

June 1, 1942

THE STATE OF TEXAS    ()

COUNTY OF JOHNSON    ()

BE IT REMEMBERED: That at a Special Meeting of the Commissioners' Court in and for Johnson County, State of Texas, held on the 1<sup>st</sup> day of June, A. D. 1942, the following members were present to-wit: Hon. Roy Anderson, County Judge; Commissioner Roy Wyatt, Precinct # 1; Commissioner H. Olin Hadley, Precinct # 2; Commissioner Dallas Thompson, Precinct # 3; Commissioner Grady Elliott, Precinct # 4; A. T. Griffin, County Clerk. Among other things they did the following:

UPON the motion of Commissioner Wyatt, seconded by Commissioner Thompson, it was ordered by the Court that all properly approved bills be approved and ordered paid. Commissioners Wyatt, Elliott, Hadley, Thompson voted "Aye", Carried.

UPON the motion of Commissioner Elliott, seconded by Commissioner Wyatt, it was ordered by the Court that the following resolution be adopted:

ORDER AUTHORIZING ISSUANCE OF COMMON SCHOOL DISTRICT NO. 34, OF JOHNSON COUNTY,  
TEXAS, REFUNDING BONDS.

THE STATE OF TEXAS    ()

COUNTY OF JOHNSON    ()

ON THIS the 1<sup>st</sup> day of June, 1942, the Commissioners' Court of Johnson County, Texas, convened in Special session, at the regular meeting place in the Courthouse at Cleburne, Texas, the following members of the Court, to-wit:

Roy Anderson, County Judge, presiding; and,

Roy Wyatt, Commissioner, Precinct No. 1;

H. O. Hadley, Commissioner, Precinct No. 2;

Dallas Thompson, Commissioner, Precinct No. 3;

G. T. Elliott, Commissioner, Precinct No. 4;

being present and in attendance, and, among other proceedings had by said Court were the following:

There came on to be considered the motion of Commissioner Elliott, seconded by Commissioner Wyatt, for the adoption by the Commissioners' Court of the following order for the issuance of refunding bonds of Common School District No. 34, of Johnson County, Texas, and for the levy of a tax sufficient to pay the interest thereon and to discharge and redeem the principal at maturity, which said order is as follows:

WHEREAS, it appearing to this Court that there is now outstanding against the present Common School District No. 34, of Johnson County, Texas, bonded indebtedness aggregating the principal sum of \$8,200.00, being described as follows:

\$3,600.00 Schoolhouse Bonds dated August 10, 1925, bearing 5 % interest, payable annually on August 10<sup>th</sup>, due serially \$150.00 on August 10<sup>th</sup> in each of the years from 1942 to 1965, inclusive, with option of redemption at any time after five (5) years from date, and being Bonds No. 17 to 40, inclusive, in denomination of \$150.00 each, and which bonds are parcel of a total authorized original issue of \$6,000.00, issued on the faith and credit of FRIENDSHIP COMMON SCHOOL DISTRICT No. 34, of Johnson County, Texas, pursuant to an order passed by the Commissioners' Court of Johnson County, Texas, on the 7<sup>th</sup> day of July, 1925; and,

\$4,600.00 Schoolhouse Bonds dated April 10, 1923, bearing 6% interest, payable annually on April 10<sup>th</sup>, due serially \$200.00 on April 10<sup>th</sup> in each of the years from 1941 to 1963, inclusive, without option of prior payment, and being Bonds Nos. 18 to 40, inclusive, in denomination of \$200.00 each, and which bonds are parcel of a total authorized original issue of \$8,000.00, issued on the faith and credit of COMMON SCHOOL DISTRICT NO. 34, of JOHNSON COUNTY, TEXAS, pursuant to an order passed by the Commissioners' Court of Johnson County, Texas, on the 9<sup>th</sup> day of April, 1923.

