

DK
S.H.

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD IN THE DISTRICT OFFICE ON DECEMBER 7, 1931, AT 3 P.M.

The call of the roll disclosed the presence, or absence, of directors as follows, viz:

PRESENT:

W. R. Bennett
E. E. Bewley
W. K. Stripling
C. A. Hickman

ABSENT:

Joe B. Hogsett (Out of City.)

Director W. R. Bennett presided in his capacity as President; Director W. K. Stripling acted in his capacity as Secretary.

At this meeting the following proceedings were had and done, viz:

1.

Minutes were read, approved and ordered of record as follows,

viz:

- (a) Minutes of the Called Meeting of November 17, 1931;
- (b) Minutes of November 23, 1931.

2.

There was presented for consideration revised account presented by Mr. M. W. Burch of Burch and Woodruff, Attorneys for the District, showing the detail of incidental expense incurred by him, for account of the District, in preparing for trial of condemnation suits instituted by the District as follows:

J. T. Counts, U. L. Counts, T. C. Counts, J. J. Boyd and J. F. Clark.

This account had been approved for payment at the meeting of the Directors held on November 23, 1931, subject only to an audit concerning the items embraced in the account. The revised account was for the sum \$360.00. There was consideration of this matter, whereupon Director Stripling moved that the account as stated do be approved and allowed, and that the District's Voucher Check No. 2694, payable

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to Burch & Woodruff, for the sum \$360.00, do be issued, executed and delivered, in full satisfaction of said account. This motion was seconded by Director Bewley. Upon a vote being taken the motion was carried and it was so ordered.

3.

Attached to these Minutes as "Exhibit A," is a statement of the financial condition of the District as of this day. Said exhibit is here referred to as part hereof. This Exhibit shows as follows:

(a) Voucher Checks Nos. 2669 to 2671, both inclusive, issued since November 9, 1931, in the total sum \$3,064.55.

(b) Voucher Checks Nos. 2672 to 2693, both inclusive, for the total sum \$69,479.87. There was full examination of the accounts upon which said proposed voucher checks were based (save as to Voucher Checks Nos. 2689 and 2690, which were reserved for later consideration), and the data to support the same, whereupon Director Bewley made a motion that said Voucher Checks, as listed, (excluding Numbers 2689 and 2690), do be approved, executed and delivered to the respective persons entitled to receive the same, in payment of the respective accounts, which hereby are approved as sums due and payable by the District. This motion was seconded by Director Hickman. Upon a vote being taken the motion was carried and it was so ordered.

4.

Attached to these Minutes as "Exhibit B," is a request from Hawley and Freese, as Engineers for the District, that they be paid the sum \$6000.00 on account of Engineering Fees Now Accrued and Payable. This was accompanied by an exhibit showing the details on which the request is based. Said

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Exhibit is here referred to as part hereof. There was full consideration of this matter, whereupon Director Stripling made a motion that the request do be approved and granted, and that the District Voucher Check No. 2690, for the sum \$6000.00, payable to Hawley and Freese, do be issued and delivered to them as a payment on account. This motion was seconded by Director Hickman. Upon a vote being taken the motion was carried and it was so ordered.

5.

Attached to these Minutes as "Exhibit C," is the Engineer's Estimate No. 22, showing the Progress of the Work by the Contractors on the Eagle Mountain Works(not showing the Progress of the Work on the Bridgeport Works), which shows balance accrued to the Contractors for the period from November 5, 1931 to December 5, 1931, and now payable in the sum \$59,685.68. Said Exhibit, together with the attached data to support the same, is referred to as part hereof. There was full examination of this matter and explanation by the Engineers, whereupon Director Stripling made a motion that the Estimate do be approved and allowed, and that the District's Voucher Check No. 2689, payable to the Contractor, for the sum \$59,685.68, do be issued and delivered to the Contractor as a payment on account, as an advance of working capital, subject to any exceptions heretofore made or hereafter to be made. This motion was seconded by Director Hickman. Upon a vote being taken the motion was carried and it was so ordered.

6.

Attached to the Minutes of this Meeting as "Exhibit D," is a duplicate of the "Extra Work Order," issued by Hawley and Freese to the Contractors on December 5, 1931, signed by John B. Hawley. Said Work Order,

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together with a letter of November 27, 1931, concerning the same matter, are here referred to as part of these Minutes. There was full consideration of this matter, whereupon Director Stripling did move that said work order do be approved and endorsed as the act and deed of this District and that the Contractors be so advised. This motion was seconded by Director Bewley. Upon a vote being taken, the motion was carried and it was so ordered.

