

MATTERS TO COME BEFORE THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD IN THE DISTRICT OFFICE AT FORT WORTH, TEXAS, ON  
THE 8TH DAY OF FEBRUARY, 1957, AT 1:30 P. M.

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

PRESENT

Joe B. Hogsett  
Houston Hill  
Lacy Boggess  
W. L. Pier  
A. T. Seymour, Jr.

Also present were Messrs. Jesse M. Brown and Sidney L. Samuels,  
General Counsel for the District, Ben F. Hickey, General Manager  
of the District and Simon Freese, District Engineer.

Director Hogsett acted in his capacity as President, and  
Director Boggess acted in his capacity as Secretary, whereupon pro-  
ceedings were had and done as follows:

1.

On motion duly made and seconded, the minutes of the  
meetings held January 14, January 18, and January 21, 1957 were  
read and approved by the Directors and it was accordingly so ordered.

2.

On motion of Director Boggess, seconded by Director Hill,  
voucher-checks #9268 to #9333, inclusive, were approved and ordered  
filed, having theretofore received the approval and verification of

#161

Mr. J. M. Williams, County Auditor, who by virtue of the Statutes is the Auditor of this District as well. All the Directors present voted aye thereon.

3.

President Hogsett exhibited a letter dated February 5, 1957, signed by Marvin C. Nichols as Engineer for the District, and in lieu of reading the letter aloud, President Hogsett stated that a copy had been given to each Director for their study towards the settlement with Tarrant County, for that portion of County Road No. 4030, commonly known as the Ten Mile Bridge Road, closed to through traffic because of the construction of Marine Creek Reservoir; and outlined in Mr. Nichols' letter was the statement that a review had been made of the statement submitted by the Tarrant County Engineer on September 5, 1956, in which the amount of \$60,169.61, explained in detail by attached sheet, was submitted as a basis of settlement. Mr. Nichols' letter stated that the County felt that a substitute road must be established around the reservoir, in order that traffic could move directly from the North Fort Worth Area, and further stated that the substitute route as proposed by the County would be:

"North on Old Decatur Road from its intersection with Ten Mile Bridge Road 2.7 miles, thence west 1.7 miles, thence south 1.3 miles to the Ten Mile Bridge Road at the Seth Barwise property. Total length of substitute route 5.7 miles. Length of present road between the above points of take-off and return 13,432 feet - 2.54 miles. The substitute route will be approximately 3.2 miles longer than the present route."

The letter also stated that,

"The statement submitted by the County was based on the value of the present road between the points of take-off and return. This has been the usual basis for settlements between the District and private utilities. In this particular case, however, the District desires that the present road be left open and maintained except for 3,700 feet actually subject to submergence by the Lake.

We submit for your consideration the following three estimates which are based on different approaches to the problem:

1. Value Present Roadway: Old Decatur Road to Seth Barwise Corner - 13,432'.

13,432' of roadway @ \$3.00	\$40,296.00
Structure No. 1	10,153.00
Structure No. 2	6,420.00
Structure No. 3	1,129.00
Structure No. 4	699.00
Total	<u>\$58,697.00</u>
Salvage - I Beam Structure No. 1	<u>1,000.00</u>
Net Total	<u>\$57,697.00</u>

(This is the basis submitted by County. Distance used by County 14,256')

2. Value Present Roadway: Subject to Submergence in Marine Detention Basin - 3,700'.

3,700' of roadway @ \$3.00	\$11,100.00
Structure No. 1	10,153.00
Structure No. 2	6,420.00
Total	<u>\$27,673.00</u>
Salvage - I Beam Structure No. 1	<u>1,000.00</u>
Net Total	<u>\$26,673.00</u>

ROW made available to District  
by County as Access Road

(13,432' - 3700') x 60'

43,560

13.4 acres @ \$500.00

Total

6,700.00  
\$33,373.00

3. Cost to County Construct Substitute Route

15,840' of roadway : \$3.00	\$47,520.00
Culvert over Marine Creek (Estimated as Structure No. 2)	6,420.00
Other drainage structures	1,000.00
Right of Way <u>1.7 miles x 5,280' x (60'-40')</u>	
43,560	
4.1 acres at \$500.00	<u>2,050.00</u>
Total	<u>\$56,990.00</u>

(Assumed no expenditure on old Decatur Road - 2.7 miles)

It is our opinion that a minimum settlement could not be justified in an amount less than \$33,373.00 (Estimate No. 2). We also believe there is reasonable basis for a settlement in the amount of \$57,697.00 (Estimate No. 1). It is our opinion that the County can provide the substitute route at a cost not in excess of \$56,990.00

Negotiations have been under way for some time between Mr. Hickey for the District and County Engineer Champeaux for the County. The road is physically closed at the present time. It would appear that a settlement should be effected at as early a date as possible in order that the County can proceed with the construction of the substitute route.

All factors considered, we recommend a compromise settlement determined as follows:

Estimate No. 2	\$33,373.00
Estimate No. 1	<u>57,697.00</u>
	\$91,070.00
Average	\$45,535.00

In our Report on Program B, dated August 1950, we estimated \$47,000.00 for this settlement."

After quite a lengthy discussion, in which Mr. Jesse M. Brown, representing the Commissioner Court of Tarrant County, stated that the County was placed in the position of constructing a sub-

stitute road around the Marine Creek Reservoir, and as was estimated by the County Engineer and Mr. Marvin C. Nichols, would cost in the neighborhood of \$50,000.00 to \$60,000.00 to replace. There was much discussion comparing this situation with that of the Rock Island RR case that resulted from the construction of Lake Bridgeport, establishing a basis of settlement long since followed by the District in legally establishing the liability of the District in such matters; whereupon Director Boggess made the motion that the District, considering all the evidence presented, offer to Tarrant County the sum of \$33,373.00 towards the relocation of County Road No. 4030, taking into consideration the maintenance by the County of those portions of County Road No. 4030 that will be between the points of departure of the new substitute road, and the Marine Creek Reservoir, this motion was seconded by Director Hill, with all Directors voting aye thereon, excepting Director Seymour who voted nay.

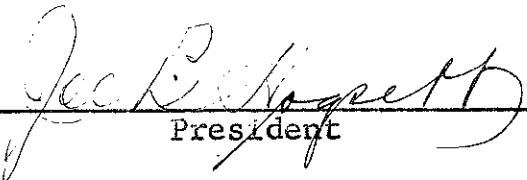
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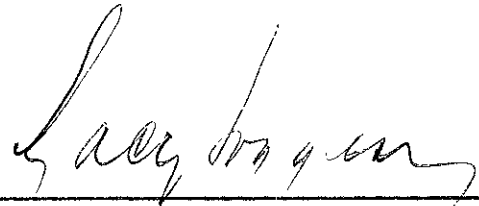
Mr. Simon Freese, Engineer for the District, explained to the Directors, that on July 17, 1957, Presentation No. 1332, as filed by the City of Denton, Texas with the State Board of Water Engineers, would expire, and recommended to the Directors that this District file a presentation with the State Board of Water Engineers for the same site on Denton Creek. Mr. Freese explained that the site as described in Presentation No. 1332 would be a part of the plan for

future water supply for this area, and after discussion, Director Seymour moved that Mr. Freese, as Engineer for the District, be given authority to file the Presentation with the State Board of Water Engineers, and that the District issue a check at the proper time, for the usual filing fees, all Directors voting aye thereon.

5.

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

  
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President

  
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Secretary