

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
NUMBER ONE, held on December 21st, 1927 at 10 A.M.

President A.L. Baker presided. There were present Directors W.E. Bideker, L.C. Abbott, W.H. Slay, and W.R. Bennett. There were also present Hawley & Freese, Engineers, S.L. Smauels and Ireland Hampton, Attorneys, H.M. Hightower of the Land Department, and Ed B. Cheatham of the Tax Department. The minutes of the meeting of December 14th were read. The President asked if there were any objections to the minutes; there were none and the minutes of said meeting were therefore ordered approved and made of record. Thereupon other proceedings were had and taken as follows, viz:

1st. Director Bideker moved that in preparation of a ballot the names of the candidates be placed thereon in the order in which each had filed. Director Abbott seconded the motion. Upon discussion it was the sense of the board that this was the fairest method of placing the names. Upon a vote the motion was carried; It was so ordered. The President thereupon asked for a report on the steps which had been taken in preparing for the holding of the election on January 10th. This report was made by Mr. Hampton.

2nd. Director Bennett asked if the Attorney's had prepared a brief concerning the accounting system for the District. Mr. Smauels and Mr. Hampton reported that they had briefed the matter, but that they had not prepared a formal report. They further stated that all proper accounts

were being kept at this time and that there was no occasion to open or consider other accounts until the time the ultimate bonds were actually sold.

3rd: It was moved by Director Abbott and seconded by Director Bideker that Mr. Cheatham arrange with the County Tax Assessor to furnish rolls of the rural lands in this District at a cost not to exceed \$400.00 for the entire service. In discussion of this motion it was developed upon question by Director Bennett that this roll would require the services of an engineer to aid the Tax Collector in determining the exact acreage within the irregular lines of the District, which lines do not in all cases conform to the original ~~plat~~^{plat} of surveys as carried on the County Tax maps and rolls; that this involved vastly more labor than had been heretofore involved in assessing the District's tax as applied to the County as a whole; further that this roll once prepared would form the basis for the taxation of rural lands in the District throughout the life of the District. Thereupon the foregoing motion was put to a vote, all Directors present voting "AYE", and it is so ordered.

4th: President Baker called attention to the fact that there was an outstanding committee composed of Directors Bideker and Abbott to work out a plan for the creation of tax rolls for property within the City of Fort Worth, and to be based upon the City's rolls; further to ascertain upon what basis the City or the County would be willing to aid the District in the collection of taxes, but understood, however, that this could be done in either case only by means of the City or County designating a

clerk who could be made a deputy for the Tax Assessor and Collector of the District. There ensued a discussion of whether there would not be less delinquency if the collection was made through the County office. In this discussion attention was called to the fact that the penalties on the District tax were the same as the penalties on the State and County Tax; that the City's penalties were different; furthermore that the City could not function so well as to the rural lands. After full discussion the President directed ^{the} ~~a~~ committee to promptly proceed so that they might be able to make a report embracing a detailed recommendation to the Directors; it was so ordered.

5th: Thereupon Mr. Hightower was asked to make a report on the progress of acquiring options in Wise County. The principal fact brought up by Mr. Hightower was that the small owners in the North and Western part of the reservoir site were disinclined to grant options until a basis had been established by option on the Hobby ranch, owned by Astin et al, and on the Rominger property. He thought that if options at a fair price (by him believed to be from \$10.00 to \$20.00 per acre on all lands other than small tracts in actual cultivation and having improvements) could be obtained on the Astin and Rominger properties, that the other owners would promptly fall in line at prices well within the estimates of the District. He stated that the Citizen's Committee were ready to go to all persons at all times, and that the local sentiment was very strong for treating the District fairly due to the anxiety of the people in that area to procure the prompt construction of the proposed reservoir. Thereupon Director Bideker moved that Mr. Hightower seek the aid of the local Committee at Bridgeport to prepare for the guidance of

the Board a tentative appraisal of the lands desired, showing the classification and estimated values for the land in each classification, and further to show the nature, location and estimated value of the improvements on each tract of land. Further that if this proved impractical that Mr. Hightower keep an orderly record of his conclusions on these matters, which record could be compiled by him from day to day as he went over the property. Mr. Slay seconded this motion. The motion was carried, and it was so ordered. Mr. Hampton thereupon explained that on the preceeding day he and Mr. Cheatham had prepared forms, giving a page for each tract, giving ownership in alphabetical order and giving space to classified ratings.

6th: Director Abbott thereupon stated that at the instance of the individual members of this Board, Mr. Hightower had on December 1st, severed his connection with the Southwestern Life Insurance Company in order that he might give full time to the District in acquiring options on land; he further stated that he did this with the distinct understanding that he was to be compensated by the payment of \$500.00 per month and that he was to be furnished a car, the car to be wholly expensed by the District; that Mr. Hightower's matter had not been made certain as to the period for his employment; that he regarded the time for which his employment was to extend as being the only element open for discussion. He tentatively stated that he thought this employment should be made firm for a period of six months and subject to extension from month to month as the circumstances might require. There-

