

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 SEPTEMBER, A.D. 1937, AT 2:30 P.M.

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

C. A. Hickman	Joe B. Hogsett
E. E. Bewley	W. S. Cooke
W. K. Stripling	

At this meeting C. A. Hickman, President, presided; and Director Stripling acted in his capacity as Secretary, whereupon proceedings were had and done, as follows:

1.

Minutes of the meeting of September 9, 1937, were read, approved and ordered of record.

2.

Attached to the minutes of this meeting as Exhibit "A" is a statement of the financial condition of the District as of this day, which here is referred to as part hereof. This shows interim checks issued since the last meeting, having consecutive and inclusive serial numbers 5530 to 5542, aggregating \$208,799.60. It also shows proposed voucher-checks to liquidate accounts now payable by the District, having consecutive and inclusive serial numbers 5543 to 5577, for the aggregate sum of \$1,704.38. There was consideration of all of said checks, together with the data to support the same, whereupon Director Stripling made a motion, seconded by Director Hogsett, that the interim checks be reapproved and confirmed and that the proposed checks do be executed and delivered to the respective persons entitled to receive the same in settlement of the accounts upon which said checks were based. Upon a vote being taken, the motion was carried and it was so ordered.

3.

Director Bewley, in his capacity as Custodian of Pledges, presented a reciprocal receipt executed between the bank and the District by him on September 16, 1937, showing the withdrawal of securities pledged by the bank for the total sum of \$190,000.00. He stated that in his opinion the deposits of the District in the bank, after the withdrawal of said securities, remained to be amply secured. He therefore made recommendation that the transaction be formally confirmed by the District as of September 16, 1937; whereupon Director Cooke made a motion, seconded by Director Hogsett, that the stated withdrawal of securities be confirmed by the District as of September 16, 1937, that one of said reciprocal receipts do be attached to the minutes of this meeting as Exhibit "B" and that one of the identical receipts be attached to the original statutory bond of the depository as Exhibit #31 thereto, as is provided for in the bond. Upon a vote being taken, the motion was carried and it was so ordered.

4.

There was presented for consideration the report of the District's Auditors, dated August 16, 1937, covering the month of July and the year to date. Each of the Directors had at a prior time received a copy of the report and each was familiar therewith. It was the sense of the Directors that the report did not require any specific action at this time and that the same should be received and filed: It was so ordered.

5.

Upon request of President Hickman, Ireland Hampton made a report upon the progress being made in purchasing levee rights-of-way and earth, as follows:

- 1- To pay to Mrs. Clara Bullard for herself and her five brothers and sisters, as the heirs of Frank Wallace, Deceased, for approximately 14,000 cubic yards of new earth at the rate of 2¢ per yard, a total of \$ 280.00

612
Further, as part consideration to provide upon the twenty-three acre tract of land owned by Mrs. Bullard and others a ramp or roadway over the levee:

2- He stated while he had not yet surrendered hope of reaching an accord with W. M. McDonald and the Grand Lodge Free and Accepted Masons of Texas, it seemed likely that the District would be forced to institute condemnation proceedings in order to procure borrow-earth and new right-of-way for the relocated levee, across the twenty-one acre tract of land of W. M. McDonald (the lodge holding an option for purchase thereof). He stated that the minimum tender made by the owner was approximately \$1,300.00; that in his opinion this was highly excessive and that \$700.00 was the maximum consideration which should be paid and that he therefore would desire at this time to have authorization for condemnation in order that there might be no delay in having the right to go upon this land, in the event the negotiations did not become more favorable:

3- He presented a written memorandum of the tentative agreement had by him with Mrs. R. G. Johnson relating to the need for a deed of easement from her, in order to give the right to enter upon her land for the relocation of the proposed levee across the same a total distance of approximately 2,000 feet. He recommended that the District pay to Mrs. Johnson as money consideration the sum of \$2,000.00 and that the District in constructing the levee comply with the incidental agreement for work to be done upon the land. He was of the opinion that unless this agreement was approved and confirmed it would be necessary for the District to proceed to condemn approximately 10.5 acres of land on the dry-side of the old levee and to condemn the right to take approximately 24,000 cubic yards of earth, it being stated that the old levee and its floodway affected approximately ten acres of land.

