

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 15TH DAY OF NOVEMBER, 1962 AT 10:30 A. M.

- - - - -

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  
Wayne E. Newton

Also present was Mr. Ben Hickey, General Manager of the District.

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  
meeting held October 30, 1962 were read and approved by the Directors  
and it was accordingly ordered that such minutes be placed in the  
permanent files of the District.

2.

On motion of Director Pier, seconded by Director Newton,  
voucher-checks #1762 to #1814 inclusive, Cedar Creek Construction Fund;  
voucher-checks #1695 to #1747 inclusive, Maintenance Fund and voucher-  
check #127 Construction Fund were approved and ordered paid upon  
receiving the approval and verification of Mr. J. M. Williams, County  
Auditor, who by virtue of the Statutes is the Auditor of this District  
as well, All the Directors voted aye thereon.

3.

President Hogsett presented a letter from the Texas Highway Department dated November 5, 1962 and signed by Mr. Clyde F. Silvus for Mr. D. C. Greer, State Highway Engineer, and being, to-wit:

TEXAS HIGHWAY DEPARTMENT

November 5, 1962

IN REPLY REFER TO  
FILE NO. D-5

"Henderson and Kaufman Counties  
Reconstruction and Relocation of Highways  
to Accommodate the Construction of the  
Cedar Creek Reservoir

Mr. Ben F. Hickey  
General Manager  
Tarrant County Water Control and Improvement District No. 1  
Danciger Building  
Fort Worth, Texas

Dear Sir:

Attached hereto are copies of Texas Highway Commission Minute Order No. 51956 which was passed on November 2, 1962.

It will be noted that the Order requires formal acceptance by the Improvement District within 60 days of the date of passage of the Order.

Upon your acceptance of this Order, we will prepare and furnish for your review a draft of an agreement covering the necessary details of highway adjustment and the details of financing.

Yours truly,

D. C. Greer  
State Highway Engineer

By: /s/ Clyde F. Silvus  
Clyde F. Silvus  
Bridge Engineer

LP:sw

TEXAS HIGHWAY COMMISSION MINUTE ORDER NO. 51956

"WHEREAS, in HENDERSON and KAUFMAN COUNTIES, the Tarrant County Water Control and Improvement District Number 1 proposes to create what will be known as the Cedar Creek Reservoir resulting from the construction of a dam on Cedar Creek a distance of about 3.0 miles in a northeasterly direction from Trinidad, Texas; and

WHEREAS, the creation of this reservoir will affect various Farm Roads, State and U. S. Highways; namely, Farm Road 90, Farm Road 2329, Farm Road 85 and State Highway 274 in Henderson County; and State Highway 274 and U. S. Highway 175 in Kaufman County; and

WHEREAS, the proposed reservoir will require portions of these roads and highways to be relocated and portions to be raised above the influence of the reservoir; and

WHEREAS, the Tarrant County Water Control and Improvement District Number 1 recognizes its obligation in relocating and adjusting these roads and highways;

NOW, THEREFORE, the State Highway Engineer is directed to tender the following proposal to the Tarrant County Water Control and Improvement District Number 1:

Provided the Tarrant County Water Control and Improvement District Number 1 will:

1. Furnish the State Highway Department an easement for highway right of way as needed for highway adjustment and/or relocation within the lake properties to be owned by the Water District, and without cost to the State make available to the State necessary borrow sources within the lake properties to be owned by the Water District.
2. Furnish to the State Highway Department by proper deed all rights of way, free of obstructions and fenced, required for the relocation and raising of affected roads and highways outside of the limits of the lake properties to be owned by the Water District.
3. Pay to the State under a separate escrow agreement as its financial participation the fixed sum of two million, twenty-eight thousand, two hundred dollars (\$2,028,200) which represents the Tarrant County Water Control and Improvement District's full share of the cost of preliminary engineering, construction engineering and actual reconstruction of all affected sections of roads and highways with the exception of U. S. Highway 175 in Kaufman County, the settlement of which shall be deferred to a later agreement. Payment of the fixed sum may be made in installments to approximate construction needs in a manner to be prescribed in the agreement, but the total sum shall have all been paid to the State no later than two years after the signing of the agreement.

4. Furnish and place the embankment approaching the reservoir spillway crossing on State Highway 274 in Henderson County. Said embankment to be placed and compacted by the Water District's Contractor under Highway Department specification and supervision at the expense of the Water District.

5. Guarantee the State that the reservoir will be operated in such a manner that a permanent pool level no higher than elevation 322.0 m.s.l. will be maintained.

The Texas Highway Department will:

1. Prepare plans, award construction contracts and supervise reconstruction required to adjust all affected sections of roads and highways, with the exception of U.S. Highway 175 in Kaufman County. Such construction will, as a minimum, be in accordance with current design standards, based on road classification needs.

2. Permit the Tarrant County Water Control and Improvement District Number 1 to flood all highway rights of way permanently to elevation 322 m.s.l. after adjustment of all affected sections of roads and highways.

3. In exchange for the right of way furnished by the Water District for the relocated portions of roads and highways, the Highway Department will recommend to the Governor that he convey, by proper instrument to the Water District, those portions of right of way in the lake area below approximate elevation 325 m.s.l. which will be abandoned because of the relocations.

4. Maintain all sections of roads and highways after completion of the work.

Upon acceptance of the provisions of this Order by the appropriate officials of the Tarrant County Water Control and Improvement District Number 1, the State Highway Engineer is authorized to enter into an agreement with the Water Control and Improvement District for the adjustment and necessary financing of the Highway facilities. The State Highway Engineer is further directed to proceed with the development of plans for construction and, after the Water District has fulfilled its responsibilities, proceed with construction in the most feasible and economical manner.

