

THE STATE OF TEXAS : JUNE 19, 1948

COUNTY OF JOHNSON :

BE IT REMEMBERED THAT AT A CONTINUED REGULAR MEETING OF THE Commissioners' Court of Johnson County, Texas, held in Cleburne, Texas, the following members were present:

Honorable H. G. Littlefair, County Judge, Roy Wyatt, Commissioner Precinct #1; Sam Evans, Commissioner Precinct #2; Vern Maddox, Commissioner Precinct #3, Marvin Roland, Commissioner Precinct #4 and Louis B. Lee, County Clerk. Among other things they did the following:

A motion was made by Commissioner Roland, seconded by Commissioner Wyatt, that the following order authorizing issuance of warrants be approved:

ORDER AUTHORIZING THE ISSUANCE OF WARRANTS

THE STATE OF TEXAS ::

COUNTY OF JOHNSON ::

On this the 19th day of June, 1948, the Commissioners Court of Johnson County, Texas, convened in regular session at a Regular Term thereof at the Courthouse in Cleburne, Texas, with all members of the Court present, to-wit:

H. G. Littlefair, County Judge
Roy Wyatt, Commissioner Precinct No. 1,
Sam Evans, Commissioner Precinct No. 2,
Vern Maddox, Commissioner Precinct No. 3,
M. W. Roland, Commissioner Precinct No. 4,
Louis B. Lee, County Clerk,

and, among other proceedings had, the following order was passed:

WHEREAS, the Commissioners Court has heretofore determined the advisability and necessity of purchasing right of way for public roads in the County and constructing road and bridge improvements in the County; and

WHEREAS, this Court has determined the advisability and necessity of issuing interest bearing time warrants against the Road and Bridge Fund of Johnson County for the purpose of paying claims to be incurred in the purchasing of right of way for public roads in the County and incidental expenses in connection therewith, and constructing road and bridge improvements in the County; and

WHEREAS, in compliance with Chapter 163, Acts of the Regular Session of the Forty-second Legislature of Texas, 1931, and amendments thereto, the County Judge has caused notice of intention of the Commissioners Court of said County to pass an order on this the 19th day of June, 1948, authorizing the issuance of Road and Bridge Warrants, to be published for the time and in the manner required by law; and

WHEREAS, this Court affirmatively finds that said notice of intention to pass the order authorizing the issuance of such warrants was duly given by publication in a newspaper of general circulation, published in Johnson County, in the manner and for the time required by law; and

WHEREAS, after making due investigation at this time, this Court finds that 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 to issue 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 or 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, after levying the tax to pay the principal and interest on said warrants and after making provision for all other fixed charges against the County, this Court affirmatively finds that sufficient taxing power will remain to pay the expenses of the County chargeable to said fund; and

WHEREAS, this Court further affirmatively finds that the maturities of the interest bearing time warrants hereinafter set forth will be to the best interest and advantage of said County, taking into consideration other outstanding indebtedness of said County of Johnson, and to the taxpayers thereof; and

Whereas, it is by this Court considered and determined to be to the best interest and advantage of said Johnson County to authorize the issuance of said Road and Bridge 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 JOHNSON 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 Legislature of Texas, Regular Session, 1931, and amendments thereto, interest bearing time warrants of said Johnson County to be known as JOHNSON COUNTY ROAD AND BRIDGE WARRANTS, SERIES OF 1948, against the Road and Bridge Fund of Johnson County, Texas, for the purpose of paying claims to be incurred in purchasing right of way for public roads in the County and incidental expenses in connection therewith, and constructing road and bridge improvements in the County.

II.

That said warrants shall be made payable to bearer and shall be numbered from 1 to 150, inclusive, and shall be of the denomination of One Thousand (\$1,000.00) Dollars each, aggregating One Hundred and Fifty Thousand (\$150,000.00) Dollars.

III.

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

IV.

