

SPECIAL SESSION- August 22, 1949

BE IT REMEMBERED That the Commissioners Court of Titus County, Texas, met in Special Session on the 22nd. day of August, 1949 at the Court House of said County in Mt. Pleasant, Texas, with the following members present, to-wit:

W. W. Mason	County Judge
R. W. Jones	Commissioner Prec. 1
J. Q. Roper	Commissioner Prec. 2
Eugene Mankins	Commissioner Prec. 3
J. R. Ponder	Commissioner Prec. 4
Thomas J. Hood	County Clerk

and the following proceedings were had, to-wit:

IN THE MATTER OF ENTERING INTO AGREEMENT WITH FIRST TEXAS CORPORATION & JAMES C. TUCKER AND COMPANY.

August 22, 1949

Honorable County Judge and Commissioner's Court,
Titus County,
Mt. Pleasant, Texas.

Gentlemen:

Your honorable body has indicated to us that you desire to obtain funds in an amount not to exceed \$180,000 which is to be financed through the issuance of Road and Bridge warrants of your county. These warrants to be later refunded into Road and Bridge Refunding Bonds. We have made a careful study of the financial status of the Road and Bridge Fund of your county and find that you have outstanding Road and Bridge Bonds and Warrants bearing interest at various rates in the amount of \$70,000.00. These bonds and warrants are of relatively short maturities, maturing over the period 1950 to 1958, inclusive; however, maturities are heavy in certain years allowing nothing which could be applied to principal and interest of any new issue.

To effect issuance of the new issue of warrants our plan is to reissue the presently outstanding bonds and warrants into a longer term issue of bonds, bearing interest at 5-1/2% for 10 years and 4% thereafter. These bonds to be exchanged for the old bonds and warrants, where the holder of the old bonds or warrants is agreeable to the exchange, the county to pay to the holder the difference in interest between the higher rate and the lower rate

based on present maturities and premium on his old bonds. Where the holder does not agree to the exchange the County to purchase the old bonds and warrants from the holder at a reasonable premium if the holder is agreeable to such purchase. We agree to purchase any or all of the legally issued Refunding Bonds issued as above and not accepted by the holders of the old bonds and warrants at par and accrued interest. When the refunding of all the old bonds and warrants, or a portion adequate to insure issuance of additional R & Bridge warrants has been effected, the county will then proceed with the issuance of the new warrants.

For these legally issued warrants in an amount not to exceed \$180,000 par value, to be dated September 15, 1949, indennomination of \$1,000 each, to be payable at the First National Bank, Mt. Pleasant, Texas, bearing interest from date until paid at the rate of $4\frac{1}{4}\%$ per annum, payable semi-annually, and to mature on March 15th. of the years shown below, and in the respective amounts to be agreed upon over a period not to exceed one to 35 years we will pay you par and accrued interest to date of delivery of said warrants to us.

This proposal is conditioned upon the Commissioner's Court of Titus County, Texas, agreeing, and by the acceptance of this proposal said Court does agree, that after the delivery of said time warrants hereinabove described, proper and necessary orders, certificates and showings will be passed, adopted, furnished and executed as soon as possible by the officials of Titus County, Texas, under the direction of the attorneys hereinafter named, which will legally fund said time warrants into Road and Bridge Refunding Bonds of Titus County, Texas, said bonds to mature in the years and amounts as above set forth, and shall bear interest at a rate or rates of interest that will produce an interest cost which will be an average interest rate 1.63% per annum (higher) greater than the index (or average) of the 20 best grade bonds as published by the weekly Bond Buyer, 67 Pearl Street, New York, N. Y. for the week in which action is initiated to fund said warrants into Refunding Bonds. This offer is for immediate acceptance only and is made subject to the unqualified approval as to the legality of said time warrants and said Refunding Bonds by Messrs. Gibson & Gibson, Attorneys, Austin, Texas.

We hereby agree to pay all necessary expenses, excluding any fees or other expenses accruing in the event litigation is instituted in connection with the issuance and or delivery of said warrants and bonds. We further agree to pay the fees of the Attorneys above named and to furnish printed warrants and bonds. This agreement shall be binding upon us for a period of 180 days from its date, and in the event you are unable to deliver such warrants to us within the prescribed period in conformity with the provisions hereof, then, in that event, we shall no longer be bound by the terms hereof, but shall have an irrevocable option upon such time warrants for the 180 days next succeeding the expiration of our commitment under the same terms and conditions herein recited.

Respectfully submitted;
FIRST OF TEXAS CORPORATION,
Transit Tower, San Antonio, Texas.

JAMES C. TUCKER AND COMPANY
907 Congress Ave., Austin, Texas.

By Robert G. Day, Authorized Agent.

By order of the Commissioner's Court, of Titus County, Texas, we the undersigned, duly authorized officials of said county do hereby accept the above proposition and hereby agree to sell to the above named parties the above described time warrants and to fully co-operate with said parties in the funding of said warrants into Refunding Bonds on the terms and conditions hereinabove set forth, this 22nd day of August, 1949.

Attest: Thomas J. Hood, (SEAL)
County Clerk, Titus Co. Texas.

W. W. Mason, County Judge, Titus County, Texas.

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Motion made by Eugene Wenkin that the County Judge be authorized to enter into an agreement with First Texas Corporation and James C. Tucker & Company, said proposal is as follows, (see attached contract) The motion was seconded by J. R. Ponder and was voted unanimous.

IN THE MATTER OF ADOPTING BUDGET FOR 1949

Motion was made by Comm. R.W. Jones that the budget for 1949 as made by W. F. Turner & Company be adopted. The motion was seconded by J.W. Roper, all voted "Aye", motion carried unanimously.

IN THE MATTER OF SETTING TAX RATE FOR 1949.

Motion made by Comm. J. R. Ponder that the tax rate for the year 1949 be set as follows:

Jury Fund07	✓
Road & Bridge Fund - - - - -	.30	✓
Road & Bridge I & S Fund - - - - -	.15	✓
General Fund - - - - -	.25	✓
General County I & S Fund - - - - -	.06	
Permanent Improvement Fund - - - - -	.12	✓
Special Road Sinking Fund - - - - -	.00	
Road Bonds 1947 - - - - -	.18	

Total \$ 1.13

The motion was seconded by Eugene Wenkin and was adopted by unanimous vote.

There being no further business the Court adjourned on Motion Comm. Jones, seconded by Comm. Roper. All voted "Aye", motion carried.
