

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 15TH DAY OF JUNE 2004 AT 9:30 A.M.

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

Present

George W. Shannon
Victor W. Henderson
Hal S. Sparks III
Brian Newby
Jack R. Stevens

Also present were James M. Oliver, Alan Thomas, Ken Brummett, Steve Christian, Nancy King, Skip Krause, Madeline Robson, Sandra Swinnea and Mike Witthaus.

Also in attendance were George Christie, legal counsel for the District; James Toal and Randy Gideon of Gideon Toal, Inc.; Dick Fish of Save Eagle Mountain Lake and Lake Country Homeowners; Dr. Leonard DeLaGarza of Tarrant County College District; and Earl Alexander. Director Shannon convened the meeting with the assurance from management that all requirements of the "open meetings" laws had been met.

1.

On a motion made by Director Henderson and seconded by Director Stevens, the Directors unanimously voted to approve the minutes from the meeting held May 18, 2004. It was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Dick Fish of Save Eagle Mountain Lake and Lake Country Homeowners commented that the residents are pleased with the higher lake level of Eagle Mountain Lake since the recent heavy rains.

3.

The President and presiding officer next called an executive session at 9:33 a.m. under Chapter 551.072 of the Government Code to consider real property issues - Eagle Mountain Connection, Waxahachie Pump Station, Trinity River Vision, and oil and gas leases at Eagle Mountain Lake.

4.

Upon completion of the executive session at 11:34 a.m., the President reopened the meeting.

5.

With the recommendation of management, Director Newby moved to approve the purchase of a mobile shelving unit for the Cedar Creek records center from ISC Labels and Equipment, Inc. for the low bid of \$12,340.96. Funding for this purchase is included in the FY 2004 Revenue Fund Budget. Director Henderson seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Stevens moved to approve the upgrade of the District's Lawson software from 7.11 to 8.03 at a cost of \$19,950. Funding for this purchase is included in the FY 2004 General Fund Budget and the FY 2004 Revenue Fund Budget. Director Newby seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Henderson moved to consent to the sale of a total of six (6) tax foreclosed properties listed below and held in trust by the City of Fort Worth to the Fort Worth Housing Finance Corporation at below market value, judgment amount or taxes due, for the development of low to moderate income housing.

List of Properties & Sales Price for Proposed Sale to Ft. Worth Housing Finance Corp.

| | |
|-------------------------|---------|
| 1. 5301 Carver Dr. | \$1,222 |
| 2. 5225 Farnsworth Ave. | \$1,630 |
| 3. 5229 Farnsworth Ave. | \$1,196 |
| 4. 5233 Farnsworth Ave. | \$1,474 |
| 5. 5309 Fernander Dr. | \$1,464 |
| 6. 904 Stella St. (E) | \$ 674 |

Total: \$7,660

Back taxes, with penalties and interest, owed to all taxing entities on these six (6) properties total over \$16,120.10. TAD currently lists the total value of the (6) properties at \$14,500.00. The District has been requested to give its consent to the sale of the properties, and to accept as payment of taxes owed

a proportional share of the proceeds of the sale of the properties remaining after applicable court costs and fees are deducted.

In addition, R. Steve Christian is granted authority to execute all documents necessary to comply with this request. Director Sparks seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Sparks moved to approve the purchase, in fee simple title, the following residential property necessary for future expansion of the Waxahachie Pump Station from Dolly Mae Kent for the negotiated purchase price of \$105,900:

2300 North Highway 77, Waxahachie, Texas 75165 being approximately 0.526 acre of land lying in the James Starrett Survey, A-1024, Ellis County, Texas, also being a portion of a 2.50 acre parcel further described in a deed recorded in Volume 644, Page 550 of the Deed Records of Ellis County, Texas.

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Newby seconded the motion and the vote in favor was unanimous.

9a.

With the recommendation of management, Director Henderson moved to approve the purchase of the following easements necessary for construction of the Eagle Mountain Connection from Adelene J. Myers for the total appraised value of \$7,804. Should owner of such land decline to accept the authorized purchase offer, staff was given authority to commence eminent domain proceedings.

2.714 acres (118,216 sq. ft.) in permanent easement and 0.675 acre (29,413 sq. ft.) in temporary construction easement, situated in the F.W. Schoeverling A-1398, also being a portion of that certain tract of land conveyed in Volume 5825, Page 7, Deed Records, Tarrant County, Texas from Adelene J. Myers for the total appraised value of \$7,804.

