

MINUTES OF A CALLED MEETING OF THE BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, HELD IN THE DISTRICT OFFICE IN FORT WORTH, TEXAS, ON TUESDAY JANUARY 31ST, A.D. 1928 AT 9:30 O'CLOCK A.M.

At this meeting President W.R. Bennett presided; Directors E.E. Bewley, W.S. Cooke and C.A. Hickman were present. W.K. Stripling, Secretary of the Board, was absent from the City. Thereupon, President Bennett with the concurrence of the Board, did appoint Director C.A. Hickman to serve as Acting Secretary of the meeting, and to do and perform all other acts and things required by law to be done and performed by the Secretary of the Board concerning the acts, deeds, and things which might be ordered done by the Board at this called meeting: It was so ordered. Also present S.L. Samuels and Ireland Hampton, Attorneys for the District, and Hawley and Freese, the District Engineers.

President Bennett thereupon stated that the meeting had been called for the purpose of meeting the necessity to procure the money to complete the preliminary engineering, and to cover the necessary operations of the District up to the time at which the final or construction bonds of the District might be actually sold, and the required part of the proceeds thereof actually applied to the payment and retirement of all preliminary note or bond obligations actually outstanding as of the time of the actual sale of the construction bonds. He thereupon requested the Attorneys to present a proposed finding of facts, copies of supporting records, conclusions of law, and orders based thereon. Thereupon, the Attorneys did present to the Directors for approval and adoption, as the act and deed of the District, a proposed finding of fact, copies of supporting records, conclusions and orders based thereon which are in words, figures and symbols as follows, viz:—

"FINDINGS OF FACT, COPIES OF SUPPORTING RECORDS,
"LEGAL CONCLUSIONS, AND ORDERS DIRECTING THE
"ISSUANCE OF NOTES OF TARRANT COUNTY WATER CONTROL
"AND IMPROVEMENT DISTRICT NUMBER ONE, IN THE SUM OF
"SEVENTY FIVE THOUSAND (\$75,000.00) DOLLARS, AND
"AUTHORIZING THE SALE THEREOF AT SUCH TIMES AND IN
"SUCH AMOUNTS AS MAY BE REQUIRED; FURTHER PROVIDING
"FOR THE LEVY OF A TAX TO PAY SAID NOTES:

"1st. At an election duly and lawfully called and held in and
"by Tarrant County Water Improvement District Number One, on the 7th day
"of October A.D. 1924, a majority of the votes cast were in favor of
"the issuance of notes of said District in a sum not exceeding fifteen
"(15%) per cent of the proposed cost of improvements to be made in
"said District for the purpose hereinafter stated. The estimated cost
"of the proposed improvements, as stated in the petition for the cre-
"ation of said District, and in the election notice, was the sum
"One Million (\$1,000,000.00) Dollars. By reason of the provisions
"of Chapter 87 of the Acts of the 35th Legislature of Texas, and the
"amendments thereto (Now codified as Chapter Two of Title 128, Articles
"7622 to 7807, Revised Civil Statutes of Texas, adopted by the 39th
"Legislature of Texas) said District did become empowered to issue
"and sell notes of the District, as and when required, in any sum up to,
"but not to exceed One Hundred and Fifty Thousand (\$150,000.00) Dollars,
"which sum is fifteen (15%) per cent of said sum One Million (\$1,000,000)

"Said Notes were authorized for the purpose of paying the cost of
"organizing the District, surveying, maps and plats, and to pay any
"expense or indebtedness, incurred prior to the issuance of bonds by
"the District, as authorized by Article 7629 Revised Civil Statutes
"of Texas."

