

REGULAR SESSION

LET IT BE REMEMBERED that the Titus County Commissioner's Court met in regular session at 9:00 A.M. on Monday, August 9, 1971 in the county courtroom of the courthouse. The following members were present:

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|----------------|--------------------|
| John W. Mason  | County Judge       |
| Rayford Taylor | Co. Comm. Prec. #1 |
| Bert B. Parr   | Co. Comm. Prec. #2 |
| T. O. Roney    | Co. Comm. Prec. #3 |
| Don Bynum      | Co. Comm. Prec. #4 |
| Allen LaPrade  | County Clerk       |

IN THE MATTER OF APPROVING MONTHLY BILLS:

Motion made by Commissioner Bynum and seconded by Commissioner Roney to approve monthly bills of county. Motion carried.

IN THE MATTER OF APPROVING MONTHLY REPORTS:

Motion made by Commissioner Taylor and seconded by Commissioner Parr to approve monthly reports including Co. Treas. Report. Motion carried.

IN THE MATTER OF ACCEPTING LATERAL ROAD MONEY ON MAINTENANCE & CONSTRUCTION:

Motion made by Commissioner Roney to accept Lateral Road money on maintenance and construction on road. Motion seconded by Commissioner Taylor. Motion carried.

IN THE MATTER OF APPROVING SCHOOL TAX RATES FOR 1971:

Motion made by Commissioner Roney and seconded by Commissioner Bynum to approve school tax rates for 1971. Motion carried.

STATE OF TEXAS  
COUNTY OF TITUS

I, the undersigned County Superintendent of Titus County, Texas, hereby recommend to the Honorable Commissioners Court of Titus County, Texas, that the following rates be authorized for school purposes for the year 1971, said rates being within the limits authorized by the voters of each district:

<u>NAMES &amp; NO. OF DIST.</u>	<u>OPERATING FUND RATE</u>	<u>INT. &amp; SINKING RATE</u>	<u>TOTAL</u>
Old Union #12	\$1.50	\$.35	\$1.85
Marta Bluff #30	1.20	.80	2.00
Chapel Hill #706	1.50	.50	2.00
Arge #804	1.50	.50	2.00
Winfield #805	1.50	.50	2.00
Cookville #901	1.50	.00	1.50

GIVEN UNDER MY HAND AND SEAL, this the 28 day of July 1971.

/s/ Paul Blackard  
Paul Blackard, Co. Superintendent

STATE OF TEXAS  
COUNTY OF TITUS

On this, the 9 day of August, 1971, the Commissioners Court of Titus County, Texas, meeting in regular session considered the question of school tax rates for the year 1971. A motion was made by Commissioner Roney that the above rates as recommended by the County Superintendent of Titus County, Texas, be authorized as the tax rates for school purposes for the year 1971. Thereupon the motion was seconded by Commissioner Bynum and the County Judge put the motion to a vote which

was carried by the following:

Commissioners Taylor, Parr, Raney, Bynum, voting "AYE" and none voting "NO".  
Approved and entered this the 9 day of August, 1971.

John W. Mason  
Rayford Taylor  
Bert B. Parr  
T. O. Raney  
Dan Bynum

ATTEST:

/s/ John W. Mason  
County Judge, Titus County, Texas

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IN THE MATTER OF RAISING COMMODITIES MAXIMUM TO STATE LEVEL:

Motion made by Commissioner Parr and seconded by Commissioner Bynum to raise commodities maximum to state level. Motion carried.  
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REFUNDING BOND ORDER

THE STATE OF TEXAS  
COUNTY OF TITUS

On this the 9th day of August, 1971, the Commissioner Court of Titus County, Texas, convened in regular session at a Regular Term thereof at the Courthouse in Mt. Pleasant, Texas, with all members of the Court present, to-wit:

JOHN W. MASON,	County Judge
RAYFORD TAYLOR ,	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 Taylor introduced an order and moved its passage. The motion, seconded by Commissioner Bynum, and the motion for its passage of the order, prevailed by the following vote:

AYES: Commissioners Taylor, Parr, Raney, Bynum;

NOES: NONE

The order is as follows:

WHEREAS, each and all of the members of the Commissioners Court was duly and sufficiently notified, officially and personally, in advance, of the time, place and purpose of this meeting; and

WHEREAS, proper notice of this meeting has been duly and timely posted as provided by law; and

WHEREAS, the Commissioner Court of Titus County, Texas, has heretofore authorized the issuance of TITUS COUNTY PERMANENT IMPROVEMENT WARRANTS, SERIES 1970, dated December 15, 1970, numbered 1 to 9, inclusive, of the denomination of \$5,000 each, aggregating \$45,000, bearing interest at the rate of 6% per annum, and maturing on December 15th, \$25,000 in 2008, and \$10,000 in each of the years 2009 and 2010; all of which warrants are now outstanding and unpaid; and

WHEREAS, the Commissioners Court deems it advisable and to the best interest of said County to cancel said outstanding warrants by the issuance of refunding bonds in lieu thereof; and

WHEREAS, the Commissioners Court is authorized under the provisions of Article 717h-3, Vernon's Civil Statutes of Texas, 1925, as amended, to issue refunding bonds for the purpose of refunding such warrants without the necessity of any notice or right to referendum vote;

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

I.

That the bonds of Titus County, Texas, to be known as TITUS COUNTY PERMANENT IMPROVEMENT REFUNDING BONDS, SERIES 1971, be issued under and in strict conformity with the Constitution and laws of the State of Texas, particularly Article 717h-3, Vernon's Civil Statutes of Texas, 1925, as amended, in the principal sum of Forty-five Thousand Dollars (\$45,000), for the purpose of canceling, refunding and in lieu of a like amount of outstanding warrants hereinabove described.

II.

That said bonds shall be numbered consecutively from 1 to 9, inclusive, of the denomination of Five Thousand Dollars (\$5,000) each, aggregating Forty-five Thousand Dollars (\$45,000).

III.

That said Bonds shall bear interest from date until paid at the rate of six and fifty one-hundredths per cent (6.50%) per annum, which interest shall be evidenced by proper coupons attached to each of said bonds and shall be payable December 15, 1971, and semi-annually on June 15th and December 15th in each year; that the principal of and interest on said bonds shall be payable upon presentation and surrender of bonds or proper coupons at the Republic National Bank of Dallas, Dallas, Texas, or, at the option of the holder, at The First National Bank in Mt. Pleasant, Mt. Pleasant, Texas, in lawful money of the United State of America, without exchange or collection charges to the owner of holder thereof.

IV.

That said bonds shall be dated June 15, 1971, and shall become due and payable on December 15th in each of the years and in the amounts as follows:

<u>YEARS</u> (Inclusive)	<u>AMOUNTS</u>
1973-1981	\$5,000

The Commissioners Court hereby affirmatively adjudges that the financial condition of said County will not permit the issuance of said refunding bonds in such installments as will make the burden of taxation to support the same approximately uniform throughout the term of said bond issue, save and except as said object is accomplished by the schedule of maturities hereinabove set out, which maturities are found to be necessitated by the financial condition of said County.

V.

That said bonds shall be insubstantially the following form:

NO. \_\_\_\_\_ \$5,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF TITUS  
TITUS COUNTY PERMANENT IMPROVEMENT REFUNDING BOND  
SERIES 1971

THE COUNTY OF TITUS, a duly organized and existing political subdivision of the State of Texas, acknowledged itself indebted to and FOR VALUE RECEIVED, hereby promises to pay to bearer, the sum of FIVE THOUSAND DOLLARS

(\$5,000), in lawful money of the United States of America, on the 15th day of December, 19\_\_\_\_, with interest thereon from date hereof at the rate of six and fifty one-hundredths per cent (6.50%) per annum, interest payable December 15, 1971, and semi-annually thereafter on June 15th and December 15th in each year, as evidenced by proper coupons hereto attached, until the principal sum shall be paid.

**BOTH PRINCIPAL OF AND INTEREST** on this bond are payable at the Republic National Bank of Dallas, Dallas, Texas, or, at the option of the holder, at The First National Bank in Mt. Pleasant, Mt. Pleasant, Texas, without exchange or collection charges to the owner or holder hereof.

