

MATTERS TO COME BEFORE 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 21ST DAY OF FEBRUARY, 1957, AT 1:30 P.M.

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

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

Also present were Messrs. John Scott, General Counsel for the District, Marvin C. Nichols, Consulting Engineer for the District and Ben F. Hickey, General Manager 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.

On motion duly made and seconded, the minutes of the meeting held February 8, 1957 were read and approved by the Directors and it was accordingly so ordered.

2.

On motion of Director Boggess, seconded by Director Pier, voucher-checks #9334 to #9414, inclusive, were approved and ordered filed, having theretofore received the approval and verification of

#107

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, General Manager, presented a petition, dated February 8, 1957, from Edgecliff Village, Tarrant County, Texas, signed by fifty-eight (58) residents and qualified voters, requesting the Tarrant County Water Control and Improvement District Number One to take proper action to annex the area described in said petition, to-wit: All of the JOHN A. FITCH SURVEY, ABSTRACT NO. 539, SITUATED IN TARRANT COUNTY, TEXAS.

Mr. Hickey explained that this was the first petition received from the municipalities now outside of the District, but because of the future water supply problem, are now considering petitioning to become a part of the District, and that many conferences had been held with the representatives of the various municipalities towards the resolving of the many factors involved; whereupon, President Hogsett recommended that the petition from the Village of Edgecliff be accepted and that a hearing date be set that could coincide with the proposed plans of the other areas now outside the District that are working on plans to also petition the District for annexation, which would result in a great saving of time and money in having one election within the District, rather than a

separate election for each petitioning area. This being the unanimous decision of the Directors, it was so ordered.

4.

President Hogsett presented to the Directors, for their consideration, the Financial Report of January, 1957, from the Auditor of the District regarding receipts and disbursements, which was ordered accepted and placed on file in District records.

5.

There was presented to the Directors, a schedule of the various securities now owned by the Interest and Sinking, Maintenance and Construction Fund Accounts of the District. These various securities are kept in Safekeeping in the Safekeeping Department of the Fort Worth National Bank with Directors Hogsett and Boggess being Custodians, and Safekeeping Receipts issued for each transaction of securities, with the original Safekeeping Receipt kept in the Safekeeping Department of the Continental National Bank. A photostated copy of the original safekeeping receipt was exhibited and checked against the list of securities owned by the District as of this date, and it was found that the listed securities were correctly represented, and the schedule as presented was ordered filed in the permanent files of the District, with an attached sheet showing the actual costs to the District of the \$817,000.00 Par Value Tarrant County Water Control and Improvement District Number One, Series 1950

Bonds represented on the schedule.

6.

President Hogsett presented a letter, signed by John M. Scott, for the firm of Samuels, Brown, Herman & Scott, Attorneys for the District, dated February 21, 1957, in which Mr. Scott stated that he and Mr. William Brown had jointly studied the matter in controversy and did recommend that the settlement with Tarrant County, for a portion of County Road No. 4030, because of the construction of the Marine Creek Reservoir by the District, be based upon the governing law in the field of eminent domain, and as stated in Mr. Scott's letter, which is attached to these minutes, "The condemnation of property is authorized in the Constitution of Texas and the public body making condemnation must pay the value of the property actually taken, and in general all damages suffered by the condemnee in the nature of consequential damages. Thus, if a part of a piece of property is taken, and the remainder is damaged by the taking, the condemnee recovers the market value of the property taken and also the damage resulting to that not taken occasioned by the taking.

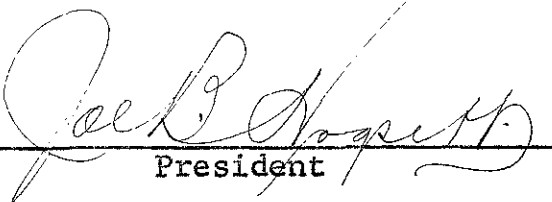
If this rule is literally applied, the Board would be obligated to pay to the County the value of the roads which were inundated, the value of the segments of road rendered useless by the taking, and the cost of reconstructing or relocating the road."

After much discussion, Director Pier requested that Tarrant

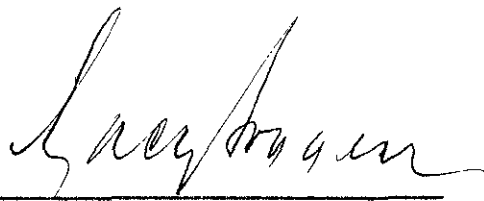
County present this District, in writing, their proposal, and it was so ordered.

7.

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



President



Secretary