

THE STATE OF TEXAS        ()

February 12, 1951

COUNTY OF JOHNSON        ()

BE IT REMEMBERED that at a regular meeting of the Commissioners' Court of Johnson County, held in the Court House at Cleburne, Texas, the following members were present: Honorable H. G. Littlefair, County Judge, W. M. Coward, Commissioner Precinct 1, S. W. Evans, Commissioner Precinct 2, V. L. Maddox, Commissioner Precinct 3, M. W. 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 Evans that all due and properly endorsed bills against the County be allowed and ordered paid as submitted. All voted aye.

A motion was made by Commissioner Coward, seconded by Commissioner Roland that the following order be adopted and made of record. All voted aye.

ORDER AUTHORIZING THE ISSUANCE OF REFUNDING BONDS

THE STATE OF TEXAS        ) (

COUNTY OF JOHNSON        ) (

On this the 12<sup>th</sup> day of February, 1951, the Commissioners Court of Johnson County, Texas, convened in regular session at a regular term of said Court, at the regular meeting place in the Courthouse in Cleburne, Texas, with all members of said Court present, to wit:

H. G. Littlefair, County Judge,

W. M. Coward, Commissioner Precinct No. 1,

S. W. Evans, Commissioner Precinct No. 2,

Vern Maddox, Commissioner Precinct No. 3,

M. W. Roland, Commissioner Precinct No. 4,

Louis B. Lee, Clerk of the County Court and Ex-Officio Clerk of the Commissioners Court,

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

WHEREAS, the Commissioners Court of Johnson County, Texas, has heretofore passed an order authorizing the issuance of Johnson County Road and Bridge Warrants, Series of 1949, dated February 15, 1949, Numbers 1 to 100, inclusive in the denomination of \$1,000. each, aggregating \$100,000.00, bearing 3 ½% interest per annum, and maturing on February 15, \$10,000 in each of the years 1959 to 1968, inclusive; of which issue there are now outstanding and unpaid warrants aggregating \$50,000.00, being Warrants Numbers 1 to 50, inclusive; and

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

WHEREAS, the county judge was heretofore directed to give notice of the intention of the Commissioners Court to refund said warrants, as required by Article 2368a, Vernon's Civil Statutes, as amended; and

WHEREAS, said notice was duly given by publication of said notice of intention to refund said warrants in a newspaper published in and having a general circulation in said County, which notice was published once a week for three consecutive weeks, the date of first publication thereof being at least thirty (30) days prior to February 12, 1951; and

WHEREAS, the Commissioners Court affirmatively finds that no petition was presented to the Court to submit the question as to the issuance of said refunding bonds for such purpose to a referendum vote; and

WHEREAS, it is now in order that the Commissioners Court proceed with the issuance of said refunding bonds; now,

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

I.

That the bonds of Johnson County, Texas, to be known as "JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BONDS, SERIES OF 1951", be issued under and in strict conformity with the Constitution and Laws of the State of Texas, in the principal sum of Fifty Thousand (\$50,000.00) Dollars, for the purpose of canceling, refunding and in lieu of a like amount of outstanding warrants of the issue hereinabove described.

II.

That said bonds shall be numbered consecutively from 1 to 50, inclusive, and shall be of the denomination of One Thousand (\$1,000.00) Dollars each, aggregating Fifty Thousand (\$50,000.00) Dollars.

III.

That said bonds shall bear interest from their date until paid at the rate of three and one-half (3 ½%) per cent per annum, interest payable August 1, 1951, and semi-annually thereafter on February 1<sup>st</sup> and August 1<sup>st</sup> in each year; and the principal of and interest on said bonds shall be payable in lawful

money of the United States of America upon presentation and surrender of bonds or proper coupons at the Mercantile National Bank at Dallas, Dallas, Texas.

IV.

That said bonds shall be dated February 1, 1951, and shall become due and payable as follows:

BOND NUMBERS	MATURITY DATES	AMOUNTS
1-17 inclusive	February 1, 1959	\$17,000.
18-35    "	February 1, 1960	\$18,000.
36-50    "	February 1, 1961	\$15,000.

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 hereby found to be necessitated by the financial condition of said County.

V.

That each of said bonds 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 of Johnson County, Texas, shall be impressed upon each of them. That the facsimile signatures of the County Judge and County Clerk may be lithographed, engraved or printed upon the interest coupons attached to said bonds and shall have the same effect as if they had been signed by said officers.

VI.