That said warrants shall be dated June 20, 1948, and shall become due and payable serially as follows:

| WARRANT NUMBERS | | MATURITY DATES | AMOUNTS |
|-----------------|-----------|----------------|-----------|
| 1 – 10 | inclusive | June 20, 1949 | \$ 10,000 |
| 11 – 20 | “ | June 20, 1950 | 10,000 |
| 21 – 30 | “ | June 20, 1951 | 10,000 |
| 31 – 40 | “ | June 20, 1952 | 10,000 |
| 41 – 50 | “ | June 20, 1953 | 10,000 |
| 51 – 60 | “ | June 20, 1954 | 10,000 |
| 61 – 70 | “ | June 20, 1955 | 10,000 |
| 71 – 80 | “ | June 20, 1956 | 10,000 |
| 81 – 90 | “ | June 20, 1957 | 10,000 |
| 91 – 100 | “ | June 20, 1958 | 10,000 |

| | | | |
|-----------------|-----------|----------------|-----------|
| 101 – 110 | “ | June 20, 1959 | 10,000 |
| 111 – 120 | “ | June 20, 1960 | 10,000 |
| 121 – 130 | “ | June 20, 1961 | 10,000 |
| WARRANT NUMBERS | | MATURITY DATES | AMOUNTS |
| 131 – 140 | inclusive | June 20, 1962 | \$ 10,000 |
| 141 – 150 | “ | June 20, 1963 | 10,000 |

V.

Said warrants shall bear interest from date until paid at the rate of three and one-half (3 ½%) per cent per annum, payable December 20, 1948 and semi-annually thereafter on June 20th and December 20th in each year, which interest shall be evidenced by proper coupons attached to each of said warrants.

VI.

That principal and interest of said warrants shall be payable upon presentation and surrender of warrants or proper coupons at the American National Bank, Austin, Texas.

VII.

That said warrants shall be signed by the County Judge, attested by the County Clerk, countersigned by the County Auditor, and registered by the County Treasurer, and the seal of the Commissioners Court shall be impressed upon each of said warrants. The interest coupons attached to said warrants may be executed by the facsimile signatures of the County Judge and County Clerk and shall have the same effect as if they had been signed by said officers.

VIII.

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

NO. ____

\$1,000

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF JOHNSON
JOHNSON COUNTY ROAD AND BRIDGE
WARRANT
SERIES OF 1948

THIS IS TO CERTIFY that the County of Johnson, in the State of Texas, under and by virtue of valid and subsisting claims, is justly indebted to bearer in the principal sum of

ONE THOUSAND DOLLARS

(\$1,000.00) in lawful money of the United States of America, together with interest thereon from date hereof, at the rate of three and one-half (3 ½%) per cent per annum, payable December 20, 1948 and semi-annually thereafter on June 20th and December 20th in each year; both principal and interest payable upon presentation and surrender of warrant or proper coupon, at the American National Bank, Austin, Texas; and the Treasurer of said County is hereby authorized, ordered and directed to pay to bearer, at said Bank, on the 20th day of June, 19__, the maturity date of this warrant, the sum of One Thousand (\$1,000.00) Dollars, in full settlement of the indebtedness hereby evidenced, and out of and from the special "Road and Bridge Warrants, Series of 1948 Fund," of said County levied, assessed and created for that purpose.

This warrant is one of a series of 150 warrants, numbered consecutively from 1 to 150, inclusive, of the denomination of One Thousand (\$1,000.00) Dollars each, aggregating One Hundred and Fifty Thousand (\$150,000.00) Dollars, issued for the purpose of paying claims incurred in purchasing right of way for public roads in the County and incidental expenses in connection therewith, and constructing road and bridge improvements in the County, 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 Johnson County, Texas, which order is recorded in the Minutes of said Court.

The date of this warrant, in conformity with said order, is June 20, 1948.

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 been performed in regular and due time, form and manner as required by law, and that the total indebtedness of said County, including this warrant, does not exceed any constitutional or statutory limitation.