This Order shall become operative upon acceptance by the Tarrant County Water Control and Improvement District Number 1 and if not accepted within 60 days of the date hereof, shall be automatically cancelled.

Minute Number 51956  
Passed November 2, 1962"

Following a detailed review of the above listed Minute Order by Mr. Ben Hickey, General Manager, Director Hill made a motion, seconded by Director Pier, and upon the recommendation of Mr. Hickey, and Mr. S. Freese, Consulting Engineer for the District, that the above listed Minute Order of the Texas Highway Commission No. 51956, be accepted by this District, subject to the approval by the District of an agreement covering the necessary details of highway adjustments and financing, to be prepared by the Highway Department, in accordance with the letter signed by Clyde F. Silvus and dated November 5, 1962.

4.

Mr. Ben Hickey, General Manager of the District, requested authority for the District to enter into Contract for the purchase of the following described tracts of land required for the Cedar Creek Reservoir, and on the following basis for payment, to-wit:

- (a) Tract No. 179A - Edna Mae Landrum - 42 acres more or less in fee @ \$150.00 per acre and 24 acres more or less in fee @ \$110.00 per acre.
- (b) Tract No. 315 - Camilo Anguiana - 20 acres more or less in fee @ \$125.00 per acre, and .77 acres more or less in Easement @ \$38.50 per acre.
- (c) Tract No. 169 - J. W. Moore - 25.5 acres more or less in Fee @ \$125.00 per acre; 13.24 acres more or less in Easement @ \$50.00 per acre plus \$400.00 damages due to the taking - Total \$4,500.00.
- (d) Tract No. 128B - P. A. Carson - 56.5 acres more or less @ \$125.00 per acre.
- (e) Tract No. 82 - Ruby E. Upchurch - 68.44 acres more or less @ Lump Sum - \$9,000.00.
- (f) Tract No. 157 - Jeff Meazell - et al - 3.5 acres road right-of-way @ \$75.00 per acre.
- (g) Tract No. 59 - E. D. Bishop - 61.88 acres more or less in fee @ \$110.00 per acre.

- (h) W. J. Heath - 48.94 acres more or less @ \$115.00 per acre.
- (i) Lot No. 3, Block Z - Evans-Pearson-Westwood Addition - \$1,500.00.

Mr. Hickey also requested authorization for the District to enter into Contract for the purchase of Pipeline Right-of-Way Easements for the Cedar Creek Project, on the following basis for payment, to-wit:

- (a) Tract No. E-80 - Johnnie Quinn - 5/6 Int. 43.60 rods @ \$4.00 per rod.
- (b) Tract No. E-79 - Joseph S. Quinn, Sr. et al - 46.70 rods @ \$4.00 per rod.
- (c) Tract No. E-14 - R. L. Sims - 22.40 rods @ \$4.00 per rod.
- (d) Tract No. 56 - L. T. Hunsucker - Adj. to center line - \$50.00.
- (e) Tract No. H-18 - Clarence Johnson - 186.70 rods @ \$2.00 per rod - Damages - \$60.00.
- (f) Tract No. E-93A - Johny Skrivanek - 12.70 rods @ \$4.00 per rod.
- (g) Tract No. E-116 - Veterans Land Board [Additional \$1.00 per rod required by Veterans Land Board - L. A. Slovak Tract - 56.40 rods]
- (h) Tract No. H-11 - Minnie McClintock - 218.8 rods @ \$2.00 per rod - Damages - \$210.00.
- (i) Tract EN-1 - J. D. Patrick & Charles Rothrock - 462.5 rods @ \$3.00 per rod - Damages \$3,612.50.
- (j) Tract No. H-5 - Strumpf Estate - 186.7 rods @ \$2.00 per rod.
- (k) Tract No. H-15 - Maude Ansley - 295.2 rods @ \$2.00 per rod.

Following a detailed presentation of the Tracts and Pipeline Right-of-Way Easements, and upon recommendation of management of the District, Director Boggess, seconded by Director Newton, moved that the

District be authorized to enter into Contract for the purchase of the above described tracts and pipeline right-of-way easements and on the basis as shown. This meeting with the approval of all Directors, it was so ordered.

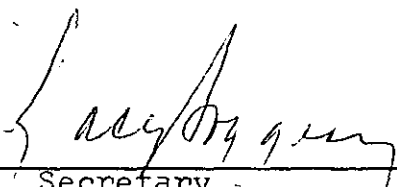
Director Boggess further requested that the records define in detail the breakdown for the \$3,612.50 damages paid to owners of Tract No. EN-1 - J. D. Patrick et al, which were as follows: \$252.50 for Well - \$3,360.00 for approximately sixteen (16) paper shell pecan trees and any and all damages now or in the future of any nature.

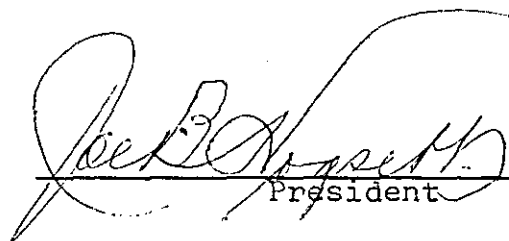
5.

President Hogsett presented to the Directors the Monthly Financial Report regarding receipts and disbursements for the month of October, 1962, from the Auditor of the District, which were ordered accepted and placed on file in the District Records.

6.

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

  
Secretary

  
President