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

No. \_\_\_\_\_ \$1,000.00

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF JOHNSON

JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BOND

SERIES OF 1951

THE COUNTY OF JOHNSON, a duly organized and existing political subdivision of the State of Texas, acknowledges itself indebted to, and FOR VALUE RECEIVED, hereby promises to pay to bearer the sum of

ONE THOUSAND DOLLARS

(\$1,000.00), in lawful money of the United States of America, on the 1<sup>st</sup> day of February, 19\_\_\_\_, with interest thereon from date hereof at the rate of three and one-half (3 ½%) per cent per annum, interest payable August 1, 1951 and semi-annually thereafter on February 1<sup>st</sup> and August 1<sup>st</sup> in each year, as evidenced by the coupons hereto attached, until the principal sum shall be paid.

BOTH PRINCIPAL AND INTEREST of this bond are payable at the Mercantile National Bank at Dallas, Dallas, Texas.

THIS BOND, is one of a series of fifty (50) bonds, numbered consecutively from one (1) to fifty (50), inclusive of the denomination of one thousand (\$1,000.00) Dollars each, aggregating Fifty Thousand (\$50,000.00) Dollars, issued for the purpose of refunding, canceling and in lieu of a like par amount of outstanding indebtedness of Johnson County chargeable against its Road and Bridge 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, and in pursuance of an order duly passed and adopted by the Commissioners Court of Johnson County, Texas which order is duly recorded in the Minutes of said Court.

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 is required by law; that the faith and credit of said County are hereby irrevocably pledged for the prompt 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 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 of 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 Johnson County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned 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. The date of this bond, in conformity with the order above referred to, is February 1, 1951.

\_\_\_\_\_  
County Judge, Johnson  
County, Texas

Countersigned: \_\_\_\_\_  
County Clerk, Johnson  
County, Texas

Registered: \_\_\_\_\_  
County Treasurer, Johnson  
County, Texas.

VII.

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

No. \_\_\_\_\_

\$ \_\_\_\_\_

ON THE 1<sup>ST</sup> DAY OF  
\_\_\_\_\_, 19\_\_\_\_,

THE COUNTY OF JOHNSON, in the State of Texas, hereby promises to pay to bearer, in lawful money of the United States of America, at the Mercantile National Bank at Dallas, Dallas, Texas, the sum of \_\_\_\_ (\$\_\_\_\_\_) Dollars, being \_\_\_\_ months' interest then due on JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BOND, SERIES OF 1951, dated February 1, 1951, No. \_\_\_\_.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Judge

VIII.

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

OFFICE OF COMPTROLLER            ) (

STATE OF TEXAS                    ) (

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law and that he finds that it has been issued in conformity with the Constitution and Laws of the State of

Texas, and that is is a valid and binding obligation upon said Johnson County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND and seal of office, at Austin, Texas, this \_\_\_\_\_.

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

IX.

IT IS FURTHER ORDERED by the Court that while said bonds, or an of the, 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 \$100.00 valuation of all taxable property in Johnson County, Texas, out of the Constitutional Road and Bridge Tax of said County, sufficient to pay the current interest on said bonds and create a sinking fund for the payment of the principal thereof, at maturity; and there is hereby levied for the year 1951 out of the Constitutional Road and Bridge Tax, a sufficient tax on each \$100.00 valuation of taxable property in said County, and the same shall be assessed and collected and applied to the purpose named; and while said bonds, or an of them are outstanding and unpaid, a tax for each year at a rate from year to year, as will be ample and sufficient 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 collections, shall be and is hereby levied for each year, respectively, while said bond, or any of the, 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 by said refunding bonds, shall be and the same are hereby appropriated and transferred to the benefit of said refunding bonds.

XI.

That the County Judge of Johnson 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 investigation by the Attorney General and the County Judge shall also take and have charge of the bonds herein authorized 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 First of Texas Corporation of San Antonio, Texas, or their 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 First of Texas Corporation, or their agent.

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: W. M. Coward, S. W. Evans, Vern Maddox, M. W. Roland; and the following voted No: None.

- H. G. Littlefair, County Judge
- W. M. Coward, Commissioner Pct. No. 1
- S. W. Evans, Commissioner Pct. No. 2
- Vern Maddox, Commissioner Pct. No. 3
- M. W. Roland, Commissioner Pct. No. 4

NOTICE OF INTENTION TO ISSUE REFUNDING  
BONDS

THE STATE OF TEXAS       )(  
COUNTY OF JOHNSON       )(

In compliance with the provisions of Article 2368a, Vernon's Civil Statutes, as amended NOTICE IS HEREBY GIVEN that it is the intention of the Commissioners Court of Johnson County, Texas, to pass an order on the 12 day of February, 1951, authorizing the issuance of Johnson County Road and Bridge Refunding Bonds in the maximum amount of \$50,000.00, for the purpose of refunding, canceling and in lieu of a like amount of Johnson County Road and Bridge Warrants, Series of 1949, dated February 15, 1949; said refunding bonds to bear interest at a rate not to exceed Three and one half (3 ½) percent per annum, and to mature serially with a maximum maturity not later than twenty five (25) years from their date.

