

WARRANT ORDER

THE STATE OF TEXAS

COUNTY OF TITUS

295

On this the 12th day of August, 1966, the Commissioners' Court of Titus County, Texas convened in regular session at a regular term thereof at the Courthouse in Mount Pleasant, Texas, with the following members of the Court present, to-wit:

CECIL FRANKLIN,	COUNTY JUDGE
CHARLES G. DRIGGERS,	COMMISSIONER PRECINCT NO. 1
BERT PARR,	COMMISSIONER PRECINCT NO. 2
T. O. RANEY,	COMMISSIONER PRECINCT NO. 3
DAN BYNUM,	COMMISSIONER PRECINCT NO. 4
ALLEN LAPRADE,	COUNTY CLERK

when, among other proceedings had, were the following:

Commissioner Driggers introduced an order and moved its passage. The motion was seconded by Commissioner Raney. The motion, carrying with it the passage of the order, prevailed by the following vote:

AYES: Commissioners Driggers, Parr, Raney and Bynum.

NOES: None.

The ORDER is as follows:

WHEREAS, this Court has heretofore determined the advisability and necessity of constructing and equipping an addition to the Titus County Memorial Hospital; and

WHEREAS, this Court has heretofore determined the advisability and necessity of issuing interest-bearing time warrants against the Permanent Improvement Fund of the County for the purpose of evidencing indebtedness of the County to be incurred in constructing and equipping such addition to the Titus County Memorial Hospital; and

WHEREAS, pursuant to the provisions of Chapter 163, Acts of the Regular Session of the Forty-second Legislature of Texas, 1925, as amended, the County Judge has caused notice to bidders for the construction of such addition and notice of intention of the Commissioners' Court to pass an order on this 12th day of August, 1966, authorizing the issuance of Permanent Improvement Warrants for the purpose hereinabove mentioned, to be published for the time and in the manner required by law; and

WHEREAS, the Commissioners' Court affirmatively finds that said notice to bidders and notice of intention to issue said warrants was duly given by publication in a newspaper of

general circulation published in Titus County, in the manner and for the time provided by law; and

WHEREAS, the Commissioners' Court affirmatively finds that said notice to bidders and notice of intention to issue said warrants was duly given by publication in a newspaper of general circulation published in Titus County, in the manner and for the time provided by law; and

WHEREAS, no petition has been filed in the office of the County Clerk by ten per cent (10%) of the qualified property taxpaying voters of the County praying this Court to order an election for the purpose of submitting the proposition of issuing bonds for said purpose to a vote of the qualified property taxpaying voters of this County, and this Court further finds that no petition of any kind of character in respect to the issuance of the proposed warrants has been filed with the County Clerk or any member of this Court, or any other official thereof; and

WHEREAS, this Court hereby affirmatively finds and adjudges that the financial condition of said County is such that it will permit the payment of said warrants in installments or maturities as hereinafter set out without making an unjust burden of taxation to support the same; and

WHEREAS, it is by this Court considered and determined to be to the best interest and advantage of Titus County to authorize the issuance of said Permanent Improvement Warrants, and it is now the desire of the Court to authorize the issuance of such warrants in accordance with the Constitution and laws of the State of Texas; now

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

1.

That there shall be issued under and by virtue of the Constitution and laws of the State of Texas, and more particularly Chapter 163, Acts of the Forty-second Texas Legislature, Regular Session, 1931, as amended, interest-bearing time warrants of said County, to be known as "TITUS COUNTY PERMANENT IMPROVEMENT WARRANTS, SERIES II OF 1966, against the Permanent Improvement Fund of Titus County, for the purpose of evidencing indebtedness of Titus County to be incurred in constructing and equipping an addition to the Titus County Memorial Hospital.

II.

That said warrants shall be made payable to bearer and shall be numbered from 1 to 75, inclusive, of the denomination of One Thousand Dollars (\$1,000.00) each, aggregating Seventy-five thousand dollars (\$75,000.00).

III.

That said warrants shall be delivered to and accepted by claimants, or their assignees, in full settlement of the indebtedness due them by Titus County, Texas, after claims have been duly approved by the County Judge and audited and allowed by the Commissioners' Court of said County.

IV.

That said warrants shall be dated August 15, 1966, and shall become due and payable as follows:

<u>WARRANT NUMBERS</u> (Inclusive)	<u>MATURITY DATES</u>	<u>AMOUNTS</u>
1 - 25	August 15, 1994	\$25,000
26 - 50	August 15, 1995	25,000
51 - 75	August 15, 1996	25,000

V.

V.

