

SPECIAL SESSION * FEBRUARY 24, 1958

BE IT REMEMBERED THAT THE COMMISSIONERS COURT OF TITUS COUNTY, TEXAS met in Special Session in the Courthouse at Mt. Pleasant with the following members present to-wit:

Harry Taylor	County Judge
Hollis Banks	Commissioner Precet #1
J. Q. Roper	Commissioner Precet #2
Eugene Mankins	Commissioner Precet #3
J. R. Ponder	Commissioner Precet #4
J. H. Rudd	County Clerk

and the following proceedings were had to-wit:

RESOLUTION

Motion was made by Commissioner Mankins and seconded by Commissioner Banks to adopt the following resolution:

WHEREAS, Public Law 780 Congress, 2nd Session, approved September 3, 1954 as amended by Public Law 218 - 84th Congress, 1st Session, approved 3 August 1955, authorized inter alia, channel improvement and levee construction on Sulphur River and its tributaries in the State of Texas substantially in accordance with construction plans recommended in the report of the Chief of Engineers in House Document No. 488, 83rd Congress, 2nd Session; and

WHEREAS, the said Acts of Congress require that local interests:

- a. provide without cost to the United States all lands, easements, and right-of-way, and make alterations and relocations of highways and related facilities, and utilities except railroads, necessary for the construction;
- b. hold and save the United States free from damages due to the construction; and
- c. maintain and operate all works after completion, and preserve channel capacities by preventing encroachment, in accordance with regulations prescribed by the Secretary of the Army.

WHEREAS, the channel improvement and levee construction on Sulphur River in the State of Texas in the County of TITUS will be undertaken by the United States in accordance with plans and specifications prepared by the Corps of Engineers, New Orleans District; and

WHEREAS, a portion of the proposed improvement is within the territorial jurisdiction of TITUS COUNTY and the COMMISSIONERS' COURT, is a local agency lawfully empowered to furnish the required assurances of local cooperation and to fulfill its commitments, subject to the approval of the Commissioner of the General Land Office of the State of Texas; and

WHEREAS, the proposed works will be of great benefit to the State of Texas, the County of TITUS, other local interests, and property owners in this section of the State.

NOW, THEREFORE, BE IT RESOLVED by the COMMISSIONERS' COURT of TITUS County, Texas, the duly qualified and lawful officers of said County, for and in consideration of the benefits expected from the proposed improvements that subject to the approval of the Commissioner of the General Land Office of the State of Texas that the said COMMISSIONERS' COURT of TITUS County has and does by these presents assure the Secretary of the Army

of the United States that the said COMMISSIONERS' COURT of TITUS COUNTY, Texas, will for that portion of the project within its territorial area;

- a. provide without cost to the United States all lands, easements, and rights-of-way, and make alterations and relocations of highways and related facilities, and utilities except railroads, necessary for the construction;
- b. hold and save the United States free from damages due to the construction; and
- c. maintain and operate all works after completion, and preserve channel capacities by preventing encroachment, in accordance with regulations prescribed by the Secretary of the Army.

BE IT FURTHER RESOLVED, that HARRY TAYLOR, COUNTY JUDGE of TITUS County, Texas, be and he is hereby authorized, empowered and directed to execute an Act or Acts, or other instruments wherein the facts set out in the preamble hereof shall be submitted and the assurances as aforesaid are furnished to the Secretary of the Army of the United States and to take any and all proper steps and do any and all Acts that may be necessary or proper relative to furnishing the said assurances.

BE IT FURTHER RESOLVED, that the COUNTY JUDGE of the said TITUS COUNTY be and he is further authorized, empowered and directed to acquire for and in the name of said COMMISSIONERS' COURT of TITUS County, Texas, all required lands, easements, and rights-of-way, execute all instruments and to do and perform all other Acts legally required to make them available, and to grant permission of entry thereon to the United States for the purpose of carrying out the improvements

BE IT FURTHER RESOLVED, that any resolution or resolutions in conflict herewith be and the same are hereby repealed.

Adopted Feb. 24th 1958.

COMMISSIONERS COURT OF TITUS COUNTY, TEXAS

BY: Harry Taylor
Judge

(SEAL)

ATTEST:

J. H. Rudd
Clark, County Court, Titus County, Texas

AN AGREEMENT

Let it be known to those concerned that on this 24th day of February, 1958, there came to be understood between Harry Taylor, County Judge of Titus County and O. L. Bridges, Secretary-Treasurer of Sulphur River Municipal Water District an agreement as follows:

That the Commissioners Court of Titus County acting through its County Judge, does enter into the attached Resolution concerning the Channel Improvement and Levee Construction of Sulphur River and its Tributaries, with the complete understanding between the two afore mentioned parties that there will be no cost to the County of Titus in any manner, nor will the County of Titus be called on to secure the necessary Channel easement or land grant from anyone or any concern.


Signed by

Harry Taylor
Harry Taylor

O. L. Bridges
O. L. Bridges

Witnessed by P. D. Thornton, Jr., this 24th day of February, 1958.

The above and foregoing minutes were read and approved this the 28th day of February, 1958.



Harry Taylor, County Judge, Titus County, Texas

ATTEST:



J. H. Rudd, County Clerk, Titus County, Texas