

MINUTES OF A 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
26TH DAY OF MAY, 1953, AT 1:30 P.M.

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

PRESENT.

Joe B. Hogsett
Houston Hill
Dan H. Priest
W. L. Pier
A. T. Seymour, Jr.

Also present were Messrs. Sidney L. Samuels, General Counsel, C. L. McNair, General Manager of the District, and Marvin C. Nichols, of the firm of Freese and Nichols, consulting engineers of the District.

Director Hogsett acted in his capacity as President, and Director Priest acted in his capacity as Secretary, whereupon proceedings were had and done, as follows:

1.

The Directors had previously received copies of the minutes of May 5, 1953, at 1:45 P.M., and having found no objections thereto, it was ordered that they be approved, signed and placed on record.

2.

The monthly report of Pitner and Adams, Auditors for the District, covering the month of April, 1953, was presented and read and was ordered received and filed.

This report recited that certain land deeds wherein property was conveyed to the District for floodway purposes, did not appear

to be on hand in the office of the District. In response to this comment, Mr. Ben F. Hickey, Land Agent of the District, then advised the Board that at the time the report of April, 1953 was prepared, the transactions had not been completed, but that now certain of the deeds were in the District files and were listed as follows:

2-16-1953	C. A. Boaz	\$ 2,100.00
2-16-1953	Oriser Jordan	1,750.00
3-31-1953	J. B. Moates	3,500.00
4-15-1953	Mrs. Joe Pate, et al	3,350.00
4-30-1953	J. B. Moates and W. W. Graham	9,928.00

Mr. Hickey then made the following explanation regarding the remaining transactions in the report:

G.S. Evans check at Fort Worth and Tarrant County Abstract Company waiting on tax release from U. S. Government before issuing title policy.

G.T. Hubbard deed at Court House being recorded.

Abelardo Paez Deed at Court House being recorded.

3.

Mr. Marvin C. Nichols, Engineer for the District, presented to the Board a written communication dated May 25, 1953, to the effect that he enclosed with his communication a copy of letter dated March 27, 1953, addressed to the firm of Freese and Nichols as Engineers of the District, from Mr. C. M. Thelin, Director of Public Works of the City of Fort Worth, Texas, relative to a proposal to cut a new channel for Ham Branch immediately west of the Trinity River channel and south of the old East and West Levee South of Rock Island Railroad to Dallas.

The letter from Mr. Nichols continued to say that a portion of this channel was originally contemplated as a part of the program

of the Federal Army Engineers, but that they omitted it in their final work as actually constructed. Proceeding further in the letter, Mr. Nichols stated that the City of Fort Worth desired to make a sanitary fill in the old channel of the river and in the part of the channel of Ham Creek, which would be abandoned. Mr. Nichols then further stated that the firm of Freese and Nichols concurred with Mr. Thelin in, that the work proposed by the City would be beneficial. Mr. Nichols recommended that the request be granted insofar as it affected land owned in fee by the District.

At the conclusion of the reading of the letter, it was resolved by the Board that Mr. Nichols should make reply to this communication to Mr. Thelin and submit such reply for the consideration and approval of the Board at its next meeting.

The said letter from Freese and Nichols with copy from Mr. Thelin is made a part of these minutes and attached thereto.

4.

Following the transaction of the foregoing matters, the following representatives of Texas Electric Service Company appeared for conference with the Board with respect to the matter of what is generally known as the Nutt Dam, to-wit:

Mr. J. B. Thomas, President, Texas Electric Service Company;
Mr. Beeman Fisher, Assistant to the President;
and Honorable R. K. Hanger and Carlisle Cravens, legal
counsel for the company.

The mission of these gentlemen was to discuss the question of the removal of the dam and the compensation that would be paid

to the company in the event the dam was removed and demolished. Mr. Thomas proceeded to outline the history of the dam, the circumstances under which it was built and created and its use by the predecessor of the Texas Electric Service Company under an agreement between the City of Fort Worth and J. R. Nutt, and the consideration that inured to the City of Fort Worth in the construction of the dam and the right on the part of the company to use and utilize it and enjoy the pool of water that collected behind the dam and from which the machinery of the Texas Electric Service Company was cooled.

Following this outline by Mr. Thomas, Honorable R. K. Hanger discussed what he conceived to be the compensation that should be paid to the company by the District in the event the dam should be removed and in which event the company, as he presented the matter of compensation, would be deprived of the use of the water at the point where the dam was located. Mr. Hanger said the claim for compensation would be confined to what he conceived to be the deprivation of the use of the water and not for the relocation of another dam down the stream.

Discussion was had between the members of the Board and the visiting delegation in which Mr. Sidney L. Samuels, Counsel for the Board participated, and as a result of the conference between the two parties--the Board of Directors and the Texas Electric Service Company--that the matter should be referred for further discussion and consideration to Mr. Marvin C. Nichols, Engineer of the District on the one hand, and Mr. Beeman Fisher of the Texas Electric Service

Company, on the other, and in the event that something approaching an understanding should be reached in the near future, report concerning same should be made to the Board by Mr. Nichols, and the Board would then give further consideration to the question of compensation.