RESOLUTION FOR THE BOARD OF DIRECTORS

With the recommendation of management, Director Henderson moved to authorize the commencement of eminent domain proceedings to acquire 2.714 acres (118,216 sq. ft.) in permanent easement and 0.675 acre (29,413 sq. ft.) in temporary construction easement, situated in the F.W. Schoeverling A-1398 also being a portion of that certain tract of land conveyed in Volume 5825, Page 7, Deed Records, Tarrant County, Texas (such lands being

determined by management and the Board to be necessary to construct the Eagle Mountain Connection Pipeline), if the owner of such land, Adelene J. Myers, declines to accept the Board-authorized purchase offer of \$7,804. Further, R. Steve Christian is granted authority to execute all documents necessary to acquire this land, whether by eminent domain or by purchase. Director _____ Sparks _____ seconded the motion and the vote in favor was unanimous.

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Sparks seconded the motion and the vote in favor was unanimous.

9b.

With the recommendation of management, Director Newby moved to approve the purchase of the following easements for construction of the Eagle Mountain Connection from Robert A. Ellison, Jr. for the purchase price of \$50,865. Should owner of such land decline to accept the authorized purchase offer, staff was given authority to commence eminent domain proceedings.

2.531 acres (110,234 sq. ft.) in permanent easement and approximately 0.84 acre (36,685 sq. ft.) in temporary construction easement, being a portion of that certain tract of land situated in the C.K. Gleason Survey, A-559 and conveyed by deed in Volume 4968, Page 939, Deed Records, Tarrant County, Texas from Douglas Creed Carrell and William Howard Carrell for the total negotiated purchase price of \$59,000.

RESOLUTION FOR THE BOARD OF DIRECTORS

With the recommendation of management, Director _____ Newby _____ moved to authorize the commencement of eminent domain proceedings to acquire 2.531 acres (110,234 sq. ft.) in permanent easement and approximately 0.84 acre (36,685 sq. ft.) in temporary construction easement, being a portion of that certain tract of land situated in the C.K. Gleason Survey, A-559 and conveyed by deed in Volume 4968, Page 939, Deed Records, Tarrant County, Texas (such lands being determined by management and the Board to be necessary to construct the Eagle Mountain Connection Pipeline), if the owners of such land, Douglas Creed Carrell and William Howard Carrell, decline to accept the Board-authorized purchase offer of \$59,000. Further, R. Steve Christian is granted authority to execute all documents necessary to acquire this land, whether by eminent domain or by purchase. Director _____ Sparks _____ seconded the motion and the vote in favor was unanimous.

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Sparks seconded the motion and the vote in favor was unanimous.

9c.

With the recommendation of management, Director Henderson moved to approve the purchase of the following easements necessary for construction of the Eagle Mountain Connection from Mark W. Ellenbarger, et ux. Ellen H. Ellenbarger for the total negotiated price of \$16,280. Should owner of such land decline to accept the authorized purchase offer, staff was given authority to commence eminent domain proceedings.

1.580 acres (68,821 sq. ft.) in permanent easement and approximately 0.53 acre (23,087 sq. ft.) in temporary construction easement, being a portion of that certain tract conveyed by deed in Volume 13648, Page 46, Deed Records, Tarrant County, Texas.

RESOLUTION FOR THE BOARD OF DIRECTORS

With the recommendation of management, Director Henderson moved to authorize the commencement of eminent domain proceedings to acquire 1.580 acres (68,821 sq. ft.) in permanent easement and approximately 0.53 acre in temporary construction easement, being a portion of that certain tract of land conveyed by deed recorded in Volume 13648, Page 46, Deed Records, Tarrant County, Texas (such lands being determined by management and the Board to be necessary to construct the Eagle Mountain Connection Pipeline), if the owner of such land, Mark W. Ellenbarger, et ux, Ellen H. Ellenbarger, decline to accept the Board-authorized purchase offer of \$16,280. Further, R. Steve Christian is granted authority to execute all documents necessary to acquire this land, whether by eminent domain or by purchase. Director Sparks seconded the motion and the vote in favor was unanimous.

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Sparks seconded the motion and the vote in favor was unanimous

9d.

With the recommendation of management, Director Sparks moved to approve the to purchase the following easements necessary for construction of the Eagle Mountain Connection from Rudy E. Lambert for the total appraised value of \$55,307. Should owner of such land decline to accept the authorized purchase offer, staff was given authority to commence eminent domain proceedings.

6.289 acres (273,925 sq. ft.) in permanent easement and 2.087 acres (90,926 sq. ft.) in temporary construction easement, situated in the G.B. Kenney A-920, the E.L. Alford A-2000 and the F.W. Schoeverling A-1398, also being a portion of that certain tract of land conveyed by Contract of Sale and Purchase from the Veterans Land Board of Texas to Rudy E. Lambert in Volume 6485, Page 157, Deed Records, Tarrant County, Texas.

