

OK  
S.H.

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 THE  
16TH DAY OF APRIL, 1934, AT 4 P.M.

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The call of the roll disclosed the presence of all Directors as follows, viz:

W. R. Bennett  
E. E. Bewley  
W. K. Stripling  
C. A. Hickman  
Joe B. Hogsett

At this meeting President Bennett presided; Director Stripling acted in his  
capacity as Secretary.

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

1.

Minutes of the meeting of April 9, 1934, were read, approved and ordered  
of record.

2.

There was presented for consideration written proposal of Messrs. Burch  
& Woodruff, dated April 13, 1934, relating to legal services proposed to be  
rendered by them in Wise County. There was examination of said proposal, and  
it was the sense of the Directors that the effect of the proposal was not in  
keeping with the resolution of the Directors, passed at the meeting held on  
April 9, 1934, particularly in that the proposal might be construed to pro-  
vide for the payment of \$50.00 per month, plus the value of all specific ser-  
vices rendered, without allowing to the District credit in the sum of \$50.00  
per month as against the charges for specific services. It was further the  
opinion of the Directors that the District should submit to Messrs. Burch &

Woodruff for approval and execution a written proposal which would conform to the terms of the Minutes of the Meeting of April 9: It was so ordered.

3.

In keeping with the Minutes set forth in subdivision 7 of the Meeting of April 9, 1934, Director Stripling moved the adoption of a resolution which was in words, figures and symbols, viz:

"Whereas, the auditors report of date March 26, 1934, contained recitation:

'There appears to be no unfinished business except

'the old matter of the District Engineers' contract.' and

"Whereas, said recitation was based by the auditors on the Minutes of the meeting of the Board of Directors held on January 19, 1931 (Minute Book 16, page 18), wherein it appears that there was a contention on the part of the Engineers that the District should pay them a contractual percentage compensation on lands, and property other than lands, to be submerged or occupied by dam sites and as well to pay such compensation on the damages to certain portions of tracts of land not to be inundated, or occupied by dam sites; and further, it was being urged that the Engineers under their contract had obligation to pay for certain test holes at dam sites; and

"Thereafter and on August 8, 1933, at a meeting of this Board of Directors (Minute Book 29, page 20), Messrs. Hawley and Freese presented their itemized claim for engineering fees, dated August 7, 1933, stating a balance of \$5,773.62, as being due from the District to the Engineers as of said date; and at the time of the presentation of said ac-

count Mr. S. W. Freese of the Engineers orally gave consent that if the District would waive the claim concerning the test holes hereinabove referred to, and would pay to Hawley and Freese the sum \$5,750.00, in full satisfaction of the balance due by the District to the Engineers to said August 7, 1933, the Engineers would accept the same in full satisfaction of any claims theretofore existing in their favor as against the District; and

"Thereupon the District did execute and deliver its voucher check No. 3302, of date August 8, 1933, payable to Hawley and Freese, for said sum \$5,750.00, which check was duly paid, as shown by the records of this District:

"Now Therefore, it is the sense of the Directors that all matters referred to by the above quoted exception of the auditors should be declared to have been satisfied and extinguished, both as to claims made by the District and against the Engineers and claims made by the Engineers as against the District prior to August 8, 1933: Be it so ordered."

Adoption of this resolution was seconded by Director Hickman. Upon a vote being taken the motion was carried and it was so ordered.

4.

Mr. Sidney L. Samuels presented to the Directors certain facts relating to the pending litigation as between this District and certain depositors of the Texas National Bank. There was full consideration of this matter, the magnitude of the amount of money involved, and the unfavorable factors produced by the recent decision by the Supreme Court of the United States (in case of City of Marion vs. Sneed, 54 S. Ct. 421, decided on February 5, 1934); whereupon, Director Stripling made a motion that Mr. Samuels be authorized to confer with Mr. Leroy A. Smith, to ascertain from him upon what

basis his services might be retained as additional counsel in this litigation; that the report the result of his conference to the Committee on Legal Affairs and Finance (composed of Directors Bewley and Hogsett, and Director Hickman as alternate), and that the Committee be vested with power to contract for the employment proposed. This motion was seconded by Director Hickman. Upon a vote being taken the motion was carried and it was so ordered.

5.

No further business was presented and the meeting was adjourned.

W. T. Dripling  
As Secretary

APPROVED:

W. P. Bennett  
As President