Thereupon, the delegation representing Texas Electric Service Company departed.

5.

President Hogsett reported that acting under authorization granted by the Board of Directors at the meeting held on April 28, 1953, at 1:30 P.M., he had made certain reinvestment, as follows:

Out of the proceeds of \$50,000.00 U. S. Treasury Bill, dated February 19, 1953, maturity May 21, 1953, owned by the Maintenance Fund, there was reinvested for the use and benefit of said fund, the sum \$49,735.50 in the U. S. Treasury Bills, dated May 21, 1953, maturity August 20, 1953. The difference in the proceeds of the maturing Bills and the cost of the bills dated May 21, 1953, maturity August 20, 1953, amounted to \$264.50, which said sum was deposited to the credit of the Maintenance Fund. President Hogsett then presented Trust Receipt SK No. B 50486, dated May 22, 1953, issued to this District by the Fort Worth National Bank Safekeeping Department for the above described United States Treasury Bills.

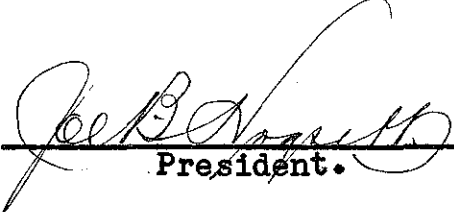
President Hogsett reported that the Government had announced its willingness to exchange par for par, with the holders of 1-7/8% Treasury Certificates of Indebtedness, Series B-1953, dated July 1, 1952, maturity June 1, 1953, of which the District's Interest and Sinking Fund owns \$50,000.00; and the District's Maintenance Fund owns \$100,000.00, for 2-5/8% Treasury Certificates of Indebtedness, Series B 1954, dated June 1, 1953, maturity June 1, 1954, interest payable with principal at maturity on June 1, 1954, and that he had authorized the Fort Worth National Bank Trust Department to make the exchange for the District, for the use and benefit of the

District's Interest and Sinking Fund and Maintenance Fund.

All five Directors present voted to receive said Trust Receipt SK No. B 50486 and to have same deposited for safekeeping in Lock Box 984 at the Continental National Bank of Fort Worth, the depository of the District. Further, that the action of the President in the foregoing matters, all and singular, was ratified by the Board.

6.

There being no further business before the Board, the meeting adjourned.



President.



Secretary.

S. W. FREESE
M. C. NICHOLS
S. G. ENDRESS

FREESE AND NICHOLS
CONSULTING ENGINEERS
407-410 DANCIGER BUILDING
TELEPHONE ED-5431
FORT WORTH 2, TEXAS

TO BE ATTACHED
TO MINUTES OF OF
MAY 26 1953 AT
AT 1:30 AM.

May 25, 1953

Board of Directors
Tarrant County Water Control
and Improvement District No. 1
502 Danciger Building
Fort worth, Texas

Gentlemen:

Enclosed is copy of letter dated March 27, 1953 addressed to us from C. M. Thelin, Public works Director, relative to proposal to cut a new channel for Ham's Branch immediately west of the Trinity River channel and south of the old east and west levee south of Rock Island Railroad to Dallas. A portion of this channel work was originally contemplated as a part of the work of Army Engineers. However, they omitted it in their final work as actually constructed.

The City desires to make a sanitary fill in the old channel of the river and in the part of the channel of Ham's Creek which would be abandoned. We concur with Mr. Thelin that the work proposed by the City would be beneficial.

We recommend that the City's request be granted in so far as it affects land owned in fee by the District.

Respectfully submitted,

FREESE AND NICHOLS

By 

Marvin C. Nichols
District Engineer
Tarrant County Water Control
and Improvement District No. 1

MCN:lk

C O P Y

CITY OF FORT WORTH, TEXAS

Public Works Department
C. M. Thelin, Director

March 27, 1953

Mr. Marvin C. Nichols
District Engineer
Tarrant County Water Control
and Improvement District No. 1
407-410 Danciger Building
Fort Worth, Texas

Re: Proposed Sanitary Fill Area

Dear Sir:

The Waste Disposal Division of the Public Works Department is very much in need of additional areas for disposal of garbage by the sanitary fill method.

We have investigated the area along Ham Branch between I. M. Terrell High School and the new river channel and south of the old Levee and are of the opinion that it would be suitable for a sanitary fill. The existing creek makes several bends, and there is considerable space available for a sanitary fill providing the channel is straightened and the new channel constructed from the existing sluice gate structure to the river as originally proposed by the U. S. Engineers.