That said warrants shall bear interest from date until paid at the rate of six per cent (6%) per annum and interest shall be payable August 15, 1967, and annually thereafter on August 15, 1967, and annually thereafter on August 15th in each year.

VI.

That principal of and interest on said warrants shall be payable at the First National Bank, Mount Pleasant, Texas, or, at the option of the holder, at the Capital National Bank in Austin, Texas, WITHOUT exchange or collection charges to the owner or holder; interest shall be payable upon presentation of warrant principal shall be payable upon presentation and surrender of warrant.

VII.

That said warrants shall be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, and the seal of the Commissioners' Court shall be impressed upon each of them.

VIII.

That said warrant shall be executed and delivered as herein provided, in payment of claims approved by the County Judge and audited and allowed by the Commissioners' Court of Titus County Texas, and said Court in auditing and allowing said claims shall designate the numbers of warrants to be delivered to evidence each of said claims so that the proceedings of this Court shall show to whom each of said warrants was delivered and the purpose for which same was delivered.

IX.

It is further ordered that in the event it shall not be necessary to issue the full amount of warrants herein contemplated, then, in such event, such amount of Titus County Permanent Improvement Warrants, Series II of 1966, as shall not be supported and based upon claims duly approved by the County Judge and audited and allowed by the Commissioners' Court of said County, shall be cancelled and destroyed, the numbers and amounts of warrants so cancelled and destroyed to be made a matter of record upon the Minutes of the Commissioners' Court.

X.

That the form of said warrants shall be substantially as follows:

NO.	UNITED STATE OF AMERICA STATE OF TEXAS COUNTY OF TITUS TITUS COUNTY PERMANENT IMPROVEMENT WARRANT SERIES II OF 1966	\$1,000
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THIS IS TO CERTIFY that the County of Titus, in the State of Texas, under and by virtue of valid and subsisting loans, is justly indebted to bearer in the principal sum of

ONE THOUSAND DOLLARS

(\$1,000), in lawful money of the United States of America, together with interest thereon from date hereof at the rate of six per cent (6%) per annum, payable August 15, 1967, and annually thereafter on August 15th in each year; both principal and interest payable at the First National Bank, Mount Pleasant, Texas, or, at the option of the holder, at The Capital National Bank in Austin, Texas, without exchange or collection charges to the owner or holder hereof, interest payable upon presentation of warrant and principal payable upon presentation and surrender of warrant; and the Treasurer of said County is hereby authorized, ordered and directed to pay to bearer at the First National Bank, Mount Pleasant, Texas, or, at the option of the holder, at The Capital National Bank in Austin, Texas, on the 15th day of August 1967, the maturity date of this warrant, the sum of One Thousand Dollars (\$1,000), without exchange

or collection charges to the owner or holder hereof, in full settlement of the indebtedness hereby evidenced out of and from the special "Permanent Improvement Warrants, Series II of 1966 Fund," of said County, levied, assessed and created for that purpose.

This warrant is one of a series of 75 warrants, numbered consecutively from 1 to 75, inclusive, of the denomination of One Thousand Dollars (\$1,000) each, aggregating Seventy-five Thousand Dollars (\$75,000), issued for the purpose of evidencing indebtedness of Titus County incurred in constructing and equipping an addition to the Titus County Memorial Hospital, under and by virtue of the Constitution and laws of the State of Texas, and in pursuance of an order passed by the Commissioners' Court of Titus County, Texas, which order is of record in the Minutes of said Court.

The date of this warrant, in conformity with said order, is August 15, 1966.

AND IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required to be done precedent to and in the issuance of this warrant have been properly done, have happened and have been performed in regular and due time, form and manner, as required by law, and that the total indebtedness of Titus County, including this warrant, does not exceed any constitutional or statutory limitation.

IN TESTIMONY WHEREOF, the County Commissioners' Court of Titus County, Texas, has caused the seal of said Court to be hereto affixed, and this warrant to be signed by the County Judge, countersigned by the County Clerk, and registered by the County Treasurer, as of the 15th day of August, 1966.

Cecil Franklin
COUNTY JUDGE, TITUS COUNTY, TEXAS

COUNTERSIGNED:

COUNTY CLERK, TITUS COUNTY, TEXAS

REGISTERED:

COUNTY TREASURER, TITUS COUNTY, TEXAS

II.

That a special fund, to be designated "Permanent Improvement Warrants, Series II of 1966 Fund," shall be, and the same is hereby created and set aside out of the Permanent Improvement Fund of Titus County, Texas, which fund, when collected, shall be used to pay the interest on and principal of said warrants at maturity, and for no other purpose.