THIS NOTICE is given in pursuance of an order passed by the Commissioners Court of Johnson County, Texas, on the 8<sup>th</sup> day of January, 1951.

H. G. Littlefair, County Judge  
Johnson County, Texas.

(newspaper copy attached)

STATEMENT OF INDEBTEDNESS

THE STATE OF TEXAS       )(  
COUNTY OF JOHNSON       )(

I, the undersigned, County Treasurer of Johnson County, Texas do hereby certify that the following is a true and correct copy of all indebtedness of said County now outstanding against the Road and Bridge Fund of said County:

I. OUTSTANDING BOND:

Purpose	Date	Int. Rate	Due	Amt. Outstdg.
R & B Rfdg. Series 1	6-20-1948	3 ½%	\$16,000 6/20/56	\$50000
			\$17,000 6/20/57-58	
R & B Rfdg. Series 2	6-20-1948	3 ½%	\$14,000 6/20/52	\$60,000
			\$15,000 6/20/53-54	
			\$16,000 6/20/55	
R & B Rfdg.	6-20-1949	3 ½%	\$14,000 6/20/51	\$14,000

II. OUTSTANDING WARRANTS:

R & B	2-15-1949	3 ½%	\$10,000 2/15/1959-63	\$50,000
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(The above described outstanding warrants being refunded)

III. PROPOSED BONDS:

R & B Refdg.	2-1-1951	3 ½%	\$17,000 2/1/1959	\$50,000
			\$18,000 2/1/1960	
			\$15,000 2/1/1961	

Witness my official signature, this the 12<sup>th</sup> day of February, 1951.

Eula Landers, County Treasurer,  
Johnson County, Texas.

THE STATE OF TEXAS       )(  
COUNTY OF JOHNSON       )(

We, the undersigned authorities, do hereby certify that none of the warrants being refunded by the \$50,000 JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BONDS, SERIES OF 1951, were ever held in or purchased by the sinking fund created for the payment of said warrants; that none of said warrants being refunded are now held in or owned by the sinking fund created for the purpose of paying off or redeeming any of said warrants; that none of said warrants will be taken up and paid for with money from said sinking fund; that there is no money in said sinking fund with which to pay the principle of any of said warrants.

WE FURTHER CERTIFY that there has never been and there is not now pending any litigation in any wise affecting the validity of said warrants being refunded, nor has there ever been nor is there now pending any litigation

affecting the power of the Commissioners Court to levy and collect taxes to pay the principal of and interest on same.

WITNESS OUR HANDS and the seal of the Commissioners Court of Johnson County, Texas, this the 12<sup>th</sup> day of February, 1951.

Louis B. Lee, County Clerk

Johnson County, Texas.

Eula Landers, County Treasurer

(Seal)

Johnson County, Texas.

THE STATE OF TEXAS       )(

COUNTY OF JOHNSON       )(

I, the undersigned authority, County Clerk and Ex-Officio Clerk of the Commissioners Court of Johnson County, Texas, DO HEREBY CERTIFY that a tax reallocation election was held throughout Johnson County, under the provisions of the amendment to Section 9 of Article 8 of the Constitution of Texas, on the 23<sup>rd</sup> day of August, 1947; the rates established by such reallocation election being as follows:

GENERAL FUND	30¢
PERMANENT IMPROVEMENT FUND	20¢
ROAD AND BRIDGE FUND	27¢
JURY FUND	3¢

I FURTHER CERTIFY THAT no election has been held in said County on the question of the further reallocation of County Taxes since said 23<sup>rd</sup> day of August, 1947.

WITNESS MY HAND and the seal of the Commissioners Court, this the 12<sup>th</sup> day of February, 1951.

Louis B. Lee, County Clerk

And Ex-Officio Clerk of the Commissioners Court of Johnson County, Texas.

(Seal)

STATEMENT OF TAXABLE VALUES

THE STATE OF TEXAS       )(

COUNTY OF JOHNSON       )(

I, the undersigned authority, Tax Assessor-Collector for Johnson County, Texas, DO HEREBY CERTIFY that the assessed valuation of property of said County for the year 1950. As shown by the annual assessment of property of said County for said year, and made for State and County purposes, is as follows:

REAL PROPERTY . . . . . \$13,980,040.00  
PERSONAL PROPERTY . . . . . \$ 6,505,450.00  
TOTAL . . . . . \$20,485,490.00

WITNESS MY HAND and seal of office, this the 12 day of February, 1951.