"2nd: On December 1st, A.D. 1924, the Directors of Tarrant
"County Water Improvement District Number One by formal order appearing
"of record in Minute Book 3, pages 4 to 10, both inclusive, and by
"amendatory and supplemental orders appearing of record in said Minute
"Book 3 pages 11, 12, 20, 21 and 23, did issue, sell and deliver notes
"of the District for the total sum of Seventy Five Thousand (\$75,000.00)
"Dollars. Of said sum the notes numbered serially from 36 to 75, both
"inclusive, for the sum One Thousand (\$1,000.00) Dollars each, and totalling
"Forty Thousand (\$40,000.00) Dollars , are still outstanding, as appears
"from Minute Book of the District No. 6, pages 32 to 35 inclusive.
"Of the total notes authorized to be issued and sold by said election of
"October 7th, A.D. 1924, the ~~sum~~ sum Seventy Five Thousand (\$75,000.00)
"Dollars have never been issued or sold. "

"3rd: On January 12th, A.D. 1926, Tarrant County Water Improve-
"ment District Number One, by a majority vote of the duly qualified
"electors of said District, was converted into, and did become Tarrant
"County Water Control and Improvement District Number One, and does now
"exist and have its being in the place and stead of said Tarrant County

"Water Improvement District Number One, and has succeeded to all the
 "powers, rights and obligations of said District, in the manner and
 "form as is provided by Chapter 25 of the Acts of the 39th Legislature
 "of Texas, and especially as is provided by Section 143 of said Act.
 "The various acts concerning the conversion of said District for oper-
 "ating under the provisions of said Chapter 25 appear of record in the
 "minutes of the District in Minute Book No. 2, pages 86 to 88 and 95;
 "Minute Book No. 3, pages 43 to 56, and the Exhibits A & B between
 "pages 55 and 56; also pages 67, 68 and 69. Tarrant County Water
 "Control and Improvement District Number One, and Tarrant County Water
 "Improvement District Number One will be hereinafter called "said
 "District."

"4th: Said District operating under the provisions of said
 "Chapter 87 did until January 12th, 1926, out of the proceeds of said
 "notes pay the cost of organizing the District, surveying, making maps,
 "plats, and pay other lawful expenses of said District. From and after
 "January 12th, 1926, said District has operated and does now operate
 "and have its being under the provisions of Chapter 25 of the Acts of
 "the 39th Legislature of Texas, (as amended by House Bill No. 70, Acts
 "of the First Called Session of the 40th Legislature of Texas) and
 "especially Section 31 thereof, which provides that:"

"The Directors of the District shall have full authority to
 "make investigations and plans necessary to the operation of the District

"and the construction of plants and improvements. They may employ
 "engineers, attorneys, bond experts, and other agents and employees
 "required to aid them in the performance of such duties. The District
 "may issue bonds to be known and designated as preliminary bonds, for
 "the purpose of creating a fund to pay the costs of organization of the
 "District and of making surveys, investigations, attorneys fees, en-
 "gineering work, cost of issuance of bonds, and all other costs and
 "expenses incident to the organization of the District and its operation
 "in investigating and determining upon plans for its plant and improve-
 "ments and the expense of issuing and selling bonds to provide for such
 "permanent improvements."

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"Such preliminary bonds shall bear interest at a rate not to
 "exceed six per cent per annum and shall be due and payable not to ex-
 "ceed ten years from their date. While said bonds shall be known and
 "designated on the records as preliminary bonds it shall not be necessary
 "to so designate same on the bonds."

"Said District has continuously since October 7th, 1924 carried
 "forward investigations and plans necessary to the operation of the
 "District and the construction of plants and improvements."

"5th: On July 30th, 1927, said District did approve and adopt
 "a plan for improvements proposed to be constructed, as is provided by

"Section 78 of said Chapter 25, and as appears from Minute Book No. 5
"of said District, pages 88 and 89;