That to create said fund to pay the interest on said warrants and provide a sinking fund to pay the principal thereof at maturity there shall be, and there is hereby levied for the current year, and for each succeeding year thereafter while said warrants, or any of them, are outstanding, a tax on each \$100.00 valuation of taxable property in Titus County, Texas, out of the Constitutional Permanent Improvement Tax of said County, sufficient to pay the interest on said warrants and provide the necessary sinking fund to pay the principal, full allowance being made for delinquencies and costs of collection, or to provide at least two per cent (2%) of the principal as a sinking fund, whichever amount is greater; and said tax shall be assessed and collected for each of said years and applied to the purpose named and to no other.

PASSED AND APPROVED this the 12th day of August, 1966.

Cecil Franklin, County Judge

Charlie Driggers
Commissioner Precinct No. 1

T. O. Roney
Commissioner Precinct No. 3

Bert Parr
Commissioner Precinct #2

Dan Bynum, Commissioner Precinct #4

ORDER AWARDING CONTRACT

THE STATE OF TEXAS
COUNTY OF TITUS

On this the 12th day of August, 1966, the Commissioners' Court of Titus County, Texas, convened in regular session at a regular term thereof at the Courthouse in Mount Pleasant, Texas, with the following members of the Court present, to-wit:

CECIL FRANKLIN,	County Judge
Charles G. Driggers,	Commissioner Precinct No. 1
Bert Parr,	Commissioner Precinct No. 2
T. O. Raney,	Commissioner Precinct No. 3
Dan Bynum,	Commissioner Precinct No. 4
Allen LaPrade,	County Clerk

when, among other proceedings had, were the following:

Commissioner Raney introduced an order and moved its passage. The motion, was seconded by Commissioner Driggers. The Motion, carrying with it the passage of the order, prevailed by the following vote:

AYES: Commissioners Driggers, Parr, Raney, and Bynum

NOES: None.

The ORDER is as follows:

WHEREAS, this Court has heretofore determined the advisability and necessity of constructing and equipping an addition to the Titus County Memorial Hospital; and

WHEREAS, this Court has heretofore determined the advisability and necessity of issuing interest-bearing time warrants against the Permanent Improvement Fund of the County for the purpose of evidencing indebtedness of the County to be incurred in constructing and equipping such addition to the Titus County Memorial Hospital; and

WHEREAS, this Court, by resolution adopted July 21, 1966, authorized, ordered and directed the County Judge to publish notice to bidders for the construction of an addition to the Titus County Memorial Hospital and notice of intention of the County to pay all or a part of the contract price by the issuance and delivery of interest-bearing time warrants; and

WHEREAS, this Court affirmatively finds that said notice was duly given by publication in a newspaper of general circulation published in Titus County, for the time and in the manner provided by law, the date set for receiving bids and authorizing the issuance of warrants against the Permanent Improvement Fund of Titus County for the purpose of evidencing indebtedness of the County to be incurred in constructing and equipping an addition to the Titus County Memorial Hospital, being this August 12, 1966; and

WHEREAS, this Court affirmatively finds that no petition of any kind of character in respect to the construction and equipping of an addition to the Titus County Memorial Hospital or the issuance and delivery of warrants for the above mentioned purpose has been filed with the County Clerk or any member of this Court or any other official thereof; and

WHEREAS, this Court has heretofore on this August 12, 1966, opened and considered the bids for the construction of such addition to the Titus County Memorial Hospital; and

WHEREAS, said bids having been found to be in proper order and accompanied by the required deposits, the Commissioners' Court now desires to award contract to the lowest responsible bidder;

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

Section 1. That bid for the construction of an addition to the Titus County Memorial Hospital, to-wit: A six-bedroom addition, be accepted, and contract awarded as follows:

CONTRACTOR

AMOUNT

C. J. Vaughn Company

\$38,431.00

Section 2. That the above bid is the lowest and best bid received by this Court for the construction of such addition to the Titus County Memorial Hospital.

Section 3. IT IS FURTHER ORDERED By the Court that the County Judge and County Clerk be and they are hereby authorized and directed to execute on behalf of the Commissioners' Court of Titus County, Texas, the contract submitted by C. J. Vaughn Company, Naples, Texas, which contract is attached hereto, made a part hereof, and hereby approved by the Court, and further that the Performance and Payment Bonds executed by said Contractor, hereto attached, be and the same are hereby approved and made a part hereof.

PASSED AND APPROVED this 12th day of August, 1966.

ATTEST:

Allen LaPrade, County Clerk

Ceil Franklin,
County Judge, Titus County, Texas