IN TESTIMONY WHEREOF, the County Commissioners Court of Johnson 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 Auditor, attested by the County Clerk and registered by the County Treasurer, and the interest coupons hereto attached to be executed by the facsimile signatures of the County Judge and County Clerk, as of the date last above written.

_____ County Judge, Johnson County, Texas.

COUNTERSIGNED: County Auditor, Johnson County, Texas.

Attested: County Clerk, Johnson County, Texas

Registered: County Treasurer, Johnson County, Texas

IX.

The form of interest coupons shall be substantially as follows:

NO. _____

\$ _____

ON THE 20TH DAY OF

_____, 19 ____.

The County of Johnson, in the State of Texas, will be justly indebted to bearer in the sum of ____(\$____) Dollars, and the County Treasurer of said County is hereby authorized, ordered and directed to pay bearer out of and from the special "Road and Bridge Warrants, Series of 1948 Fund, "of said County, at the American National Bank, Austin, Texas, said amount, the same being six months' interest on JOHNSON COUNTY ROAD AND BRIDGE WARRANTS, SERIES OF 1948, No. __, dated June 20, 1948, to which this coupon is attached and is a part thereof.

_____ County Clerk

_____ County Judge

X.

That said warrants shall be executed and delivered as hereinabove provided, in payment of claims approved by the County Auditor and duly audited and allowed by the Commissioners Court of said County; and said Court is 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.

XI.

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 Johnson County Road and Bridge

Warrants, Series of 1948, as shall not be supported and based upon claims duly approved by the County Auditor and duly 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.

XII.

That a special fund, to be designed "Road and Bridge Warrants, Series of 1948 Fund, "shall be, and the same is hereby created and set aside out of the Road and Bridge Fund of Johnson County, Texas, which fund, when collected, shall be used to pay the interest on said warrants and the principal thereof at maturity, and for no other purpose;

That to create said fund to pay the interest on said warrants, and to provide a sinking fund to pay the principal thereof at maturity, there shall be, and there is hereby levied for the year 1948 a tax of and at the rate of 9 ½ Cents on each \$100.00 valuation of taxable property in Johnson County, Texas, out of the Constitutional Road and Bridge Tax of said County; and said tax of and at the rate of 9 ½ Cents, or so much thereof, or so much more, if any, as shall be necessary, is hereby levied out of the Constitutional Road and Bridge Tax of said County for each succeeding year thereafter while said warrants or any of them are outstanding, on each \$100.00 valuation of taxable property in said Johnson County, and said tax shall be assessed and collected for each of said years, and applied to the purpose named, and to no other.

The above order being read, it was moved and seconded that same do pass. Thereupon, the question being called for, the following members of the Court voted AYE: Wyatt, Evans, Maddox, Roland, and the following voted NO: NONE.

PASSED AND APPROVED, this 19th day of June, 1948.

H. G. Littlefair, County Judge

ATTEST:

Johnson County, Texas.

Louis B. Lee, County Clerk.

A motion was made by Commissioner Wyatt, seconded by Commissioner Evans, that the Johnson County Memorial Hospital be accepted from the General Contractor, J. W. Bateson & Sons as completed as to the general contract, subject only to the one year guarantee as provided in contract. All voted aye.

A motion was made by Commissioner Evans, seconded by Commissioner Wyatt, that the electrical contract of Massey Electric Co. for work on the Johnson County Memorial Hospital be declared completed and same accepted by Commissioners Court. All voted aye.

A motion was made by Commissioner Wyatt, seconded by Commissioner Roland, that insurance be provided on the Johnson County Memorial Hospital to safeguard property and public liability claims that may arise on property, premises, owners, land lords and elevator, mal practice and boiler, to be purchased at best possible rate for the County, either 1, 2, 3 or 5 year policies. Said insurance to be purchased from and through the White Agency, Wm. S. White, representative. All voted aye.

Attest: _____ County Clerk _____ County Judge

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