7.

Mr. Nichols, of the Engineers, presented to the Directors the contract of purchase, under which the District took land from Dr. K. L. Buckner. This contract in the part here material bound the District to construct a fence to separate the land purchased by the District from the borrow pit land of Dr. Buckner, which the District did not purchase. Mr. Nichols reported that the District had actually constructed a good and lawful fence which in his opinion fully complied with the contract. There were also presented to the Directors four certain accounts incurred in constructing this fence (approximately 2600 linear feet) as follows:

(a)	E. C. Guess	Labor	\$50.00
(b)	Kaker Bros.	Barb Wire, Staples & Nails	28.90
(c)	S. H. Curtner	Fence Posts	7.50
(d)	H. L. Cox	Drayage	4.00

There was full consideration of this matter, whereupon Director Stripling made a motion that said accounts do be each approved as sums now due and payable by the District: Further, that the District do issue and deliver in payment of said accounts the District's Voucher Checks as follows, viz:

No. 2695, to E. C. Guess, for the sum \$50.00;
No. 2696, to S. H. Curtner, for the sum \$7.50;
No. 2697, to H. L. Cox, for the sum \$4.00;
No. 2698, to Kaker Bros., for the sum \$28.90.

This motion was seconded by Director Bewley. Upon a vote being taken the motion was carried and it was so ordered.

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REPORT OF LAND COMMITTEE:

Directors Hickman and Stripling, composing the Land Committee, did propose and recommend tendered leases of land from the District, for the period from January 1, 1932 to December 31, 1932, said land being all situated contiguous to the Eagle Mountain Reservoir Basin and being also situated at elevation higher than the spillway level of the Eagle Mountain Dam (649 feet above mean sea level) as follows, viz:

(1) W. H. Norton, Route No. 1, Newark, Texas, District Tract No. 306, for the sum \$140.00 cash in advance. This proposal was accompanied by an earnest money check for the sum Fourteen (\$14.00) Dollars, by G. W. Duke, on the Union Bank and Trust Company of Fort Worth, payable to the District.

(2) Robt. P. Pope, Route No. 2, Boyd, Texas: To lease District Tract 258 for the consideration of \$300.00. This proposal was accompanied by check of R. A. Pope on the Continental State Bank, Boyd, Texas, for the sum \$75.00, payable to this District.

(3) Mrs. I. W. Cole, District Tract Nos. 321, and 326, for the consideration of \$200.00; this proposal was accompanied by check drawn by Mrs. I. W. Cole by Herman Cole, on Union Bank and Trust Company of Fort Worth, payable to the District, for the sum \$200.00.

There was full consideration of these matters, whereupon Director Bewley moved that said leases as proposed do be approved and authorized subject only to actual payment of the respective good faith checks, and the payment of the full consideration. Further, subject to the condition that the proposed lessees on or before December 31, 1931, do enter into actual written contract in the form required by the District. This motion was seconded by Director Hickman. Upon a vote being taken the motion was carried and it was so ordered.

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9.

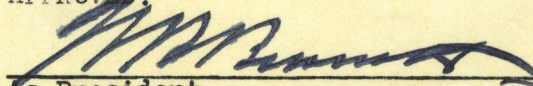
There was presented the proposal of Mr. J. M. Rickels to lease certain portions of the Rominger land for the period from January 1st, 1932 to December 31st, 1932, for the total consideration \$2250.00. The District has already received the check of Mr. Rickels for \$500.00 as earnest money, and he has made committment that he will on or before January 1, 1932, pay the balance of \$1750.00. It further was understood that approval of this lease would be conditioned upon Mr. Rickels and Mr. W. D. Young reaching an agreement as to the boundary line to be established between the portion of the Levi Howard Survey which is to be used by Mr. Young and that part of said Survey which is to be used by Mr. Rickels. There was full consideration of this matter, whereupon Director Hickman made a motion that said proposal do be approved, and consummated, subject only to the conditions hereinabove set forth. This motion was seconded by Director Stripling. Upon a vote being taken the motion was carried and it was so ordered.