Clifford Duff, Tax Assessor-Collector

(Seal) Johnson County, Texas.

A motion was made by Commissioner Evans, seconded by Commissioner Roland that the bid of Morris Oil & Grease Company of Ft. Worth for one used 99H Austin Western Motor Grader, Diesel Type, 4 wheel Drive for \$9000.00 less trade in allowance of \$2500.00 for one DS99 Austin Western Motor Grader leaving a net balance difference of \$6500.00 be accepted. All voted aye.

A motion was made by Commissioner Roland, seconded by Commissioner Coward that the order declaring results of Special Election be and the same is hereby made of record in the Commissioners Court Minutes this date; and that he County Clerk had a copy of the order to Clifford Duff, Tax Assessor-Collector of Johnson County for his guidance. All voted aye. The order is as follows:

ORDER CANVASSING RETURNS AND DECLARING RESULT OF  
ADDITIONAL AD VALOREM TAX ELECTION

THE STATE OF TEXAS     ) (  
COUNTY OF JOHNSON     ) (

On this the 12<sup>th</sup> day of February, 1951, the Commissioners Court of Johnson County, Texas, convened in Regular session, at the regular meeting place thereof in the Court House at Cleburne, Texas, the following members of the court, to wit:

H. G. Littlefair, County Judge

W. M. Coward, Commissioner Pct. 1                   S. W. Evans, Commissioner Pct. 2  
Vern Maddox, Commissioner Pct. 3                   M. W. Roland, Commissioner Pct. 4  
being present, and, among other proceedings had by the Court, were the following:

There came on to be considered the returns of an election held in said county on the 10<sup>th</sup> day of February, 1951, to determine whether or not said county shall be authorized to levy assess and collect the ad valorem taxes described in the order calling said election. And it appearing that said election was in all respects legally held and that said returns were duly and

legally made and that there were cast at said election 750 valid and legal votes, of which number there were cast:

"FOR THE TAX OF NOT EXCEEDING 30 CENTS ON EACH ONE HUNDRED DOLLARS (\$100.00) VALUATION" 532 votes

"AGAINST THE TAX OF NOT EXCEEDING 30 CENTS ON EACH ONE HUNDRED DOLLARS (\$100.00) VALUATION" 218 votes

IT IS, THEREFORE, FOUND AND DECLARED AND SO ORDERED BY the Commissioners' Court of Johnson County, Texas, that a majority of the legally qualified property taxpaying voters who owned taxable property in said county and who had duly rendered same for taxation, voting at said election, voted in favor of said tax, and that, therefore, this court is authorized to levy, assess and collect said tax for the purpose stated in said order calling said election in accordance with the terms and provisions of House Bill No. 107, Acts 51<sup>st</sup> Legislature, Regular Session, 1949.

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; W. M. Coward, S. W. Evans, Vern Maddox, M. W. Roland; and the following voted No: None.

H. G. Littlefair, County Judge

W. M. Coward, Commissioner Pct. 1		S. W. Evans, Commissioner Pct. 2	
Vern Maddox, Commissioner Pct. 3		M. W. Roland, Commissioner Pct. 4	
PRECT.	LOCATION	FOR	AGAINST
1	Court House	10	7
2	Court House	13	15
3	Court House	6	11
4	Court House	10	16
5	Rio Vista	35	2
6	Brazos Valley	20	1
7	Bono	29	2
8	Lone Willow	8	2
9	Cresson	4	0
10	Godley	36	17
11	Joshua	48	17
12	Burleson	14	3
13	Egan	7	0

PRECT.	LOCATION	FOR	AGAINST
14	Lillian	13	1
15	Lone Star	0	14
16	Venus	40	1
17	Grandview	40	11
18	Grandview	21	6
19	Barnesville	7	0
20	Alvarado	36	6
21	Alvarado	21	10
22	Highland	3	4
23	Parker	6	4
24	Keene	31	0
25	Junior High, Cleburne	20	11
26	Senior High, Cleburne	13	13
27	J.N. Long School, Cleb	29	14
28	Irving School, Cleburne	3	26
29	City Hall	<u>9</u>	<u>4</u>
	TOTALS	532	218

ATTEST: \_\_\_\_\_ COUNTY CLERK \_\_\_\_\_COUNTY JUDGE

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