  
Brookside - Crestwood  
Floodway

Gentlemen:

The following is a tabulation of bids received today for  
construction of the new 14" sewer river crossing near Barbara Road:

<u>Bidder</u>	<u>Lump Sum Bid</u>	<u>Construction Time</u>
Whittle Contracting Co. Box 5602 Dallas, Texas	\$17,800.00	50 calendar days
E. H. Reeder Constr. Co., Inc. 2128 Hawes Ave. Dallas, Texas	\$19,373.00	75 calendar days
Glade Constr. Co. Box 2055 Fort Worth, Tex	\$42,250.00	60 calendar days

It is our recommendation that the contract be awarded to Whittle Contracting Company as having submitted the lowest and best bid in the total amount of \$17,800.00.

Yours very truly,

FREESE AND NICHOLS

By Joe B. Mapes  
Joe B. Mapes

JBM:vs

cc: C. M. Thelin  
cc: J. Van Renfro