

THE STATE OF TEXAS

MAY 12, 1958

COUNTY OF JOHNSON

BE IT REMEMBERED at a regular meeting of the Commissioners' Court on the above mentioned date at the courthouse in Cleburne, Texas, the following members were present: H. G. Littlefair, County Judge; W.M. Coward, Commissioner Precinct No.1; S. W. Evans, Commissioner Precinct No.2; Jimmie L. Walters, Commissioner, Precinct No. 3; M. W. Roland, Commissioner, Precinct No. 4; Louis B. Lee, County Clerk, and J. T. Epperson, Jr., County Auditor.

A motion was made by Commissioner Roland and seconded by Commissioner Walters that all proper bills against Johnson County and duly endorsed be allowed and ordered paid as submitted.

All voted aye

A motion was made by Commissioner Evans and seconded by Commissioner Roland that the resignation of Janice Early as Secretary to Jim Ferguson effective May 1, 1958, be accepted and that Joyce Pickett be appointed Secretary to Jim Ferguson, effective May 1, 1958, at a monthly salary of \$75.00.

All voted aye

A petition signed by 8 residents of Cresson to close a certain street in Cresson was presented to the court for consideration.

A motion was made by Commissioner Walters and seconded by Commissioner Evans that the financial report of the Johnson County Memorial Hospital for the month of April 1958 be approved as presented.

All voted aye

A motion was made by Commissioner Evans and seconded by Commissioner Roland that the auditor be authorized to advertise for bids for 1- New Diesel crawler type Loader with 1 ½ Cu Yd. Double bottom bucket. 4-cycle diesel, value in head with in-built gasoline conversion starting - Hydro-Spring- Bucket teeth and Hyd Track adjustors.

Trade in - 1 used HD - 5 G A. C. Loader

All voted aye

A motion was made by Commissioner Roland and seconded by Commissioner Walters that the Commissioner Court meet May 26, 27, and 28 as a Board of Equalization, to review the County Tax renditions, and June 16 and 17 to meet with Tax payers who may desire to discuss their taxes.

All voted aye

ORDER AUTHORIZING EXECUTION AND DELIVERY OF FIRST INSTALLMENT OF "JOHNSON  
COUNTY, TEXAS, COURTHOUSE IMPROVEMENT WARRANTS", DATED MARCH 15, 1958

THE STATE OF TEXAS                   ()

COUNTY OF JOHNSON                   ()

ON THIS the 12<sup>th</sup> day of May, 1958, the Commissioners' Court of Johnson  
County, Texas, convened in regular session at the regular meeting place thereof  
in the Courthouse at Cleburne, Texas, with the following members present an in  
attendance, to-wit:

H. G. Littlefair,	County Judge, Presiding; and.
W. M. Coward,	Commissioner, Precinct No. 1;
S. W. Evans,	Commissioner, Precinct No. 2;
Jimmie L. Walters,	Commissioner, Precinct No. 3;
M. W. Roland,	Commissioner, Precinct No. 4;

and among other proceedings had by said Court were the following:

Commissioner Roland introduced an order and moved its adoption by the  
Court. The motion was seconded by Commissioner Coward and prevailed by the  
following vote: Commissioners Coward, Evans, Walters and Roland voting "AYE";  
and none voting "NO".

The ORDER is as follows:

WHEREAS, by order of this Court passed and adopted on the 12<sup>th</sup> day of  
March, 1958, recorded in Volume 14, page 381, et seq., of the Minutes of said  
Court "Johnson County, Texas, Courthouse Improvement Warrants", dated march 15,  
1958, were duly authorized, said warrants being numbered consecutively from 1  
to 49, both inclusive, all in denomination of \$1,000, aggregating the principal  
sum of \$49,000, all of said warrants bearing interest at the rate of 4 ½% per  
annum, payable on March 15, 1959, and semi-annually thereafter on September 15  
and March 15 in each year, the principal thereof maturing on March 15<sup>th</sup>, in each  
of the years as follows: \$5,000 1960 to 1968, both inclusive, and \$4,000 1969,  
both principal and interest being payable at TEXAS NATIONAL BANK OF HOUSTON,  
Houston, Texas; and

WHEREAS, under the terms of the aforesaid order of March 12, 1958, all of  
said warrants were to be made payable to A. H. STUART, Cleburne, Texas, or  
bearer, and were issued to evidence the indebtedness due said contractor for  
furnishing all materials and performing all work required in the construction

of permanent improvements and repairs to the existing Johnson County Courthouse at Cleburne, Texas, in accordance with plans and specifications therefor, under contract dated March 12,f 1958, between said contractor and Johnson County, Texas, said order of march 12, 1958, being hereby adopted by this reference and incorporated herein and made a part hereof for all purposes; and

WHEREAS, in accordance with the contract and order of this Court hereinabove mentioned, such work was promptly commenced after the execution of the contract and the same has been continuously prosecuted; and

WHEREAS, there has been presented to this Court by said A. H. Stuart, Contractor, Estimate No. 1 pertaining to the aforesaid contract of March 12, 1958, covering certain labor and materials heretofore furnished Johnson County under such contract, said estimate aggregating the sum of \$24,000, and such estimate being in words and figures as follows, to-wit:

A.H. STUART

P. O. Box 61

Cleburne, Texas

506 Williams

May 1, 1958

Estimate No. 1

TO: Johnson County Commissioners Court  
Johnson County Court House  
Cleburne, Texas

A.H. Stuart, Contractor

This estimate as per contract and agreement amounting to  
TWENTY-FOUR THOUSAND DOLLARS (\$24,000).