**THIS BOND** is one of a series of 9 bonds, numbered consecutively from 1 to 9, inclusive, of the denomination of Five Thousand Dollars (\$5,000) each, aggregating Forty-five Thousand Dollars (\$45,000), issued for the purpose of canceling, refunding and in lieu of a like per amount of outstanding indebtedness of Titus County chargeable against its Permanent Improvement Fund, and this bond, and the series of which it is a part, is issued in strict conformity with the Constitution and laws of the State of Texas, 1925, as amended, and in pursuance of an order duly passed by the Commissioners Court of Titus County, Texas, which order is duly recorded in the Minutes of said Court.

The date of this bond, in conformity with the order above mentioned, is June 15, 1971.

**IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED** that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said County, have been done, have happened and been performed in regular and due time, form and manner as required by law; that the faith and credit of said County are hereby irrevocably pledged for the payment of the principal of and interest on these bonds at maturity; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on these bonds as it falls due and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said County, is within every debt and other limit prescribed by the Constitution and laws of the State of Texas.

**IN ADDITION** to all other rights, the holder or holders of this bond, and the series of which it is a part, is and are subrogated to all the rights and has and have all of the remedies of the holders of the original indebtedness refunded by this issue of bonds.

**IN WITNESS WHEREOF**, the Commissioners Court of Titus County, Texas, has caused the official seal of said Court to be impressed, or a facsimile thereof printed, on this bond, and this bond and its appurtenant coupons to be executed with the imprinted facsimile signatures of ~~and~~ the County Judge and County Clerk, and to evidence the registration of this bond by the County Treasurer the facsimile signature of the County Treasurer has been imprinted hereon, in accordance with the provisions of Article 717j-1, Vernon's Civil Statutes of Texas, 1925, as amended.

\_\_\_\_\_  
County Judge, Titus County, Texas

COUNTERSIGNED:

\_\_\_\_\_  
County Clerk, Titus County, Texas

REGISTERED:

\_\_\_\_\_  
County Treasurer, Titus County, Texas

VI.

That the form of interest coupons attached to each of said bonds shall be substantially as follows:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

ON THE 15TH DAY OF \_\_\_\_\_, 19\_\_\_\_.

THE COUNTY OF TITUS, in the State of Texas, hereby promises to pay to bearer, in lawful money of the United States of America, at the Republic National Bank of Dallas, Dallas, Texas, or, at the option of the holder, at The First National Bank in Mt. Pleasant, Mt. Pleasant, Texas, without exchange or collection charges to the owner or holder hereof, the sum \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), being six months' interest then due on TITUS COUNTY PERMANENT IMPROVEMENT REFUNDING BOND, SERIES 1971, dated June 15, 1971, NO. \_\_\_\_\_.

\_\_\_\_\_  
County Judge  
\_\_\_\_\_  
Co. Clerk

## VII.

That substantially the following certificate shall be printed on the back of each bond;

OFFICE OF CONTROLLER  
STATE OF TEXAS

REGISTER NO.

I HEREBY CERTIFY that this bond has been examined, certified as to validity, and approved by the Attorney General of The State of Texas; and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE and seal at Austin, Texas, this \_\_\_\_\_.

\_\_\_\_\_  
Comptroller of Public Accounts of the State of Texas

## VIII.

That the official seal of the Commissioners Court of Titus County, Texas, shall be impressed, or a facsimile thereof shall be printed on each of said bonds. That each of said bonds and the interest coupons appurtenant thereto shall be executed with the imprinted facsimile signatures of the County Judge and County Clerk of Titus County, Texas, and execution in such manner shall have the same effect as if such bonds and coupons had been signed by the County Judge and County Clerk in person by their manual signatures. That each of said bonds shall be registered by the County Treasurer, and to evidence such registration, the facsimile signature of the County Treasurer shall be imprinted on each of said bonds and shall have the same effect as if such bonds had been signed in person by the manual signature of the County Treasurer. Inasmuch as such bonds are required to be registered by the Comptroller of Public Accounts of the State of Texas, only his signature, or that of a deputy designated in writing to act for the Comptroller, shall be required to be manually subscribed to such bonds in connection with his registration certificate to appear thereon as hereinabove provided, all in accordance with Article 717j-1, Vernon's Civil Statutes of Texas, 1925, as amended.