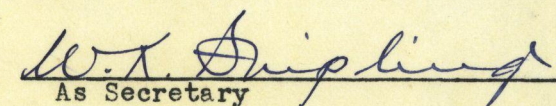
10.

A proposed lease between the District and M. S. Smith was presented for approval, whereupon Director Bewley made a motion that the said lease as drafted do be approved and ratified, and that Director Hickman, as Chairman of the Land Committee, do be authorized to execute the same in duplicate as the act and deed of the District. This motion was seconded by Director Stripling. Upon a vote being taken the motion was carried and it was so ordered.

No further business was presented and the meeting was adjourned.

APPROVED:


As President


As Secretary

" E X H I B I T A "

12/7/31 - 3 P.M.

VOUCHERS NOS. 2669 TO 2671, INCLUSIVE
ALLOWED SINCE MEETING HELD ON
NOVEMBER 9, 1931

NO.	ISSUED TO	COVERING	A M O U N T
2669	Burch & Woodruff	Legal Services	\$ 300.00
2670	Arnold Davenport	Expense Advance: Ida Lyda, et al vs. Dist.-Discovery	100.00
2671	Nelle Rogers Carroll & Ralph Carroll	Land Purchase	2,664.55
T O T A L			\$ 3,064.55

VOUCHERS NOS. 2672 TO 2693, INCLUSIVE
ALLOWED AT MEETING HELD ON
DECEMBER 7, 1931

NO.	ISSUED TO	COVERING	A M O U N T
2672	W. R. Bennett	Director's Fees	\$ 30.00
2673	E. E. Bewley	Director's Fees	30.00
2674	W. K. Stripling	Director's Fees	30.00
2675	C. A. Hickman	Director's Fees	30.00
2676	Joe B. Hogsett	Director's Fees	30.00
2677	Sidney L. Samuels	Attorney's Fees	416.67
2678	Ireland Hampton	Attorney's Fees	625.00
2679	Ed B. Cheatham	Salary	250.00
2680	Alice McConnell	Salary	125.00
2681	The Babcock Company	Office — Printing Expense	7.25
2682	W. V. Cunningham, Co. Clerk Wise Co.	Recording & Court Costs	83.30
2683	Ritchie, Cartan & Turner Co., Inc.	Office Supplies	5.15
2684	Royal Typewriter Company	Office Supplies - 1 Ribbon	.75
2685	The Western Union Telegraph Co.	Expense: Preparation of Bonds	3.19
2686	Wm. Capps Building Company	Office Room Rent	41.50
2687	Southwestern Bell Telephone Co.	Telephone & Toll	16.75
2688	Union Title and Trust Co.	Abstract Expense	7.50
2689	Trinityfarm Construction Co., Inc., McKenzie Construction Company, Uvalde Construction Company.	(EAGLE MOUNTAIN ONLY: Est. #22, Progress of Work 27th Payment on Account	59,685.68 6,000.00
2690	Hawley and Freese, Engineers		
2691	J. Lester Wright, Tax Assessor, Tarrant County, Texas.	Payment in Full — Assessing property for year 1931	1,750.00
2692	L. P. Card, Tax Collector, Tarrant County, Texas.	Payment on Account — Tax Collection Contract	300.00
2693	Ireland Hampton	To Reimburse Ireland Hampton	12.13
T O T A L			\$ 69,479.87

DISTRIBUTION OF VOUCHERS NOS. 2672 TO 2693, INCLUSIVE

Directors	\$ 150.00	Construction	\$ 59,685.68
Legal	1047.32	Engineering	6,000.00
Office	439.45	Assessing Taxes	1,750.00
Land Department	104.23	Collecting Taxes	300.00
Preparation & Sale of Bonds	3.19	T O T A L	\$ 69,479.87

CONDITION OF FUNDS DECEMBER 7, 1931

	<u>CONSTRUCTION FUND</u>	<u>INTEREST & SINKING FUND</u>
BOOK Balance November 9, 1931	\$ 362,891.62	\$ 71,518.81
Receipts: Interest D/B	561.74	138.02
Land Rentals	1,718.55	
Miscellaneous	29.17	
Refund Deposits in Condemnation: T. C. Counts and U. L. Counts	24,181.72	
Taxes, Penalty, etc.		2,446.64
Interest Collector's D/B		3.27
	<hr/>	<hr/>
	\$ 389,382.80	\$ 74,106.74
Disbursements:		
Vo. #2669 to #2671, Incl.	\$ 3064.55	
Vo. #2672 to #2693, Incl.	<u>67429.87</u>	2,050.00
	<hr/>	<hr/>
BOOK BALANCE DECEMBER 7, 1931	\$ 318,888.38	\$ 72,056.74

COMPARISON OF DEPOSITORY SECURITY AND DISTRICT FUNDS.