4- He made report of his efforts to reach an accord with the Park Board of the City of Fort Worth for the relocation of the levee and the right to take earth, affecting Greenway Park in the City of Fort Worth. He stated that

after an agreed appraisal of the property, it had become possible to reach an accord with the Park Board by paying to it the sum of \$215.00

Upon consideration of these matters, Director Cooke made a motion, seconded by Director Bewley, as follows:

1- That the recited proposed payment to Mrs. Clara Bullard and others, in the sum of \$280.00 be approved for immediate consummation.

2- That whenever the attorneys for the District became convinced that the District can not make a reasonable settlement with W. M. McDonald, they be directed to promptly proceed for the condemnation of new borrow-earth and all rights and easements which reasonably may be required by the District for carrying out its plan for improvements upon the land of said owner, situated between East Belknap Street and East First Street in the City of Fort Worth and that they be hereby authorized to incur all costs and expenses needed to be incurred for the prosecution of the condemnation proceeding, to the end that the District may suffer no preventable delay in acquiring the right to make entry upon said land for the purpose of providing the improvements desired to be placed thereon by the District. Further that, the engineers for the District be authorized to incorporate in the District's plan for improvements the listed works and facilities to be placed upon the land of W. M. McDonald and deemed to better the condition of the remainder of the tract in at least the sum of \$700.00. Further that, the attorneys for the District be directed to seek an accord with W. M. McDonald and the Grand Lodge Free and Accepted Masons of Texas on one or the other of two bases: (1) To conform to the amended plan to place said incidental improvements upon said land, to be in full satisfaction of all compensation for the easement sought; (2) To omit said improvements and to pay to W. M. McDonald, or said Lodge, as their interest may appear, in full payment for the easement sought, the sum of \$700.00.

3- That the proposal for reaching an accord with Mrs. R. G. Johnson on the basis set forth in the written memorandum of agreement be approved, confirmed and consummated without further delay. \$ 2,000.00

4- That the proposal for reaching an accord with the Park Board of the

OK
City of Fort Worth, as set out in the report of Mr. Hampton, be approved,
confirmed and consummated without further delay. \$215.00

Upon a vote being taken, the motion was carried and it was so ordered.

6.

There appeared before the Directors a delegation representing the Fort Worth Young Men's Christian Association. This delegation was composed of persons as follows: J. F. Tarleton, Dr. Will S. Horn, Noel M. Roberts, Donald Bubar, C. G. Fairchild, W. G. Fuller and Raymond Morrison. The principal spokesman was Mr. Bubar. The substance of the oral petition was that for five years past the Y.M.C.A. has sought a camp site upon the margins of Lake Eagle Mountain to have sufficient acreage for the development of certain facilities. He stated that the committee particularly desired the title to or a long term lease on about sixteen acres on the northerly edge of the land purchased by the District from Mr. Younger, situated next to the Dido Road. After full discussion of this matter, President Hickman, speaking for the Board, stated that the District had not yet rescinded the prior order that no marginal lands be sold or placed under lease for a term of more than one year; that the request would receive sympathetic discussion by the Directors and that the matter would be discussed after the departure of the delegation. Thereupon the delegation left the meeting and the Directors gave request of the attorneys that they present to them at their next meeting their written opinion as to whether or not the District lawfully may make leases to have a term to endure for a greater time than one year: It was so ordered.

7.

There was presented to the Directors the request of Morris L. Swartzberg, as Attorney for Ester Winterman (now Ester Horn) to release from registration one Series "D" bond of the District, bearing Serial No. 5526, registered on November 23, 1932. It was desired to have this released from registration

25

OK

in order that Mrs. Winterman might restore the bond to be payable to the bearer without having to be joined by her husband. The petitioner tendered to the District a bond of indemnity to be executed by Sophia Miller, Lena Klar and Alex Wolf, as sureties. The matter was referred by the Directors to the attorneys for action. The attorneys were of the opinion that the District should not accede with the request but, in lieu thereof, petitioner should be required to have her husband join her in releasing the bond from registration or, in lieu thereof, procure from the District Court of Tarrant County an order authorizing her to effect the release without being joined by her husband: It was so ordered.