Amount of Contract	\$49,143.00
Amount Previously Paid	<u>None</u>
Balance	\$49,143.00
Amount due this certificate	<u>24,000.00</u>
Balance due	\$25,143.00

APPROVED:

R. L. Lindsey, Engineer

A. H. Stuart, Contractor

APPROVED:

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

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

SECTION 1: That the foregoing Estimate No. 1 of A. H. Stuart, Contractor, pertaining to the aforementioned contract dated March 12, 1958, between the County of Johnson and said Contractor, is hereby in all things approved and allowed, it being hereby judicially and affirmatively found and determined that the aforesaid estimate is proper and constitutes evidence of benefits duly received by Johnson County in the full amount of said estimate, and that the same, to the amount of \$24,000 shall be paid and discharged by the County by the issuance, execution and delivery of "JOHNSON COUNTY, TEXAS, COURTHOUSE IMPROVEMENT WARRANTS", dated March 15, 1958, represented by Warrants Number 1 to 24, both inclusive, in denomination of \$1,000 each, aggregating the principal sum of \$24,000, maturing on March 15<sup>th</sup> in each of the years as follows: \$5,000 1960 to 1963, both inclusive, and \$4,000 1964.

SECTION 2: That the warrants hereinabove authorized to be executed and delivered are hereby found to be valid, subsisting obligations of Johnson County, Texas, and it is hereby specifically and affirmatively ADJUDGED AND DECREED that Johnson County, Texas, has received full value and consideration therefor, and that all things required by law in the issuance and delivery of said warrants have happened and have been performed in due time, form and manner as required by law. It is further affirmatively found that all services rendered under the contract hereinabove mentioned, and in payment of which said warrants are issued, have been examined and investigated by the Commissioners' Court of Johnson County, Texas, and have been found to be in all respects as provided for in the contract documents entered into by Johnson County, Texas, and A. H. STUART, Contractor. This judicial ascertainment is expressly made for the use and benefit of the prospective owners and holders of said warrants, the Attorney General of the State of Texas, and any other attorney who may pass upon the validity and legality of said warrants, and the same shall be binding upon Johnson County, Texas, the Commissioners' Court of said County, and the successors in office of the County Judge and members of the Commissioners' Court of said County.

SECTION 3: IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the County Judge, County Clerk and County Treasurer of Johnson County, Texas, shall carry out the provisions of this order by causing to be executed, sealed and

delivered the interest bearing time warrants hereinabove described, to the party hereinabove mentioned, and it is specifically provided that all acts of the above mentioned officials regarding the execution and delivery of said warrants hall be prima facie evidence that the official acts have been completed in all respects in the proper manner with which to give full validity to the warrants and cause the same to create a good, sufficient and valid obligation against Johnson County, Texas.

PASSED, APPROVED AND ADOPTED, this the 12<sup>th</sup> day of May, 1958.

H. G. Littlefair, County Judge,  
Johnson County, Texas  
W. M. Coward, Commissioner, Precinct Number 1  
S. W. Evans, Commissioner, Precinct Number 2  
J. L. Walters, Commissioner, Precinct Number 3  
M. W. Roland, Commissioner, Precinct Number 4

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ASSIGNMENT CERTIFICATE

THE STATE OF TEXAS                    ()  
COUNTY OF JOHNSON                    ()

THIS IS TO CERTIFY that A. H. STUART, Contractor, of Cleburne, Texas, has this day sold, transferred and delivered to - - - those certain registered county warrants issued to the said A. H. Stuart by the Commissioners' Court of Johnson County, Texas, pursuant to orders duly passed by said Court on the 12<sup>th</sup> day of March, 1958, and the 12<sup>th</sup> day of May, 1958, such warrants aggregating \$24,000, being warrants Numbers 1 to 24, both inclusive, in denomination of \$1,000 each, bearing interest at the rate of 4 ½% per annum, maturing on March 15<sup>th</sup>, in each of the years as follows: \$5,000 1960 to 1963, both inclusive, and \$4,000 1964.

THIS IS TO FURTHER CERTIFY that the said A. H. Stuart, the contractor mentioned in the aforesaid orders of the Commissioners' Court of Johnson County, Texas, has received the said warrants from the proper officials of Johnson County in due course, and that the said A. H. Stuart, Contractor, has received from - - - - full value and consideration for said warrants, and each of them, as evidenced by the signature and endorsement of said A. H. Stuart, Contractor, on the back of each of said warrants.

EXECUTED at Cleburne, Texas, this the 12 day of May, 1958.

A. H. Stuart, Contractor

BEFORE ME, the undersigned authority on this day personally appeared A. H. STUART, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 12 day of May, 1958.

(SEAL) Margaret Powell, Notary Public in and for  
Johnson County, Texas

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NO-LITIGATION CERTIFICATE OF DISTRICT CLERK

THE STATE OF TEXAS                   ()

COUNTY OF JOHNSON                   ()

I, the undersigned, Clerk of the District Court in and for Johnson County, Texas, DO HEREBY CERTIFY:

1. THAT NO SUITS HAVE BEEN FILED AND NO SUITS ARE NOW PENDING in said court to prevent the issuance of "JOHNSON COUNTY, TEXAS, COURTHOUSE IMPROVEMENT WARRANTS", dated March 15, 1958, in the total principal amount of \$49,000.
2. That there are NO SUITS OF ANY KIND filed in said Court in any way affecting said warrants.

WITNESS MY HAND AND SEAL OF SAID COURT this the 12 day of May, 1958.

(SEAL) Lillian Ashcraft, Clerk of the District  
Court, Johnson County, Texas

There being no further business court is hereby adjourned.

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COUNTY CLERK

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COUNTY JUDGE

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