BOOK BALANCE:

Construction Fund	\$ 318,888.38
Interest & Sinking Fund	72,056.74

T O T A L

\$ 390,945.12

DEPOSITORY SECURITY

470,000.00

EXCESS DEPOSITORY SECURITY

\$ 79,054.88

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE BONDS AUTHORIZED \$6,500,000.00

Series "A" Bonds #1 to 2000, Incl. - OUTSTANDING	\$2,000,000.00
Series "B" Bonds #2001 to 3500, Incl - OUTSTANDING	1,500,000.00
Series "C" Bonds #3501 to 5000, Incl - OUTSTANDING	1,500,000.00
UNISSUED BONDS	<u>1,500,000.00</u>
T O T A L	\$6,500,000.00

JOHN B. HAWLEY
S. W. FREESE
M. C. NICHOLS
H. R. F. HELLAND
A. H. WOOLVERTON
H. A. HUNTER
ROSS S. MASON

"EXHIBIT B"
12/7/31 - 3 P.M.

WATER SUPPLY
WATER PURIFICATION
SEWERAGE
SEWAGE TREATMENT
GAS SUPPLY
GAS DISTRIBUTION
FLOOD CONTROL

HAWLEY, FREESE AND NICHOLS
CONSULTING ENGINEERS
411-17 CAPPS BUILDING
FORT WORTH, TEXAS

Dec. 7, 1931

Honorable the Board of Directors,
Tarrant County Water Control and
Improvement District Number One,
Fort Worth, Texas.

Gentlemen:

Attached hereto please find Estimate

No. 27 for \$8,184.41 in favor of ourselves.

Please authorize payment of \$6,000.00

on account to us.

Respectfully submitted,

HAWLEY and FREESE

BY

S. W. Freese

Ex B

JOHN B. HAWLEY
 S. W. FREESE
 M. C. NICHOLS
 H. R. F. HELLAND
 A. H. WOOLVERTON
 H. A. HUNTER
 ROSS S. MASON

WATER SUPPLY
 WATER PURIFICATION
 SEWERAGE
 SEWAGE TREATMENT
 GAS SUPPLY
 GAS DISTRIBUTION
 FLOOD CONTROL

HAWLEY, FREESE AND NICHOLS
 CONSULTING ENGINEERS
 411-17 CAPPS BUILDING
 FORT WORTH, TEXAS

Dec. 7, 1931

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

In Account With

HAWLEY and FREESE

Estimated Cost - Construction & Lands		
Eagle Mountain (Revised 8-10-31)	\$2,646,703.02 ✓	
Bridgeport (" ")	1,568,938.06 ✓	
Lands	1,302,845.84 ✓	
Levees	250,000.00 ✓	
	<u>5,768,486.92</u> @ 2½%	\$1,144,212.17 ✓
Railroads, Roads, Etc.		
Settlements Made		
Wise County	45,000.00 ✓	
Texas Pipe Line Company	25,000.00 ✓	
Texas Power & Light Company	3,500.00 ✓	
Southwest Telephone Company	210.00 ✓	
R. R. Harris - Telephone Line	500.00 ✓	
	<u>74,210.00</u> @ 4½%	3,339.45 ✓
	300,000.00 @ 1%	3,000.00 ✓
Settlements Not Made (Estimate)		
Contractors' Estimates 1 to 22 inc. (Except Bridgeport FINAL)	3,528,793.43 @ 2%	70,575.87 ✓
Lands		
Purchases Made	1,285,345.84 ✓	
Condemnation Awards	17,500.00 ✓	
	<u>1,302,845.84</u> @ 2%	26,056.92 ✓
Total Engineering to Date		<u>247,184.41</u>
Amount Paid to Date		<u>239,000.00</u> ✓
Balance		8,184.41 ✓

