

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 24TH DAY OF JANUARY, 1986 AT 9:30 A. M.

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

PRESENT

C. Victor Thornton
Burford I. King
George Shannon
Wayne E. Newton
Victor W. Henderson

Also present were Messrs. James M. Oliver, General
Manager; James Strawn, Manager of Planning and Development; Bill
Hilliard, Manager of Special Services and R. M. Doby, Comptroller.

Director Thornton acted as President and Director
Shannon acted as Secretary, whereupon proceedings were had and
done as follows:

1.

Director Shannon moved to approve the minutes of January
6, 1986 with the following correction under agenda item five:
Director King moved to regretfully accept the resignation of Ben
Hickey as General Manager of the District. He further moved to
appoint James M. Oliver as General Manager and to appoint Ben
Hickey as a consultant to the District.

Director Henderson seconded and the vote in favor was
unanimous.

2.

Mr. Charles Whaylen, Election Officer for the District,
placed before the Directors the official returns of the election
for Two (2) Directors held in the District on January 18, 1986, to

determine who should be chosen to serve as Directors to succeed the expiring terms of George W. Shannon and Burford I. King. Thereupon the Directors as a Committee of the Whole, publicly opened, examined and did canvas the returns thereof. From the tabulation the Directors did find and declare that the following named candidates at such election received total votes as follows:

<u>CANDIDATES</u>	<u>VOTES</u>
David A. Six	308
George W. Shannon	1,418
Jerry E. Gordon	306
Jack Williams	622
Burford I. King	1,322
H. G. Aab	57
Jim Austin	98
Charles Conner	1
Jerome A. Thornton	1
Mrs. John Griffith, Jr.	2
Sam Garcia	2
Albert Meek	2
Cliff Dobbins	2
Madison Mauze	1
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TOTAL VOTES CAST	2,252

Therefore, it was declared by the Board of Directors of Tarrant County Water Control and Improvement District Number One, that Messrs. George W. Shannon and Burford I. King were duly elected at said election to serve the District for the period of four (4) years from the date of their qualification and until their successors may be duly elected and qualified.

Mr. Whaylen further exhibited the Distribution List of all Ballots received and disposition of same, as per attached copy.

Immediately upon the canvassing of the election returns and the declaration by the Board of the results of said election, the Statutory Oath of Office was duly administered to Messrs. King and Shannon.

It was the unanimous opinion of the Board of Directors and their order, that George W. Shannon and Burford I. King, having been elected and chosen by the voters aforesaid, be and they were recognized, constituted, and established to serve as Directors for the term thereinbefore designated. Further, that the said election returns be filed as required by the law governing such matters.

3.

President Thornton stated that it was now in order to select officers for the District to serve for the ensuing year; thereupon Director Newton moved that Mr. C. Victor Thornton be elected President; whereupon Director Thornton relinquished the Chair to Director Newton who then accepted Director Shannon's second to his (Director Newton's) motion, with Directors voting aye thereon.

Director Newton moved that Mr. Burford King be elected Vice-President; Mr. George Shannon be elected Secretary; and Mr. Victor Henderson be elected Secretary Pro-Tem; whereon Director Henderson seconded with all Directors voting aye.

4.

President Thornton asked for nomination for two (2) Directors to act as Custodians of Collateral Securities, and for One (1) Alternate, whereupon Director Newton moved, seconded by Director Henderson, and unanimously approved that Director Shannon and Director Henderson be Custodians with Director King as Alternate.

5.

The matter of the date and time of meetings of the Board was discussed and it was the unanimous opinion of the Directors

that meetings be held, but not limited to, the third Wednesday at 9:30 A. M. each month; and that the quarterly meetings be held the first Monday at 10:00 A. M. in February, May, August and November.

6.

Director Newton moved and the motion was seconded by Director Shannon and unanimously approved that the following list of vouchers be approved:

GENERAL FUND: Voucher-checks #8445 thru #8769 inclusive, in the amount of \$6,529,694.96.

RICHLAND/CHAMBERS PROJECT - CONSTRUCTION FUND: Voucher-checks #5162 thru #5899 inclusive, in the amount of \$22,915,366.00.

INTEREST AND REDEMPTION FUND: Voucher-checks #187 thru #191 inclusive, in the amount of \$2,368,369.44.

DEBT SERVICE: Voucher-checks #375 thru #380 inclusive, in the amount of \$549,106.71.

CEDAR CREEK PROJECT - CONSTRUCTION FUND: Voucher-checks #308 thru #313 inclusive, in the amount of \$1,386,515.50.

CAPITAL PROJECT FUND: Voucher-checks #165 and #166, in the amount of \$1,348,827.67.

REVENUE FUND: Voucher-checks #4205 thru #4326 inclusive, in the amount of \$3,801,895.52.