8.

The engineers gave an oral report concerning the survey being made to find the true boundary line of the division fence between the land purchased by the District from Mr. Pierce and the land adjoining it on the north, being the property of Mr. Smith and his mother. The engineers stated that the fence put in place by Mr. Smith was not on the true boundary line, that in places it was several feet south thereof; and that the location of the prior old fence was capable of being definitely located on the ground. Director Strippling made a motion, seconded by Director Hogsett, that the attorneys for the District be directed to sue the proper parties in order to establish the true boundary; that the engineers give them all needed cooperation in this matter and that upon final adjudication of the matter, the engineers procure the placement of a proper fence upon the boundary to be so established. Upon a vote being taken, the motion was carried and it was so ordered.

9.

There came on for consideration the fact that there was a close approach to September 15th at which time the District's ordinances required that all boats operating on either lake controlled by the District be inspected for sea-worthi-

53

ness and the appropriate licenses paid thereon. It was the sense of the Directors that this regulation would involve much time, due to the required inspection and licensing of boats, and that the public receive some indulgence in order to comply with the requirement, to which they were not accustomed. It therefore was ordered that the time for inspecting and licensing boats be extended to October 15, 1937, and that this information should be furnished to the local newspapers in the several counties in which the lakes were situated: It was so ordered.

10.

There was presented to the Directors for consideration the request of Mr. William M. Massie, Chairman of the Texas Planning Board, that Ireland Hampton be made available to the Water Resources Committee of the Board for a meeting to be held in Austin on September 21, 1937. Director Hogsett made a motion, seconded by Director Stripling, that the request be granted. Upon a vote being taken, the motion was carried and it was so ordered.

11.

There was presented a written statement, dated September 10, 1937, relating to the desire of Tarrant County, expressed through Commissioner Frank Estill, to have commitment from the Directors to give to the County, if required, an easement for opening up a roadway to extend North Twelfth Street in the City of Fort Worth across Samuels Avenue, thence in a southeasterly direction to a connection with either Race Street or Yucca Street in Riverside. It is anticipated that the proposed road would pass near the northeasterly corner of the land owned by Mrs. R. G. Johnson and that it would not pass over any land involved in the work to be done by the District on Subdivision 2 of Section "B" of the levee plan. It was the sense of the Directors that any grant required by the County should come from Fort Worth Improvement District No. 1; that any grant so made should require that the structures to pass over the levee and its floodway and the bridge to be placed over the levee should be at such elevation

and of such open design as would not materially diminish the capacity of the floodway. It was further stated that Mr. Estill desired the requested assent of this District as consideration for the County granting to the District the right to take earth to enlarge the levee on a tract of land owned by the County situated between the westerly boundary of the old Cold Springs Road and the westerly boundary of the new Cold Springs Road. It therefore was desired that the County grant the District the desired right, upon condition that the District would give aid to the County in procuring from the Levee District the right-of-way sought by the County: It was so ordered.

12.

There was presented to the Directors reports signed by John B. Hawley, accompanied by plans and specifications, recommending that the following requests be granted: (1) To authorize V. A. Vance to place in Lake Eagle Mountain a break-water (2) To authorize T. C. Dickson to place upon land purchased by him from J. K. Peden, a lodge, water tower, sanitary sewer disposal system and private floating boat and fish dock. It was the sense of the Directors that these requests should be granted and the respective parties so advised: It was so ordered.

13.

No further business was presented and the meeting was adjourned.

APPROVED:


AS PRESIDENT



AS SECRETARY

EXHIBIT "A" SEPT. 16, 1937.
2:30 P.M.