AND WHEREAS, the Board of District Trustees of the said COMMON SCHOOL DISTRICT No. 34 represents unto this Court that the aforesaid two series of bonds of bonds may be cancelled or refunded by the issuance of refunding bonds of said District, in the principal sum of \$8,200.00, bearing interest at the rates hereinafter prescribed, interest payable on April 10, 1943, and annually thereafter on April 10<sup>th</sup>, in each year, and the principal to be payable in serial annual installments on April 10<sup>th</sup> in each of the years 1944 to 1961, inclusive, as hereinafter stated; and,

WHEREAS, it appearing to this Court that there is now outstanding against the present COMMON SCHOOL DISTRICT NO. 34, of Johnson County, Texas, matured interest coupons aggregating the sum of \$408.00, being 11 Coupons Numbered 17 in the amount of \$12.00 each, aggregating \$132.00, attached to Bonds No. 30 to 40, inclusive, of the hereinabove described series dated April 10, 1923, and which said coupons matured on April 10, 1940, and being 23 Coupons Numbered 18 in the amount of \$12.00 each, aggregating \$276.00, attached to Bonds Nos. 18 to 40, inclusive, of the hereinabove described series dated April 10, 1923, and which said coupons matured on April 10, 1941; and,

WHEREAS, the Board of District Trustees of the said COMMON SCHOOL DISTRICT NO. 34 further represents unto this Court that the aforesaid matured interest coupons may be cancelled or refunded by the issuance of refunding bonds of said District, in the principal sum of \$400.00 bearing interest at the rate of 6% per annum, payable on April 10, 1943, and annually thereafter on April 10<sup>th</sup>, in each year, and the principal to be payable serially, \$200.00 April 10<sup>th</sup> in each of the years 1943 and 1944; and,

WHEREAS, this Court, upon due investigation, has ascertained and determined that none of the bonds hereinabove mentioned, and none of the hereinabove described matured interest coupons attached to such bonds, has been acquired or purchased as an investment for the sinking funds of such respective issue; therefore,

BE IT ORDERED BY THE COMMISSIONERS' COURT OF JOHNSON COUNTY, TEXAS:

I.

That under and by virtue of the Constitution and laws of the State of Texas, especially Section 3, of Article 7, of the Constitution, and Article 2789, of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 331, Acts 1935, Regular Session, bonds of said COMMON SCHOOL DISTRICT NO. 34, of JOHNSON COUNTY, TEXAS, in the aggregated sum of Eight Thousand Six Hundred Dollars (\$8,600.00), be issued in the name of said District, for the purpose of refunding , cancelling, and in lieu of the bonds and matured interest coupons hereinafter described.

II.

That said bonds shall be known as "Common School District No. 34, of Johnson County, Texas, Refunding Bonds," shall be numbered consecutively from One (1) to Forty-four (44), both inclusive, and shall be of the following denominations:

(a) Bonds Nos. 1 to 5, both inclusive, and Bonds Nos. 10, 12, 14, 16, 18, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34, 41 and 44 shall be in denomination of One Hundred Dollars (\$100.00) each; and,

(b) Bonds Nos. 6 to 9, both inclusive, Bonds Nos. 11, 13, 15, 17, 20, 23, 26, 29, and 32, Bonds Nos. 35 to 40, both inclusive, and Bonds Nos. 42 and 43 shall be in denomination of Three Hundred Dollars (\$300.00) each;

aggregating the sum of Eight Thousand Six Hundred Dollars (\$8,600.00)

III.

That said bonds shall be dated February 10, 1942, and shall become due and payable serially, in accordance with the following schedule:

BOND NUMBERS	DENOMINATIONS	MATURITY DATES	AMOUNTS
1-2	\$100.00	April 10, 1943	\$200.00
3-4-5	100.00	April 10, 1944	300.00
6	300.00	April 10, 1945	300.00

7	300.00	April 10, 1946	300.00
8	300.00	April 10, 1947	300.00
9	300.00 ()	April 10, 1948	400.00
10	100.00		
11	300.00 ()	April 10, 1949	400.00
12	100.00 ()		
13	300.00 ()	April 10, 1950	400.00
14	100.00 ()		
15	300.00 ()	April 10, 1951	400.00
16	100.00 ()		
17	300.00 ()	April 10, 1952	500.00
18-19	100.00 ()		
20	300.00 ()	April 10, 1953	500.00
21-22	100.00 ()		
23	300.00 ()	April 10, 1954	500.00
24-25	100.00 ()		
26	300.00 ()	April 10, 1955	500.00
27-28	100.00 ()		
29	300.00 ()	April 10, 1956	500.00
30-31	100.00 ()		
32	300.00 ()	April 10, 1957	500.00
33-34	100.00 ()		
35-36	300.00	April 10, 1958	600.00
37-38	300.00	April 10, 1959	600.00
39-40	300.00 ()	April 10, 1960	700.00
41	100.00 ()		
42-43	300.00 ()	April 10, 1961	700.00
44	100.00 ()		