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"EXHIBIT C" 12/7/31- 3 P.M.
 TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT No. 1
 EAGLE MOUNTAIN DAM—GENERAL CONTRACTOR'S ESTIMATE No. 22

DATE Dec. 7, 1931 PERIOD 11-5-31 TO 12-5-31

ITEMS	This Month	Previous	Total to Date	Price	AMOUNT
1. Wetted and rolled emb., cu. yds. (Main Dam)	95,574	250,012	345,586	\$ 0.361	124 756 55
2. Core trench excavation, cu. yds.	None	140,538	140,538	0.20	28 107 60
3. Hydraulic fill embankment, cu. yds.	45,908	1,140,325	1,186,233	.361	428 230 11
4a Puddled core wetted & rolled emb. levee, cu. yds.				.322	
5. Dragline (or team) embankment, cu. yds.				.20	
8. Bermuda Grass sodding, acres	None	6	6	250.00	1 500 00
11. Earth spoil bank, cu. yds.	None	38,343	38,343	.30	11 502 90
12. Loose rock excavation, cu. yds.	None	204,270	204,270	.70	142 989 00
13. Solid rock excavation, cu. yds.	None	40,427	40,427	1.00	40 427 00
27. Clearing, acres	None	5,319	5,319	30.00	159 570 00
28. Light clearing, acres	None	353	353	23.00	8 119 00
29. Dewatering river channel (complete)	None	2/3 comp.	2/3 comp.	1,500.00	1 000 00
30. Materials as per attached statement "A"					
32. Extra work as per attached statement "B"					5 232 99
34. Wetted and rolled emb. (Levee) cu. yds.	None	523,335	523,335	.322	168 513 87
35. Overhaul Sta. Yds.	None	920,393	920,393	.03	27 611 79
36.					
37.					
6. Rip rap paving, cu. yds.	3,132	7,272	10,404	4.30	44 737 20
7a. Crushed stone blanket, cu. yds.	1,550	3,354	4,904	2.70	13 240 80
9. Gravel roadway, cu. yds.				2.85	
10. Sheet steel piling, sq. ft.	None	5,588.23	5,588.23	1.10	6 147 05
a. To 40' length	Alt. "B"	0.80	93,712.20	1.40	131 198 20
b. 40' to 60' length	Alt. "A"	43.54	15,622.52	1.50	23 499 09
c. 60' to 100' length		76.40	13,732.37	2.11 ^{2.00}	29 136 50
14. Gate house and valves (complete)				41,000.00	
15. 2500-lb concrete, cu. yds.	None	11,658	11,658	14.50	169 041 00
16. 1500-lb. concrete, cu. yds.	None	13,481	13,481	10.00	134 810 00
17. 1-14 concrete, cu. yds.				9.00	
18. Wooden guard fence, lin. ft.				.80	
19. Pipe hand rail and link fabric, lin. ft.				1.70	
20. Eight-inch Vit. pipe slope drains, lin. ft.	303	None	303	.55	166 65
21. Grouted paving inlets for slope drains, cu. yds.	7	None	7	8.00	56 00
22. Six-inch tile drains under structure, lin. ft.	None	5,007	5,007	.80	4 005 60
23. Wooden foundation piling, lin. ft.				.95	
24a. Three "Caterpillar" gates (complete)	1 %	99% Comp.	Complete	53,500.00	53 500 00
25. Portland cement, bbls.	None	31,990	31,990	2.55	81 574 50
26. Reinforcing steel, lbs.	None	1,516,959	1,516,959	.0425	64 470 76
31. Materials as per attached statement "C"					
33. Extra work as per attached statement "D"					24 099 87
38. X10-d 40' Lengths M108- $\frac{1}{2}$ Web	None	1,008	1,008	1.51	1 522 08
39. 10-e 40' to 60' Lengths M108- $\frac{1}{2}$ Web	600	51,617.66	51,611.66	1.61	83 094 77
40.					
41.					

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HAWLEY, FREESE and NICHOLS, Consulting Engineers

By John B. Hawley

Total work to date.....\$	2 011 860 88
Less 15% retained.....	301 779 13
	1 710 081 75
Less previous payments.....	1 650 396 07
Balance due General Contractor this estimate.....\$	59 685 68

TRINITYFARM CONSTRUCTION COMPA

TO: Tarrant County Water Control and Improvement District Number One, Fort Worth, Texas.

