

SPECIAL SESSION

THE STATE OF TEXAS |

COUNTY OF TITUS |

On this the 28th day of October, 1938, the Commissioners' Court of Titus County, Texas, being convened in Special Term thereof, with the following members of the Court present, to-wit:

G. T. Neugant, County Judge

T. J. Stringfellow, Commissioner Precinct No. 1

W. J. Gody, Commissioner, Precinct No. 2

Ernest Brown, Commissioner, Precinct No. 3

G. C. Lunsford, Commissioner, Precinct No. 4

A. B. Gilpin, County Clerk and Ex-Officio Clerk Commissioners' Court

with the following members absent, to-wit: None, constituting a quorum of the Court, at which time the following among other business was transacted:

Commissioner T. J. Stringfellow introduced a proposed order and made a motion that it be passed. The motion was seconded by Commissioner Lunsford. The motion carrying with it the passage of the order prevailed with the following vote:

AYES: Commissioners Stringfellow, Gody, and Lunsford.

NOES: Ernest Brown.

The order as passed is as follows:

AN ORDER

CALLING AN ELECTION ON THE PROPOSITION
OF ISSUING \$200,000.00 OF ROAD BONDS OF
TITUS COUNTY ROAD DISTRICT NO. THREE.

WHEREAS, there has been presented to this Court the petition of W. W. Blalock and 86 other persons, resident property tax-paying voters of Road District No. Three of Titus County, Texas, praying that this Court order an election in Road District No. Three of Titus County, Texas, to determine:

"Whether or not the bonds of said road district shall be issued in the amount of Two Hundred Thousand (\$200,000.00) Dollars, bearing interest at the rate of not to exceed five and one half per cent (5½) per annum, payable semi-annually and maturing at such times as may be fixed by the Commissioners' Court serially or otherwise in not to exceed thirty (30) years from the date thereof, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof, through Road District No. Three; and whether or not an ad valorem tax shall be levied on all taxable property in Road District No. Three sufficient to pay the annual interest and to provide a sinking fund sufficient to redeem said bonds at their maturity."

which said petition was heretofore filed in this Court; and

WHEREAS, heretofore on the 10 day of October, 1938, the Commissioners' Court passed an order fixing a time and place for a hearing on said petition and directed the County Clerk to issue a notice of such time and place of hearing to inform all persons concerned of their right to appear at such hearing and to contend for or protest against the ordering of such election; and

WHEREAS, the County Clerk has heretofore duly executed said notice by posting true copies of said order of hearing in three public places within said Road District, and one copy of which was posted at the Courthouse door of said County for ten days prior to the date fixed for the hearing, and said notice has also been published in a newspaper of general circulation published in said Road District No. Three; namely, Talco Times News, one time, on the 14th day of October, 1938, which was at least five days prior to the date fixed for said hearing; and

WHEREAS, this Court, having met at the time and place set for the hearing of said petition, proceeded to hear such petition and all matters in respect to the proposed bond election, to hear the contentions for and protests against the calling of such election, and it is found by the Court that the said petition is signed by more than fifty (50) resident, qualified property tax-paying voters of said Road District, and that the notice required by law to be given of said hearing has been given; and

WHEREAS, pursuant to the hearing held on said date and from the evidence submitted at said hearing, the Court has determined that the proposed improvements would be for the benefit of all taxable property situated in such Road District, and that it is desirable and necessary to issue the bonds of said Road District in the amount of Two Hundred Thousand (\$200,000.00) Dollars to construct said improvements, and that said election should be ordered; and

WHEREAS, the Commissioners' Court further finds that the amount of said proposed bond issue, together with all outstanding bonds of the same nature heretofore issued on the faith and credit of Road District No. Three, will not exceed one-fourth of the assessed valuation of the real property of said District; and

WHEREAS, said Road District No. Three has heretofore been legally created by an order passed by the Commissioners' Court on the 10th day of October, 1938, which order is of record in the Minutes of the Commissioners' Court in Volume 5, Page 359, et seq.

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF TITUS COUNTY, TEXAS:

That an election be held in said Road District No. Three of Titus County, Texas, on the 3 day of December, 1938, which is not less than thirty (30) days from the date of this order, to determine:

"Whether or not the bonds of said road district shall be issued in the amount of Two Hundred Thousand (\$200,000.00) Dollars, bearing interest at the rate of not to exceed five and one half per cent (5½%) per annum, payable semi-annually, and maturing at such times as may be fixed by the Commissioners' Court serially or otherwise, in not to exceed thirty (30) years from the date thereof, for the purpose of the construction, maintenance and operation of macadamized, gravelled or paved roads and turnpikes, or in aid thereof, through Road District No. Three; and whether or not an ad valorem tax shall be levied on all taxable property in Road District No. Three sufficient to pay the annual interest and to provide a sinking fund sufficient to redeem said bonds at their maturity."

The metes and bounds of Road District No. Three of Titus County, as created by the

Commissioners' Court on the 10 day of October, 1938, are as follows, to-wit:

BEGINNING at the N. E. corner of Titus County, Texas; THENCE in a Westerly direction along the North Boundary line of the County to the Northwest corner of the County; THENCE in a Southerly direction along the West Boundary line of Titus County to the intersection of the West Boundary line of the County and White Oak Creek; THENCE in a Southeasterly direction with the meanders of White Oak Creek to the East Boundary line of Titus County; THENCE in a Northerly direction along the East Boundary line of the County to the Northeast corner of Titus County and the PLACE OF BEGINNING.

The said election shall be held under the provisions of Chapter 16, Acts of the First Called Session of the 39th Legislature as amended.

All persons who are legally qualified voters of this state and of this county and who are resident property tax payers in said Road District No. Three, who have duly rendered their property for taxation shall be entitled to vote at said election and all voters desiring to support the proposition to issue the bonds shall have written or printed on their ballots ballots the words:

"FOR THE ISSUANCE OF BONDS AND THE LEVYING OF THE AD VALOREM TAX IN PAYMENT THEREOF" And those opposed shall have written or printed on their ballots the words:

"AGAINST THE ISSUANCE OF BONDS AND THE LEVYING OF THE AD VALOREM TAX IN PAYMENT THEREOF.

The voting places and presiding officers of said election shall be respectively as follows:

Voting Precinct No. 9 at Talco, Texas in a building described as follows: City Hall, with Ed Nugent as presiding officer;

Voting Precinct No. 5, at Maple Springs in a building described as follows: Wilkinson School House with W. W. Blalock as presiding officer;

The manner of holding said election shall be governed by the General Laws of this state regulating general elections when not in conflict with the provisions of Chapter 16, Acts of the First Called Session of the 39th Legislature, hereinabove cited.

Notice of said election shall be given by publication of a copy of this order in a newspaper published in said Road District No. Three of Titus County, for three consecutive weeks before the date of said election. If there be no newspaper published in such district, then such notice shall be published in some newspaper in the County, if there be one. And in addition thereto, there shall be posted copies of this order at three public places in said district; and one at the Courthouse door of the County for three consecutive weeks prior to said election.

The County Clerk is hereby ordered and directed to post said notices and to cause same to be published as hereinabove directed. Further orders by this Court are reserved until the returns of said election are made by the duly authorized election officers and received by this Court.

PASSED AND APPROVED, this the 28th day of October, 1938.

(SEAL)

C. T. Neugent
County Judge, Titus County, Texas.

ATTEST: A. B. Gilpin
County Clerk and Ex-Officio Clerk,
Commissioners' Court.

The above minutes read and approved in Open Court.

ATTEST:

COUNTY CLERK

COUNTY JUDGE