PROVIDED, HOWEVER, that the said COMMON SCHOOL DISTRICT NO. 34, of JOHNSON COUNTY,

TEXAS, reserves the right to redeem said Bonds Nos. 29 to 44, both inclusive, or any of said bonds, at any time after their date by paying the principal and accrued interest, pursuant to notice in writing given of OFFICE OF THE TREASURER OF THE STATE OF TEXAS, AUSTIN, TEXAS (the paying agent named in each of said bonds), by the Secretary of the Board of Trustees, at least thirty (30) days before the date fixed for redemption, and should said bonds not be presented for redemption, pursuant to such notice, the same shall cease to bear interest from and after the date so fixed for redemption.

IV.

That said bonds shall bear interest from date until paid at the following rates per annum; that is to say- -

(a) Bonds Nos. 1 to 9, both inclusive, and Bonds Nos. 11, 13, 15, 17, 18, 20, 21, 23, 24, 26, 27, 29, 30, 32, and 33 shall bear interest at the rate of Six Per Centum (6%) per annum; and

(b) Bonds Nos. 10, 12, 14, 16, 19, 22, 25, 28, and 31, and Bonds Nos. 34 to 44, both inclusive, shall bear interest at the rate of Five Per Centum (5%) per annum; such interest to be evidenced by proper coupons attached to each of said bonds; and said interest shall be payable annually on April 10<sup>th</sup> in each year, first interest payment date being April 10, 1943.

V.

That both principal of and interest on said bonds shall be payable upon presentation and surrender of the bonds or proper coupons, in lawful money of the United States of America, at OFFICE OF THE TREASURER OF THE STATE OF TEXAS, AUSTIN, TEXAS.

VI.

That each of said bonds shall be signed by the County Judge of Johnson County, Texas, countersigned by the County Clerk of said County, and registered by the County Treasurer of said County, with the seal of the "Commissioners' Court" of said County affixed thereto, and the facsimile

signatures of the County Judge and County Clerk shall be lithographed or printed on the Coupons attached to said bonds, and shall have the same effect as if they had been signed by them.

VII.

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

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

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

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF JOHNSON

COMMON SCHOOL DISTRICT NO. 34, OF JOHNSON COUNTY,

TEXAS, REFUNDING BOND

COMMON SCHOOL DISTRICT NO. 34, of Johnson County, Texas, acknowledges itself of owe and,  
For Value Received, hereby promises to pay to bearer, the sum of

----- DOLLARS

(\$ \_\_\_\_\_), in lawful money of the United States of America, on the Tenth Day of April, 19\_\_\_\_, with  
interest thereon from the date hereof until paid at the rate of \_\_\_\_\_ (\_\_\_\_%) per annum, payable  
annually on April 10<sup>th</sup> in each year, first interest payment date being April 10, 1943, as evidenced by the  
coupons hereto attached.

BOTH PRINCIPAL of and interest on this bond are hereby made payable at OFFICE OF THE  
TREASURER OF THE STATE OF TEXAS, AUSTIN, TEXAS.

THIS BOND is one of a series, the authorized principal sum of which is Eight Thousand Six  
Hundred Dollars (\$8,600.00), numbered consecutively from One (1) to Forty-four (44), both inclusive, in  
denominations of One Hundred Dollars (\$100.00) and Three Hundred Dollars (\$300.00), issued by the  
Commissioners' Court of Johnson County, in the State of Texas, on the faith and credit of Common  
School District No. 34, of said County, for the purpose of refunding, cancelling and in lieu of Eight

Thousand Six Hundred Eight Dollars (\$8,608.00) of valid and subsisting indebtedness of said Common School District No. 34 evidenced by bonds and matured interest coupons outstanding against said District; and this bond is issued under and in strict conformity with the Constitution and laws of the State of Texas, particularly Section 3, Article 7, of the Constitution, and Article 2789, Revised Civil Statutes of Texas of 1925, as amended by Chapter 331, of the General Laws passed by the Forty-fourth Legislature, at its Regular Session in 1935, and in pursuance of an order duly passed and adopted by the Commissioners' Court of Johnson County, Texas, and entered of record upon the Minutes of said Court.

IN ADDITION to all other rights, the holder or holders of this bond and of the series 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.

AND IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things required to be done precedent to and in the issuance of this bond, have been properly done, happened and performed, in regular and due form as required by law, and that the amount of this issue of bonds does not exceed any constitutional or statutory limitation.