EAGLE MOUNTAIN DAM

STATEMENT "B" FOR ESTIMATE # 22

November 1931

To: Previous Estimates	\$4,993.88 ✓
This estimate as per attached detail	<u>239.11</u> ✓
Total Amount of Statement "B"	5,232.99 ✓

This is to certify that the above statement is correct to the best of my knowledge.

TRINITYFARM CONSTRUCTION COMPANY

BY Martin A. Rose

Martin A. Rose

*OK
Arthur*

Subscribed and sworn to before me this 5 day of December 1931

Mary L. Edwards

Notary Public in and for Tarrant County, Texas.



TRINITYFARM CONSTRUCTION COMPANY

EAGLE MOUNTAIN DAM

EXTRA WORK

STATEMENT "B" - ESTIMATE # 22

NOVEMBER 1931

For:

Aug. 1931, Labor on excavation as per attached payroll	\$59.37
Sept. 1931 " " " " " " " "	50.00
Nov. 1931 " " " " " " " "	62.00
Insurance on \$171.37 @ %5.91	10.13 ✓
8-22-31 Statement of material and labor furnished by McKenzie & Uvalde Construction Company for same work, copy attached	8.42
Oct. 1931 2W - Mong. Drag line used to drive pipe 2 hrs. @ 9.00	<u>18.00</u> ✓
	207.92
Plus 15%	<u>31.19</u> ✓
Total	\$239.11

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artw

November 30, 1931

Eagle Mountain Dam - Estimate No. 22

ok.
O.T.F.

Statement "D" Extra Work

To Previous Estimates		\$ 23,823.75 ✓
Extra Order E. M. 27	276.12	276.12 ✓
		<hr/>
		\$ 24,099.87 ✓

McKenzie-Construction Company,
& Uvalde Construction Company

By J. R. Gibson
J. R. Gibson

Subscribed and sworn to before me this 30th day of November 1931

Eula K. Watkins

Notary Public in and for Tarrant County, Texas.

ok
AKW

November 25, 1931

OK
O.T.F.

To:- Tarrant County Water Control & Improvement District No. 1.

To:- Extra Work Order E. M. 27 - Dated October 5, 1931. Furnish all labor and material to construct concrete wall as ordered to tie sheet pile core wall to conduits. Actual cost plus 15%:-

October	17th.	Per Detail	\$ 9.10	✓
October	31st.	" "	37.22	✓
November	2nd.	" "	47.81	✓
	3rd.	" "	27.48	✓
	4th.	" "	36.09	✓
	5th.	" "	66.04	✓
	6th.	" "	5.48	✓
	16th.	" "	8.51	✓
			<u>\$237.73</u>	✓✓
		Plus 15%	35.66	✓✓
			<u>\$ 273.39</u>	✓✓
		Plus 1% Bond	2.73	✓✓
			<u>\$ 276.12</u>	✓✓

K
A.P. Kay

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"E X H I B I T D"
12/7/31-3 P. M.
TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

BOARD OF DIRECTORS

W. R. BENNETT, PRES.
E. E. BEWLEY, VICE-PRES.
W. K. STRIPLING, SEC'Y
JOE B. HOGSETT
C. A. HICKMAN

OFFICE CAPPS BUILDING

PHONE 3-2848

ED. B. CHEATHAM, OFFICE

FORT WORTH, TEXAS.

SIDNEY L. SAMUELS | ATTORNEYS
IRELAND HAMPTON |

HAWLEY AND FREESE
ENGINEERS

December 8, 1931.

Trinityfarm Construction Company, Inc.,
Santa Fe Bldg., Dallas, Texas,
McKenzie Construction Company,
Smith-Young Tower, San Antonio, Texas,
Uvalde Construction Company,
Santa Fe Bldg., Dallas, Texas.

Gentlemen:

You heretofore have received a letter dated November 27, 1931, and a letter of December 5, 1931, written by John B. Hawley, for Hawley and Freese, as Engineers for the District, and constituting an order to you to construct certain banquettes at the Eagle Mountain Dam, under the Extra Work provision of your contract with this District.

You hereby are advised that this District, by formal order entered on December 7, 1931, has approved said work order and that it hereby does "endorse" the same.

Respectfully,

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE,

BY: *Ireland Hampton*
Attorney.