RESOLUTION FOR THE BOARD OF DIRECTORS

With the recommendation of management, Director Sparks moved to authorize the commencement of eminent domain proceedings to acquire 6.289 acres (273,925 sq. ft.) in permanent easement and 2.087 acres (90,926 sq. ft.) in temporary construction easement, situated in the G.B. Kenney A-920, the E.L. Alford A-2000 and the F.W. Schoeverling A-1398 also being a portion of that certain tract of land conveyed by Contract of Sale and Purchase from the Veterans Land Board of Texas to Rudy E. Lambert in Volume 6485, Page 157, Deed Records, Tarrant County, Texas (such lands being determined by management and the Board to be necessary to construct the Eagle Mountain Connection Pipeline), if the owner of such land, Rudy E. Lambert, declines to accept the Board-authorized purchase offer of \$55,307. *Further, R. Steve Christian is granted authority to execute all documents necessary to acquire this land, whether by eminent domain or by purchase. Director Henderson seconded the motion and the vote in favor was unanimous.

In addition, R. Steve Christian is granted authority to execute all other documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Henderson seconded the motion and the vote in favor was unanimous.

9e.

With the recommendation of management, Director Newby moved to approve the purchase of the following easements necessary for construction of the Eagle Mountain Connection from Robert G. Springer and Sara C. Springer for the total negotiated price of \$37,167. Should owner of such land decline to accept the authorized purchase offer, staff was given authority to commence eminent domain proceedings.

2.715 acres (118,246 sq. ft.) and 0.072 acre (3,145 sq. ft.) in permanent easement and approximately 0.93 acre (40,277 sq. ft.) in temporary construction easement, being a portion of that certain tract of land situated in the Jacob Wilcox Survey, A-1704 and conveyed by deed in Volume 16177, Page 0055, Deed Records, Tarrant County, Texas.

RESOLUTION FOR THE BOARD OF DIRECTORS

With the recommendation of management, Director Newby moved to authorize the commencement of eminent domain proceedings to acquire 2.715 acres (118,246 sq. ft.) and 0.072 acre (3,145 sq. ft.) in permanent easement and approximately 0.93 acre (40,277 sq. ft.) in temporary construction easement, being a portion of that certain tract of land situated in the Jacob Wilcox Survey, A-1704 and conveyed by deed in Volume 16177, Page 0055, Deed Records, Tarrant County, Texas (such lands being determined by management and the Board to be necessary to construct the Eagle Mountain Connection Pipeline), if the owner of such land, Robert G. Springer and wife, Sara C. Springer, decline to accept the Board-authorized purchase offer of \$37,167. Further, R. Steve Christian is granted authority to execute all documents

necessary to acquire this land, whether by eminent domain or by purchase. Director Stevens seconded the motion and the vote in favor was unanimous.

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Stevens seconded the motion and the vote in favor was unanimous.

9f.

With the recommendation of management, Director Stevens moved to approve the purchase of the following easements necessary for construction of the Eagle Mountain Connection from William I. Myers for the total appraised value of \$8,366. Should owner of such land decline to accept the authorized purchase offer, staff was given authority to commence eminent domain proceedings.

0.748 acre (32,600 sq. ft.) in permanent easement and 0.240 acre (10,454 sq. ft.) in temporary construction easement, situated in the G.B. Kenney A-920, also being a portion of that certain tract of land conveyed by Contract of Sale and Purchase from the Veterans Land Board of Texas to William I. Myers in Volume 6623, Page 444, Deed Records, Tarrant County, Texas.

RESOLUTION FOR THE BOARD OF DIRECTORS

With the recommendation of management, Director Stevens moved to authorize the commencement of eminent domain proceedings to acquire 0.748 acre (32,600 sq. ft.) in permanent easement and 0.240 acre (10,454 sq. ft.) in temporary construction easement, situated in the G.B. Kenney A-920, also being a portion of that certain tract of land conveyed by Contract of Sale and Purchase from the Veterans Land Board of Texas to William I. Myers in Volume 6623, Page 444, Deed Records, Tarrant County, Texas (such lands being determined by management and the Board to be necessary to construct the Eagle Mountain Connection Pipeline), if the owner of such land, William I. Myers, declines to accept the Board-authorized purchase offer of \$8,366. Further, R. Steve Christian is granted authority to execute all documents necessary to acquire this land, whether by eminent domain or by purchase. Director Newby seconded the motion and the vote in favor was unanimous.

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction. Funding for this purchase is included in the 2002 Bond Issue. Director Newby seconded the motion and the vote in favor was unanimous.

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

George N. Shannon
President

Hal S. [Signature]
Secretary