We are attaching two (2) white prints of a portion of the U. S. Engineers' drawing showing in orange color the proposed location of the creek channel and in red color the proposed sanitary fill area. We desire to excavate the creek channel, store as much of the dirt as possible, and after placing garbage in the old channel areas cover same with dirt for a minimum of approximately two foot depth. We believe that this will greatly improve the area and make same suitable for recreational or other uses.

We understand that this property belongs to Tarrant County Water Control and Improvement District No. 1 who has made an Agreement with the City for future use of the land for recreational purposes. We will appreciate your investigation of this request, and if same meets with your approval, we will appreciate your taking the matter up with the Water Board for their approval if you think such approval is necessary.

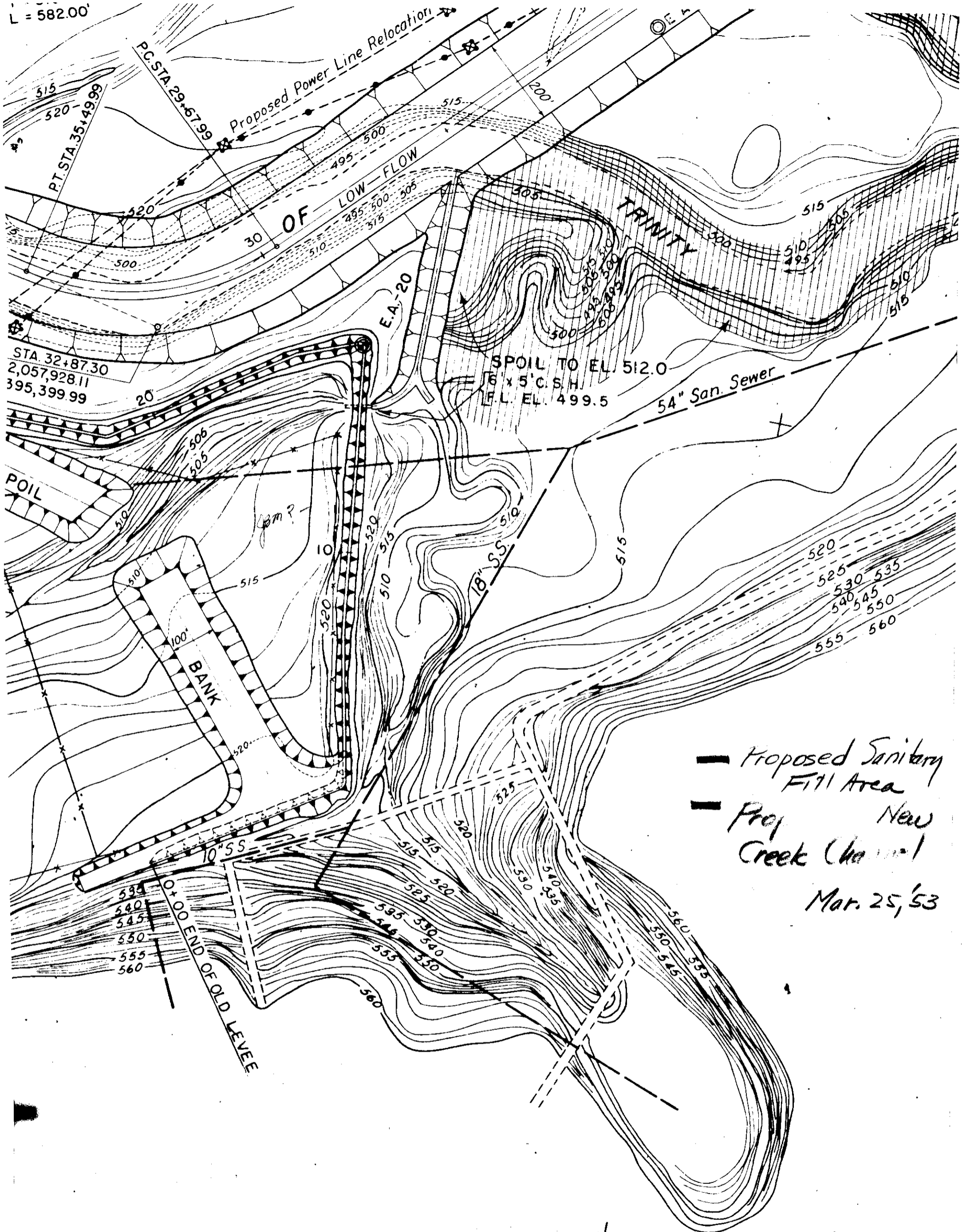
Yours very truly,

/s/ C. M. Thelin

C. M. THELIN
PUBLIC WORKS DIRECTOR

CMT:eb
Attach.

L = 582.00'



STA 32+87.30
 2,057,928.11
 395,399.99

SPOIL TO EL. 512.0
 6 x 5' C.S.H.
 F.L. EL. 499.5

54" San. Sewer

BANK

END OF OLD LEVEL

Proposed Sanitary
 Fill Area
 Proj New
 Creek Channel
 Mar. 25, '53

2056 394