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

VOUCHER-CHECKS ISSUED AUGUST 12, 1937, TO SEPTEMBER 13, 1937, INCLUSIVE

<u>NO.</u>	<u>I S S U E D</u>	<u>C O V E R I N G</u>	<u>AMOUNT</u>
5530	John A. Kee	(Land Purchase, Levee Construction) (Subdiv. 2, Section "B")	\$ 319.75
5531	Chas. V. Nichols	(Right-of-way & Borrow-earth, Sub- (div. 2, Section "B" levee	80.00
5532	Martin A. Hart, Agent	(Right-of-way & Borrow-earth, Sub- (div. 2, Section "B" Levee	270.00
5533	Axtell Company	(1-8' Mon. Windmill, for Cole Place, (W. D. Speer, Lease	40.61
5534	Marjorie Rowell	Salary, August 1937	65.00
5535	B. W. Bintliff	(Salary, Aug. 1937, Custodian, (Eagle Mountain \$100.00) (Allowance Aug. 1937 7.50)	107.50
5536	C. L. McNair	(Salary Aug. 1937, Custodian, (Bridgeport \$ 80.00) (Allowance Aug. 1937 7.50)	87.50
5537	A. W. McDonald, Sec'y., Board of Water Engineers	(Reimbursement for amount paid to C.) (L. McNair, as Gage Attendant, Aug- (ust, 1937	20.00
5538	G. B. Anderson and James Ander- son	(Right-of-way & Borrow-earth Subdiv.) (2, Section "B," Levee	80.00
5539	Boone Gentry, County Treas., Wise County, Texas	(Settlement with Briar School Dis- (trict #102 of Wise County, by author- (ity of H.B. #969	918.52
5540	Continental National Bank, Fort Worth, Texas	(Telegraphic cost transferring funds to) (New York City, Sept. 14, 1937	1.57
5541	Continental National Bank, Fort Worth, Texas	(Funds to be transferred Sept. 14,) (1937 to Central Hanover Bank and) (Trust Company, New York City)	161.65
5542	Continental National Bank, Fort Worth, Texas	(Funds to be transferred Sept. 14,) (1937 to Central Hanover Bank and) (Trust Company, New York City to pay) (bonds and interest coupons matur- (ing September 15, 1937)	206,647.50
<u>T O T A L</u>			\$ 208,799.60

DISTRIBUTION OF VOUCHER-CHECKS #5530 TO #5542, INCLUSIVE

Office	\$ 65.00
Eagle Mountain Dam	107.50
Bridgeport Dam	107.50
Land Department	40.61
Settlement with Briar School) District #102	918.52
Levee Improvement, Sub. 2,) Section "B"	749.75
Expense paying Bonds and In-) terest Coupons	163.22
Bonds Maturing Sept. 15, 1937	60,000.00
Interest Coupons Maturing Sept.) 15, 1937	<u>146,647.50</u>
<u>T O T A L</u>	\$ 208,799.60