"6th: Thereafter and on October 7th A.D. 1927, said plan as
"approved by the Directors of said District, ^{was} adopted and confirmed by a
"vote of the duly qualified electors of said District, as appears from
"Minute Book No. 5 of said District on pages 96 to 111, "Exhibit A" to
"the minutes of the meeting of August 27th, 1927, and pages 128 to 131.
"Further and at the same time, the said electors did authorize, and
"direct, the issuance and sale of Six Million Five Hundred Thousand
"(\$6,500,000.00) Dollars of serial bonds of said District, the proceeds
"whereof, were directed to be used for the payment of "The cost of
"organization of the District, incidental expenses, cost of investiga-
"tion and making plans, engineer's work and other incidental expenses,
"including cost of retirement of preliminary bonds of the district, if
"any theretofore have been issued, cost of issuing and selling bonds,
"estimated discount on the bonds, and cost of operation of the District
"for the ~~period~~ stated in the Engineer's report, as estimated to be re-
"quired for the construction of the plant and improvements to be con-
"structed up to the time same shall be completed and service therefrom
"commenced", as is provided by Section 79 of said Chapter 25, as the
"same has been amended by Section 12 of House Bill No. 70, passed by the
"40th Legislature of Texas, at its First Called Session, and effective
"September 6th, 1927."

"7th: Before said construction bonds can be issued and sold,
"said District is required to do and perform other and further pre-
"liminary acts within the meaning of Section 31 of Chapter 25 of the Acts
"

"of the 39th Legislature of Texas, relating to the purposes for which
"the proceeds of preliminary notes or bonds may, and must, be used.
"Said acts and things remaining to be done before construction bonds
"can be issued are as follows:

"(a) To survey and stake the exact lines for water proposed
"to be stored; to survey stake the exact lines of flood water proposed to
"be retarded;

"(b) To prepare the final specifications for the work ne-
"cessary to consummate the plan adopted, and to be filed with the
"State Board of Water Engineers;

"(c) To prepare detailed drawings, maps, plats, and designs
"to be filed with the State Board of Water Engineers for approval before
"the final (construction) bonds can be presented to the Attorney
"General of Texas for approval;

"(d) To levy and collect taxes to retire preliminary notes or
"bonds now outstanding or to be outstanding;

"(e) To procure from the State of Texas the actual permit to
"store, use and retard water as contemplated by the adopted plan of the
"District;

"(f) To pay for the maintenance and conduct of the organization
"of the District, and to pay legal expenses incident to the conduct of the
"District's affairs, up to the time the preliminary period will end, and
"Construction (final) bonds be actually sold;

"(g) To formulate the actual final bonds, to print same, secure

"approval thereof by the Attorney General of Texas, procure the regis-
 "tration thereof by the Comptroller of Texas, procure if required,
 "approval thereof by a nationally recognized bond attorney and to ac-
 "tually sell said bonds, at which time the period of preliminary en-
 "gineering, and other preliminary procedure will end, as is contemplated
 "by said Section 31 of said Chapter 25 of the Acts of the 39th Legis-
 "lature of Texas.

"8th: The proceeds of the Seventy Five Thousand (\$75,000.00)
 "Dollars of preliminary notes issued as of December 1st, 1924, have been
 "exhausted by the payment of expense incident to the organization of the
 "District and other preliminary procedure. Said preliminary work and
 "procedure remaining yet to be done must be paid for under the authority
 "of said procedure and election set out in paragraphs "1st" and "2nd"
 "hereof, whereby there remains authority vested in this District to issue,
 "and sell, as and when required, to accomplish the objects of the organ-
 "ization of this District, additional preliminary bonds in the sum, but
 "not to exceed Seventy Five Thousand (\$75,000.00) Dollars, to be payable
 "at any time within ten years after date of issuance, and to bear interest
 "at a rate not to exceed six per centum per annum, as is provided by
 "Section 31 of said Chapter 25.

"9th: It is not practical at this time to accurately estimate
 "the cost to the District to execute and perform the procedures and things
 "remaining to be done as preliminary work necessary to accomplish the
 "purposes for which this District was created;"

" NOW THEREFORE, BE IT ORDERED AS THE ACT AND DEED OF
" TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
" NUMBER ONE:

"1st: That the Directors of said District do issue preliminary
"Notes or bonds of the District to bear date February 1st, 1928, in the
"total sum Seventy Five Thousand (\$75,000.00) Dollars, to be numbered
"serially from 76 to 150, both included, to be each for the sum One
"Thousand (\$1,000.00) Dollars, and to bear interest from date at a
"rate not to exceed six per centum per annum, and to be payable on or
"before July 1st, 1928. Said notes, or bonds, shall be in form and shall
"contain stipulations and recitations substantially as follows:

"No _____ \$1,000.00

"THE UNITED STATES OF AMERICA,
"STATE OF TEXAS,
"COUNTY OF TARRANT.