upon Director Slay stated that he too felt that Mr. Hightower's status should be made definite, but that he felt the records should disclose that this Board had over many months given consideration to this important service; further that the records should disclose that beside consideration of many persons who did not formally apply for the position, that the Board had considered specific applications by the following named persons, viz: John Alderman, W.E. Munn, John Davis, Mr. Neblett, Chester Leffler and C.W. Briggs; further that the tenders of service made would have ~~xxxxxxx~~ called for compensation from \$350.00 to \$400.00 per month, together with all expenses of every kind and character; that while he regarded \$500.00 per month as liberal compensation he realized that the position was one in which "penny wisdom" might be "pound folly"; that he personally had given much thought to the fitness of very many persons and had not been able at any time to reach a conclusion that there was available anyone so well fitted for the particular undertaking; that Mr. Hightower's personality peculiarly fitted him to deal with the owners of the land desired; that he was diplomatic but firm; that he had demonstrated himself to be a very close trader; that his long service as an equalizer of land values for Tarrant County and his further service of the past three years in representing his Company in land loans in this area; his intimate knowledge of the plans of the District and the mechanics of the undertaking gave him most peculiar value. He thought, however, that the employment should be made from month to month, but not

in any event to exceed December 1st, 1928; that he felt Mr. Hightower would soon sell himself to this or any other Board who might act for the District. Thereupon Director Abbott moved that the District do by the recording of this motion enter into firm contract with H.M. Hightower for his full time service relating to the procuring of options upon lands and easements for the District; that he be paid therefor from December 1st, 1927 as salary, the sum of \$500.00 per month; that he do be furnished the District's car and that all expense of maintaining and operating said car do be paid by the District upon presentation of proper vouchers; further that this employment shall be from month to month and that such employment shall not in any event extend to the time beyond December 1st, 1928. This motion was seconded by Director ~~Bennett~~^{Slay}; thereupon Directors Baker, Bideker, Abbott and Slay voted for the motion. Director Bennett was noted as present but not voting due to the fact that his acquaintance with Mr. Hightower, or other available men and with the problems of the District were not sufficient to give him a feeling of being able to pass upon ^{the merits of} this matter; that he, however, did not at all question that the District had made a wise selection in choosing Mr. Hightower. Thereupon the President declared the motion carried, and it is so ordered.

7th: Director Bideker thereupon requested the President to make a statement as to what arrangement, if any, had been made by the President and Director Bennett with reference to the District being able to borrow money as and when needed up to the time the ultimate bonds

shall be actually sold. President Baker and Director Bennett stated that both the Texas National Bank, and the Fort Worth National Bank had indicated willingness to advance money to the District provided the attorneys for the District would satisfy the attorneys for the bank that the District could create a valid obligation therefor under the provisions of the laws under which the District was created and is operating. Thereupon the attorneys for the District were instructed to prepare a brief covering this matter, and as well prepare the exact obligations which the District might propose to execute; It was so ordered.

Thereupon, no further business being presented, the meeting was declared adjourned until December 28th, 1927 at 10 A.M.

H. E. Z. ...
Secretary

APPROVED:

A. D. Baker
President.

SAMUELS & BROWN
ATTORNEYS & COUNSELORS AT LAW
FORT WORTH, TEXAS

October 31, 1927

To the Directors of Tarrant County
Water Control & Improvement District No. 1,
Fort Worth, Texas

Dear Sirs:

We hereby make tender of legal service to be rendered to and for the District, to begin on November 1st, 1927, and to terminate on October 31st, 1928, to include the service, and for the compensation hereinafter set out, viz.:

1st: Prepare all further orders necessary for the issuance of bonds, and prepare the form for the bonds to be issued;

(a) Prepare the bond record or transcript; brief the validity of the bonds, and present the same to the Attorney General of Texas for approval. After approval of said bonds, ~~we~~ will register a certificate of the approval of same with the Comptroller of Texas, as required by law:

(b) If required, render service in the matter of briefing and presenting the validity of said bonds for, and to, the attorneys for the buyer of said bonds:

(c) Prepare any and all contracts relating to the sale of said bonds:

2nd: Assist the engineers in preparing and presenting the application and evidence to the State Board of Water Engineers, as a basis upon which to procure a permit for the storage and use of water by the District:

3rd: Render all service required in the matter of procuring co-operation, aid and contributions, as provided for by Section 141 of Chapter 25 of the Acts of the 39th Legislature of Texas, as amended on June 8th, 1927.

4th: Supervise the installation and conduct of the organization for the assessment, equalization and collection of taxes by the District:

5th: Be available to the Board at all necessary times for any and all legal service required for proper conduct of the District's business.

#2

6th: To examine land titles; give specific direction for the payment of money for lands; prepare and prosecute to final judgment all necessary condemnation proceedings; also to give all necessary attention to the preparation, trial and determination of all other causes to which the District may be a party; provided, however, that such determination of causes can be effected by October 31st, 1928.

7th: The compensation to be paid to us shall be Twelve Thousand ~~Six~~ Hundred (\$12,500) Dollars. This shall be paid to us in equal monthly installments, one for each month, from November 1st, 1927, to October 31st, 1928, at which latter time this proposed contract shall cease and be determined.

8th: We will well, truly and diligently perform the service hereby tendered. As the service hereby tendered must involve peculiar personal confidence in our ability to perform the service, we agree that in case we do, from any cause, fail or refuse to well and truly perform the service hereby tendered, Directors of the District may terminate the contract (proposed hereby) at the end of any calendar month, and we shall not receive compensation for any unexpired portion of the time for which the proposed contract may run.

Respectfully,

Richard L. Bonds
Arland Hampton

Contract for the purchase of land for the purpose of the proposed
tender of services.

TRINITY COUNTY WATER CONSERVATION DISTRICT NO. ONE,