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

VOUCHER-CHECKS #5543 TO #5577, INCLUSIVE

<u>NO.</u>	<u>I S S U E D T O</u>	<u>C O V E R I N G</u>	<u>A M O U N T</u>
5543	C. A. Hickman	Director's Fees	\$ 20.00
5544	E. E. Bewley	Director's Fees	20.00
5545	W. K. Stripling	Director's Fees	10.00
5546	Joe B. Hogsett	Director's Fees	20.00
5547	W. S. Cooke	Director's Fees	20.00
5548	Sidney L. Samuels	Legal Services	333.34
5549	Ireland Hampton	Legal Services	500.00
5550	E. B. Cheatham	Salary	200.00
5551	Hawley, Freese & Nichols	(ENGINEERING & SUPERVISION: (Month of Aug. 1937, E.M. \$100.00) (Month of Aug. 1937, B.P. 100.00)	200.00
5552	E. L. Hobbs	Truck Hire B.P.	1.40
5553	R. D. McDaniel	Labor, B.P.	1.40
5554	Cecil McDaniel	Labor, B.P.	1.30
5555	M. M. Massey	Labor, E.M.	1.20
5556	Wm. Capps Building Co.	Office Rent, Sept. 1937	40.00
5557	Home Telephone & Electric Co.	Phone Service, E.M.	7.50
5558	Southwest Telephone Co.	Phone Service, B.P.	5.95
5559	Southwestern Bell Telephone Co.	Phone Service, 3-2848	14.35
5560	Texas Electric Service Co.	Electric Service, E.M.	7.38
5561	Texas Power & Light Co.	Electric Service, B.P.	12.74
5562	A-1 Typewriter Co.	(Typewriter Ribbon & 3 Boxes) (Carbon Paper)	8.25
5563	The Babcock Company	(1500 Sets in Trip. Boat Inspection) (Certificates; 1500 Sets in Quad.) (Boat Licenses Receipts)	59.00
5564	Blalock Boat Works	(1 Propeller for E.M. Outboard (Motor \$9.50) (6# Lower Unit Grease, EM. & BP. 2.40) (1 Doz. Sheer Pins B.P. .45) (2 - 5M. Spark Plugs B.P. 1.30)	13.65
5565	Leonard Bros.	(4 Life Saver Belts, EM & BP \$11.16) (2 Life Ring Bouys, EM & BP 9.00)	20.16
5566	Morrow Wrecking Co.	(Materials furnished W. D. Speer to) (make repairs to house on Cole Place)	50.35
5567	Western Union Telegraph Co.	Telegrams, Chicago & Austin, Texas	2.83
5568	Magnolia Petroleum Co.	Oil & Gas, Aug. for Motor Boat B.P.	9.70
5569	Ft. Worth Blueprint Co.	Prints - Levee Improv. Sub. 2, Sec. B.	1.17
5570	Geo. E. Nies, Jr.	(Services as Appraiser \$15.00) (Use of automobile 1/2 day 3.00) (Sub. 2, Sec. B, Levee Improv.)	18.00
5571	Owen Brown	(Services as Appraiser) (Sub. 2, Sec. B, Levee Improv.)	15.00
5572	H. H. Morse	(Services as Appraiser) (Sub. 2, Sec. B, Levee Improv.)	15.00
5573	Mrs. Happy Shelton, County Clerk	(Recording Deed, John A. Kee to Dis-) (trict, Levee Improv. Sub. 2, Sec. B.)	1.50
5574	Gaither Oil Company	(Oil and Gas, July & August for Motor) (Boat, E.M.)	44.72
5575	C. A. Hickman	Traveling Expense	9.50
5576	Ft. Worth Rubber Stamp Co.	(Boat Inspection stamps, stamp) (pads, Ink \$5.34) (Rubber Stamps & Stamp Pad,) (Office 4.65)	9.99
5577	H. D. Young, Postmaster	Postage Stamps	9.00
<u>T O T A L</u>			<u>\$ 1,704.38</u>

DISTRIBUTION OF VOUCHER-CHECKS #5543 TO #5577, INCLUSIVE

Directors	\$ 99.50
Legal	836.17
Office	276.25
Land Department	50.35
Boat License & Inspection	64.34

EAGLE MOUNTAIN DAM:

Engineering & Supervision	\$ 100.00	
Phone Service	7.50	
Electricity	7.38	
Propeller for Boat	9.50	
Life Savers	10.08	
Oil and Gas for Boat	45.92	
Labor	1.20	181.58

BRIDGEPORT DAM:

Engineering & Supervision	\$ 100.00	
Phone Service	5.95	
Electricity	12.74	
Life Savers	10.08	
Shear Pins & Spark-Plugs, for Boat	1.75	
Oil and Gas for Boat	10.90	
Truck Hire	1.40	
Labor	2.70	145.52

LEVEE IMPROVEMENT:

Subdiv. 2, Section "B"		50.67
------------------------	--	-------

T O T A L \$ 1,704.38

C O N D I T I O N O F F U N D S

	<u>CONSTRUCTION FUND</u>	<u>CONSTRUCTION ACCOUNT</u>	<u>MAINTENANCE FUND</u>	<u>INTEREST AND SINKING FUND</u>
BOOK BALANCE: August 12, 1937	\$ 50,716.11	\$ 1,127.46	\$ 21,779.53	\$253,760.75
RECEIPTS: Taxes, Penalty & Interest			137.53	4,813.49
Interest on Collector's D/B				.28
Interest on Bank D/B	5.27		3.57	50.08
Land Rentals			4.00	
Notes Receivable		10.00		
Interest on Notes Receivable		1.47		
Miscellaneous			2.00	
Boat Inspection Fees			118.50	
Boat Licenses			303.43	
	\$ 50,721.38	\$ 1,138.93	\$ 22,348.56	\$258,624.60
DISBURSED: 8-12-37 to 9-13-37, Incl. By Vo. #5530 to #5542, Incl.		749.75	1,402.35	206,647.50
	\$ 50,721.38	\$ 389.18	\$ 20,946.21	\$ 51,977.10
DISBURSED: 9-16-37, By Vo. #5543 To #5577, Incl.		50.67	1,653.71	
BOOK BALANCE: SEPT. 16, 1937	\$ 50,721.38	\$ 338.51	\$ 19,292.50	\$ 51,977.10

Withdrawal of Securities

ON THIS the 16th day of September, 1937, the CONTINENTAL NATIONAL BANK OF FORT WORTH, Texas, hereby acknowledges receipt of withdrawal of securities heretofore pledged to secure TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE; Said securities are described in Exhibits Nos. 20, 22 and 29, attached to the bond of this bank, as the District's Depository, and the same are specifically described as follows:

U. S. 2 1/2% Treasury Bonds of 1949-53,
with December 15, 1937, and S. G. A.:

No. 6951	\$100,000.00
Nos. 18614-15, 25884-85-86-87, 11669-70-71 - @ \$10M each	<u>90,000.00</u>
	\$190,000.00

(ONE HUNDRED NINETY THOUSAND DOLLARS)

THE WITHDRAWAL OF SECURITIES as hereinabove set out is due to the fact that the securities now under pledge are in excess of the amount required adequately to secure the District's deposits, and is in compliance with the law and the provisions of the contract between the bank and the district.

THIS RECEIPT is hereby designated as Exhibit No. 31 and is to be attached to the bond executed by said bank on May 14, 1935.

CONTINENTAL NATIONAL BANK OF FORT WORTH

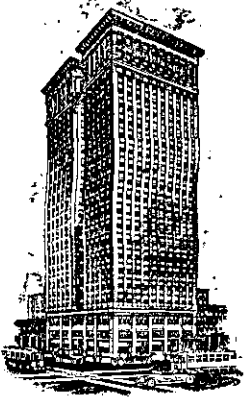
By: 
As Vice President

ATTEST:


As Cashier

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE.

By: 
Custodian of Pledges



CONTINENTAL NATIONAL BANK
OF FORT WORTH

H. L. LKINSON, PRESIDENT
ED. WINTON, VICE-PRESIDENT
J. E. WILLIS, VICE-PRESIDENT
AND TRUST OFFICER
H. C. BURKE, JR., ASST. VICE-PRESIDENT
AND ASST. TRUST OFFICER
H. C. WALLEBERG, ASSISTANT VICE-PRESIDENT
JOHN H. ERIKSEN, CASHIER
OSCAR VOGEL, ASSISTANT CASHIER
ERNEST W. RUSSELL, ASSISTANT CASHIER
BORDEN A. DAVIS, ASSISTANT CASHIER

FORT WORTH, TEXAS

September 16, 1937.

SEP 16 1937

Board of Directors
Tarrant County Water Control and
Improvement District Number One
Fort Worth, T e x a s

Gentlemen:

As of close of business September 15, 1937, balances to the credit of your accounts, as reflected by our books, were as follows:

Construction Account.....	\$ 389.18
Construction Fund.....	50,721.38
Interest & Sinking Fund.....	51,977.10
Mainteance Fund.....	20,974.03

or a total of \$124,061.69. To secure which we have pledged at this time a total of \$345,000.00 various securities.

We respectfully submit herewith Exhibit No.31 for withdrawal of \$190,000.00 United States 2-1/2 percent Treasury Bonds of 1949-53, which leaves bonds totalling \$155,000.00, pledged to secure the above deposits totalling \$124,061.69.

Respectfully submitted,


John H. Eriksen
C a s h i e r



JHE:S