"BOND OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
"NUMBER ONE.

"KNOW ALL MEN BY THESE PRESENTS:

"That Tarrant County Water Control and Improvement District
"Number One, a body politic and corporate under the laws of Texas,
"having its office in the City of Fort Worth, Tarrant County, Texas,
"for value received, hereby promises to pay to bearer, on or before
"July 1st, A.D. 1928, the sum of

"ONE THOUSAND DOLLARS

"in lawful money of the United States of America, with interest thereon
"from February 1st, 1928, until paid at the rate _____ (%) per centum

"per annum. Both principal and interest shall be payable at _____
 " _____ in Fort Worth, Texas. For the prompt payment of
 "this bond, with interest thereon, the full faith and credit of Tarrant County
 "Water Control and Improvement District Number One, are hereby irrevocably
 "pledged."

"This bond is secured by the assessment and levy of a tax
 "for the payment hereof, provided, however, it may be paid off, satisfied and
 "discharged by the application of proceeds of other bonds, aggregating Six
 "Million Five Hundred Thousand (\$6,500,000.00) Dollars, now authorized to be
 "issued and sold by the maker hereof, which issuance and sale are now contem-
 "plated to be made prior to July 1st, A.D. 1928. As and when such other au-
 "thorized bonds are issued and sold, this obligation must be satisfied and dis-
 "charged out of the proceeds of such other bonds. Unless satisfied out of the
 "proceeds of said authorized other bonds, this obligation shall remain in full
 "force and effect, and shall be paid by the levy, assessment and collection of
 "taxes by this obligor. In case this obligor shall be ready to pay off this
 "bond, it shall give notice in writing to said _____
 " _____ of Fort Worth, Texas, and if this bond is then not presented for
 "payment and surrender within three days after the giving of such notice, there
 "shall cease to be any further accrual of interest hereon.

"This note is one of a series of bonds numbered consecutively
 "from 76 to 150 inclusive, each for the sum One Thousand (\$1,000.00) Dollars,
 "aggregating Seventy Five Thousand (\$75,000.00) Dollars, issued by this District
 "for the purpose of providing a fund to cover the cost of completing the pre-
 "liminary work necessary to be done and performed in order to accomplish and

"and achieve the purposes for which this District was created, and as authorized
"by Section 59 of Article 16 of the Constitution of Texas, by Chapter 87 of the
"Acts of the 35th Legislature of Texas, as amended, by Chapter 25 of the Acts of
"the 39th Legislature of Texas, as amended by House Bill No. 70, passed by the
"40th Legislature of Texas at its First Called Session, and especially by Sec-
"tion§1, 23, 31, 78 and 143 thereof. All requirements of said provisions of
"law have been strictly complied with. This obligation has been issued pur-
"suant to an order entered by the Board of Directors of this District on Jan-
"quary 31st, A.D. 1928, which order is of record in the Minutes of this District,
"Volume No. 6, pages 41 to 54. The date of this bond, and those issued
"in this series, is February 1st, A.D. 1928. It is hereby certified that the
"issuance hereof has been authorized by law, and by the required majority of
"the votes cast by the legally qualified voters of this District, at an election
"legally held by this District on October 7th, 1924; It is further certified
"that the legally qualified voters of this District, by a majority of the votes
"cast at an election legally called and held by this District on October 8th,
"A.D. 1927, did authorize, and direct the issuance of Six Million Five Hundred
"Thousand (\$6,500,000.00) Dollars of other bonds of this District, out of the
"proceeds of which bonds, this bond, and all other bonds of this District given
"to cover the cost of organization and preliminary work necessary to achieve the
"objects of the creation of this District, may, and must, be satisfied, paid off
"and retired!