7.

Management of the District requested authority to sell the following tracts of land now surplus to the requirements of the District to wit:

<u>BUYER</u>	<u>DESCRIPTION</u>	<u>APPRAISED VALUE AND CONSIDERATION</u>
Richard Corn, Sr.	Lot 114, Block 1, Water Board's Subdivision Cedar Creek Lake	\$14,500.00
O. R. Sanders	Lots 16, 17 & 18, Blk 3, Brookside Annex	\$ 1,745.00

Following a discussion and upon the recommendation of management and its assurance that the land had been properly advertised and that the price listed above had been appraised by a reputable appraiser, it was the consensus of the Directors and their order that the District now be authorized to sell the above listed tracts at not less than the appraised price as shown and upon terms and conditions heretofore adopted by the District.

8.

Management of the District requested authority for the District to enter into a contract for the purchase of the following described tracts of land required for Program E - Richland Creek Project, and Right-of-Way Pipeline Easements, on the following basis of payment, to wit:

PIPELINE RIGHT-OF-WAY EASEMENTS:

- I. 8.89 acres from Joe Patek and wife, Mary A. Patek, Ellis County.
 - II. 4.78 acres from Irene Pollan, a widow, Navarro County.
 - III. 4.0 acres from Charles F. Dubec and wife, Dorothy Dubec, Ellis County.
 - IV. 3.9 acres from Ray Ellison and wife, Dortha Ellison, Ellis County.
 - V. 2.98 acres from John A. Vrla and Joe E. Vrla, Ellis County.
 - VI. 3.25 acres from W. B. Ribble and wife, Myrtis May Ribble Navarro County.
- Purchase prices of these tracts not to exceed \$1,000.00 per acre.
- VII. Tract Nos. 376 and 388 - 3.4904 acres in Fee at \$825.00 per acre; 7.34 acres in Easement at \$550.00 per acre; plus \$2,400.00 liquidated damages to eight (8) grafted pecan trees from William E. Brown and wife, Ethel Clare Brown, Navarro County, Texas.
 - VIII. Tract No. 235 - 99/100 of an acre in Fee at \$850.00 per acre; 50/100 of an acre in Easement at \$567.00 per acre from Michael B. Wisdom and wife, Susan Jeane Wisdom, Navarro County.

IX. (A) Tract No. 51 - 320.56 acres in fee not to exceed \$1,000.00 per acre; 16.62 acres in easement not to exceed \$667.00 per acre from Interfirst Bank/Corsicana, Trustee for Susan Wheelock Dunn, Navarro County, Texas.

(B) Tract No. 91 - 577.6 acres in Fee not to exceed \$1,375.00 per acre; 21.89 acres in Easement not to exceed \$1,000.00 per acre from Mrs. Everett W. Case, Trustee for Susan Wheelock Dunn, Navarro County, Texas.

Following a detailed presentation of the tracts and upon the recommendation of management, Director King moved, seconded by Director Shannon, that the District be authorized to enter into a contract for the purchase of the above described tracts on the basis shown. This meeting with the approval of all Directors, it was so ordered.

Director King moved that the Board authorize eminent domain proceedings necessary to acquire a perpetual easement under the Missouri-Kansas-Texas Railroad Right-of-Way in the City of Waxahachie, County of Ellis. Said Right-of-Way is 130'x100' and is located approximately 1000 feet east of I-35 in the City of Waxahachie. Director Shannon seconded and the vote in favor was unanimous.

Upon the recommendation of the District's legal counsel, Director Shannon moved to authorize the General Manager to execute the "Settlement Agreement and Contract of Sale" and the "Modification of Agreement" between the District and Frances Davidson Breithaupt, J. A. Breithaupt, III, and wife, Betty Breithaupt. Copies of the agreements are to be placed in the permanent files of the District. Director Newton seconded. Directors Shannon, Newton, and Henderson voted aye; Director King voted no. The motion carried.

Upon the recommendation of the District's legal counsel and the General Manager, Director Newton moved that the following resolution be adopted:

RESOLUTION

"RESOLVED, That William T. Hilliard, Jr., is hereby authorized to act for Tarrant County Water Control and Improvement District Number One and to make any necessary interlineations required to be made to the Railroad Relocation Contract heretofore signed by the District and to be signed by Burlington Northern Railroad Company and Chicago Pacific Corporation, relative to the relocation of Burlington Northern's JTD line, and is further authorized to sign and/or initial all Exhibits referred to in such Railroad Relocation Contract, and to execute additional copies or duplicate originals of such Railroad Relocation Contract, and to execute additional copies or duplicate originals of such Contract.

Director Henderson seconded and the vote in favor was unanimous.

9.

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

George W. Shannon
Secretary

D. Victor Thornton
President