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 of said County, and the interest coupons hereto attached to be executed by the lithographed or printed facsimile signatures of said County Judge and County Clerk; the date of this bond, in conformity with the orders of the Commissioners' Court above mentioned, being the 10<sup>th</sup> day of February 1942.

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County Judge, Johnson County, Texas.

COUNTERSIGNED:

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County Clerk, Johnson County, Texas.



REGISTERED:

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

VIII.

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

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

ON THE TENTH DAY OF APRIL, 19\_\_\_\_,

COMMON SCHOOL DISTRICT NO. 34, of JOHNSON COUNTY, STATE OF TEXAS, promises to pay to bearer,  
in lawful money of the United States of America, at OFFICE OF THE TREASURER OF THE STATE OF TEXAS,  
AUSTIN, TEXAS, the sum of

----- DOLLARS,

being \_\_\_\_\_ months' interest due that day on its "COMMON SCHOOL DISTRICT NO. 34, of  
JOHNSON COUNTY, TEXAS, REFUNDING BOND, " dated February 10, 1942. Bond No. \_\_\_\_\_.

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

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

IX.

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

OFFICE OF COMPTROLLER,       ()

REGISTERED NO. \_\_\_\_\_.

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 it is a valid and binding obligation upon Common School District No. 34, of Johnson  
County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF OFFICE at Austin, Texas, this the \_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

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Comptroller of Public Accounts of  
the State of Texas.

X.

That said Bonds Nos. 1 to 4, both inclusive, shall be issued upon surrender of an in exchange for the matured interest coupons hereinabove described; Bonds Nos. 5 to 9, both inclusive, and Bonds Nos. 11, 13, 15, 17, 18, 20, 21, 23, 24, 26, 27, 29, 30, 32, and 33 shall be issued upon surrender of and in exchange for the original bonds dated April 10, 1923, hereinabove described; and, Bond Nos. 34 to 44, both inclusive, shall be issued upon surrender of and in exchange for the original bonds dated August 10, 1925, hereinabove described.

XI.

AND IT IS FURTHER ORDERED BY THE COMMISSIONERS' COURT that to pay the interest on said bonds and create a sinking fund sufficient to redeem them at maturity, a tax of Thirty-Five cents (35¢) on each one hundred dollars' valuation of taxable property in said Common School District No. 34 shall be annually levied on said property and annually assessed and collected, or so much thereof as shall be necessary, or in addition thereto as may be required, until said bonds with interest thereon have been fully paid; and the said tax of Thirty-Five Cents (35¢) is here and now levied for the current year, an so much thereof as shall be necessary, or in addition thereto as may be required, is hereby levied for each succeeding year while said bonds, or any of them, are outstanding, and the same shall be annually assessed and collected and applied to the purpose named.

XII.

Any surplus in the Sinking Fund Accounts of the two series of bonds hereby refunded, shall be passed to the credit of the Sinking Fund Accounts of said refunding bonds.

XIII.

AND IT IS FURTHER ORDERED BY THE COURT that the County Judge of said County shall be authorized to take and have charge of all necessary records pending investigation by the Attorney General, and shall take and have charge of the bonds herein authorized pending their approval by the Attorney General and registration by the State Comptroller.

The above and foregoing order having been read in full, the County Judge put the motion of Commissioner Elliott to a vote, and such motion carried by the following vote:

Commissioners Wyatt, Hadley, Thompson and Elliott voting "Aye"; and none voting "No."

MINUTES APPROVED, this the 1<sup>st</sup> day of June, 1942.

Roy Anderson, County Judge

J. R. Wyatt, Commissioner Precinct No. 1.

H. O. Hadley, Commissioner Precinct No. 2.

Dallas Thompson, Commissioner Precinct No. 3.

Grady T. Elliott, Commissioner Precinct No. 4.

UPON the motion of Commissioner Wyatt, seconded by Commissioner Thompson, it was ordered by the Court that the salary of Alf Bowers for the month of May be allowed and approved and that his salary continue until his work at the Fair Park is completed. Commissioners Wyatt, Hadley, Thompson, Elliott voted "Aye". Motion Carried.

UPON the motion of Commissioner Hadley, seconded by Commissioner Thompson, it was ordered by the Court that they recess, subject to the Call of the County Judge, Roy Anderson.

Attest: \_\_\_\_\_ County Clerk: \_\_\_\_\_ COUNTY JUDGE:

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