"It is further certified that all acts, conditions and things

"required to be done and to exist as a condition precedent to the lawful
 "and binding force of this obligation, have been done, performed and do
 "exist in strict manner, and form, as required by law. It is further
 "certified that a direct tax has been levied by this District at a rate
 "sufficient to fully retire this series of bonds, unless the sum shall
 "have been sooner fully satisfied out of the proceeds of other bonds author
 "ized on October 8th, 1927, to be issued and sold."

"It is further certified that the aggregate amount of all
 "obligations of this District now outstanding, and to be created by the
 "actual issuance and sale of the bonds authorized by said elections of
 "October 7th, A.D. 1924, and October 8th, A.D. 1927, do, and will not,
 "exceed any constitutional or statutory limitation imposed by the State
 "of Texas."

"IN TESTIMONY WHEREOF, The Board of Directors of Tarrant
 "County Water Control and Improvement District Number One, has caused this
 "bond to be signed in the name of this District, by its President, W.R.
 "Bennett, and has caused its Acting Secretary, C.A. Hickman, to attest the
 "signing hereof with the District's seal."

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT ~~NO. 1,~~
Number One,

By _____
 As President of the Board of Directors.

ATTEST:

 As Acting Secretary of the Board of
 Directors.

"10th: There is hereby levied and there shall be assessed
 "and collected by this District for the year 1928, a tax of six (6¢) cents
 "on each one hundred dollars of the assessed valuation of all taxable prop-
 "erty within this District for the purpose of creating an interest and
 "sinking fund sufficient to pay off and discharge the bonds by this order
 "directed to be issued and sold: This tax levy shall be in addition to all
 "other levies heretofore made by this District, and shall remain in force
 "until the bonds to be issued under this order are fully satisfied, or until
 "a new levy may be made, and as may be required under Sections 90 and 91 of
 "Chapter 25 of the Acts of the 39th Legislature of Texas. It is expressly
 "provided, however, that if the bonds issued and sold under this order are
 "fully paid off and satisfied out of the proceeds of bonds of this District
 "authorized to be issued by the election of October 8th, 1927, then the levy
 "hereby made shall be thereby vacated and for naught held, without further
 "order thereon."

"11th: The President and Secretary of this Board, and the
 "Attorneys for this District, are hereby authorized and directed to do any
 "and all lawful things necessary and expedient to carry out the objects of this
 "order. It is further ordered that the President and Secretary of this District
 "do consummate a sale of Twenty Five of the bonds hereby ordered to be issued
 "(to be serial numbers 76 to 100, both inclusive) as soon as may be done after
 "conformity to all requirements of law. Such sale shall be for not less than
 "par, with accrued interest, and at the lowest rate of interest which can be

"obtained, but not to exceed six per cent per annum. The proceeds of such
 "bonds, when sold shall be placed in the Depository of this District in the
 "'Maintenance Fund': These acts they are authorized and directed to do
 "without other or further order hereon. The bonds hereby ordered to be
 "issued, and to be numbered serially and consecutively from "101" to "150",
 "both inclusive shall be deposited in the Treasury of this District, for
 "the benefit of its "Maintenance Account", and shall be there held subject
 "to the further orders of this Board of Directors: It is so ordered."

12th: Upon the reading of the foregoing findings of fact,
 references to supporting records, conclusions and orders based thereon,
 Director W.S. Cooke made a motion that the same do be approved, adopted
 and recorded in the minutes of the District, as the act and deed of the
 District. This motion was seconded by Director E.E. Bewley. After dis-
 cussion, and upon a vote being taken, all directors^{present}/voted for the motion,
 and no director voted against the motion: It is so ordered and recorded.

The objects of this called meeting having been accomplished
 the meeting was by President Bennett declared adjourned.

C.P. Sherman
 As Acting Secretary

APPROVED:

W.R. Bennett
 As President.