THAM

minutes

HAWLEY, FREESE and NICHOLS
FORT WORTH, TEXAS

Dec. 5, 1931

Trinityfarm Construction Company, Attention: Mr. Martin A. Rose,
McKenzie Construction Company,)
& Uvalde Construction Company,) Attention: Mr. J. H. Green,
Fort Worth, Texas.

Dear Sirs:

For many weeks you have been aware of the insistence of the State Board of Water Engineers upon earthen reinforcements above (upstream) and below, (downstream) to the "valley section", and more particularly in the river section, of the Eagle Mountain main dam, as your representatives have been kept advised by participation in conferences with the Water Engineers, by blue prints, copies of reports, etc.

During the past four days, Messrs. Clark and Dunlap of the State Board of Water Engineers (and Mr. Paris, Asst. Engineer) and Mr. Daniel W. Head, Consulting Engineer to the Tarrant County Water Control and Improvement District Number One, and John B. Hawley have been in almost continual conference on this feature of the Eagle Mountain dam construction.

Our conclusions are quite fully shown on the revised blue print exhibited to Mr. Rose, a copy of which will be handed you as soon as it can be prepared.

In the unanimous opinion of the conferees, the reinforcing "banquettes" cannot be classified under the contract, and come well within the contract provisions governing "Extra Work".

By reason of said conclusion, and your refusal to endeavor to agree on a fixed price, as disclosed by our records, you will consider and deem this an order to construct the "banquettes" designated on said revised blue print by pumping unclassified earthy materials into (or onto same), at actual cost for labor, and power, plus 15%, as provided by the "Extra Work" article of your contract dated February 4, 1930.

Respectfully,

John B. Stanley
For HAWLEY and FREESE
Engineers.

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

BOARD OF DIRECTORS

W. R. BENNETT, PRES.
E. E. BEWLEY, VICE-PRES.
W. K. STRIPLING, SEC'Y
JOE B. HOGSETT
C. A. HICKMAN

OFFICE CAPPS BUILDING

PHONE 3-2848

SIDNEY L. SAMUELS | ATTORNEYS
IRELAND HAMPTON |

HAWLEY AND FREESE
ENGINEERS

ED. B. CHEATHAM, OFFICE

FORT WORTH, TEXAS.

November 27, 1931.

Trinityfarm Construction Company, Inc.,
Santa Fe Bldg., Dallas, Texas.
McKensie Construction Company,
Smith-Young Tower, San Antonio, Texas.
Uvalde Construction Company,
Santa Fe Bldg., Dallas, Texas.

Gentlemen:

Relating to telegram of this date by Trinityfarm Construction Company (by Kirvin) to John B. Hawley, reading as follows:

"RE YOUR CONVERSATION WITH ROSE TODAY CONCERNING WORK IN RIVER
"SECTION STOP OUR CONTENTION IS THAT THIS WORK AS WE UNDERSTAND
"ITS NATURE IS COVERED BY OUR CONTRACT AND COMPENSABLE AT UNIT
"PRICES STOP YOU HAVE AUTHORITY UNDER SECTION TWENTY EIGHT
"STANDARD FORM OF AGREEMENT TO ORDER US TO PROCEED IMMEDIATELY
"ON THIS WORK AND WE WILL COMPLY FORTHWITH WITH ANY WRITTEN
"ORDERS GIVEN US BY YOU EXPRESSLY RESERVING TO OURSELVES ALL
"RIGHTS OF APPEAL FROM YOUR DECISIONS ON PRICE AND CONDITION OF
"WORK STOP WRITING REGARDS
" TRINITYFARM CONSTRUCTION COMPANY, KIRVIN."

We hereby advise you that we will give you specific written order to proceed with the work designated in our conversation with M. A. Rose, to be compensated as "Extra Work" under the provisions of Section 17, page 8, General Conditions of the Agreement, as contained in the Contract dated February 4th, 1930.

We, however, do not issue firm order at this time in order to give you an opportunity to agree with us concerning the rate of compensation to be paid, as is provided for in the Contract.

If your telegram, above quoted, is intended as a final refusal to endeavor to agree on the compensation, kindly give us written advice, so stating, at a time not later than noon of tomorrow; If such is not the case, and you do wish to endeavor to agree, please inform us of a desire to reach an accord at the earliest convenient moment.

Respectfully,

HAWLEY and FREESE

By

John B. Hawley

JBH:AM