## IX.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Commissioners Court of Titus County, Texas, that while said bonds, or any of them, are outstanding and unpaid, there shall be, and it is hereby ordered that there be levied, assessed and collected in due time, form and manner, a tax upon each \$100 valuation of all taxable property in Titus County, Texas, out of the Constitutional Permanent Improvement Tax of said County sufficient to pay the current interest on said bonds and create a sinking fund for the payment of the principal at maturity; and there is hereby levied for the current year out of the Constitutional Permanent Improvement Tax of said County, a sufficient tax on each \$100 valuation of taxable property in said County to provide funds to pay the interest on said bonds 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, shall be, and is hereby levied for each year, respectively, while said bonds, or any of them, are outstanding and unpaid, and said tax shall be assessed and collected and applied to the payment of the interest on and principal of said bonds.

## X.

That all moneys in the sinking fund and all taxes heretofore levied or in process of collection for the benefit of the warrants being refunded bonds, shall be, and the same are hereby appropriated and transferred to the benefit of said refunding bonds.

## XI.

That the County Judge of Titus County shall be and he is hereby authorized to take and have charge of all necessary orders and records pertinent to said refunding bonds pending their approval by the Attorney General and their registration by the Comptroller of Public Accounts. The State Comptroller

is hereby authorized to accept from The First National Bank in Mt. Pleasant, or its duly authorized agent, in installments or otherwise, the obligations hereby refunded, and after cancellation thereof, to register a like amount of the bonds herein authorized and deliver same to The First National Bank in Mt. Pleasant, Texas, or its agent.

PASSED AND APPROVED at a meeting open to the public, this the 9th day of August, 1971, after public notice of the time, place and purpose of said meeting was given and posted as required by law.

/s/ John W. Mason  
County Judge

/s/ Rayford Taylor  
Commissioner Precinct No. 1

/s/ T. O. Roney  
Commissioner Precinct No. 3

/s/ Bert B. Parr  
Commissioner Precinct No. 2

/s/ Dan Bynum  
Commissioner Precinct No. 4

PUBLIC HEARING

A Public Hearing was held at 10:00 A.M. in the County Courthouse in Mt. Pleasant, Texas on August 13, 1971 for the purpose of hearing the 1972 Budget of Titus County. The following members were present:

John W. Mason  
Rayford Taylor  
Bert B. Parr  
T. O. Roney  
Dan Bynum  
Allen LaPrade

County Judge  
Co. Comm. Prec. #1  
Co. Comm. Prec. #2  
Co. Comm. Prec. #3  
Co. Comm. Prec. #4  
County Clerk

IN THE MATTER OF APPROVING BUDGET FOR 1972:

Motion was made by Commissioner Taylor and seconded by Commissioner Roney to approve 1972 Budget.  
Motion carried.

Special Session

LET IT BE REMEMBERED that the Titus County Commissioner's Court met in Special Session in the Courth house in Mt. Pleasant, Texas on Friday, August 20th, 1971 at 9:00 A.M. The following members were present:

John W. Mason  
Rayford Taylor  
Bert B. Parr  
T. O. Roney  
Dan Bynum  
Allen LaPrade

County Judge  
Co. Comm. Prec. #1  
Co. Comm. Prec. #2  
Co. Comm. Prec. #3  
Co. Comm. Prec. #4  
County Clerk

IN THE MATTER OF CALLING AN ELECTION FOR A BOND ISSUE FOR WINFIELD SCHOOL DISTRICT:

Motion made by Commissioner Parr and seconded by Commissioner Bynum to call an order calling an election for a bond issue for Winfield School District for \$100,000.00. Motion carried.

IN THE MATTER OF PAYING PREC. EMPLOYEES:

Motion made by Commissioner Taylor and seconded by Commissioner Roney to pay prec. employees. Motion carried.

IN THE MATTER OF A PUBLIC HEARING NOTICE REGARDING A REGIONAL HOUSING AUTHORITY:

Motion made by Commissioner Roney and seconded by Commissioner Bynum to pass a resolution to post and publish notice of a public hearing regarding a Regional housing authority. Motion carried.