

THE STATE OF TEXAS) (

JULY 8, 1957

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 presents: H. G. Littlefair, County Judge, W. M. Coward, Commissioner of Precinct No. 1; S. W. Evans, Commissioner of Precinct No. 2; Jimmie L. Walters, Commissioner of Precinct No.3; M. W. Roland, Commissioner of Precinct No.4; Louis B. Lee, County Clerk, J. T. Epperson, Jr., County Auditor, Sam Man, and Mrs. Roberta Forgy.

A motion was made by Commissioner Evans and Seconded by Commissioner Roland, that all proper and endorsed bills against Johnson County be allowed and ordered paid, as presented and examined in open court. All voted aye

A motion was made by Commissioner Roland and Seconded by Commissioner Evans, that the financial report of the Johnson County Memorial Hospital for June 1957 be approved as presented and examined in court. All voted aye

A motion was made by Commissioner Evans and Seconded by Commissioner Coward, that the 2 million Road Ref. Bonds, Fund be closed and the amount of \$973.23 be transferred in equal shares to R & B Funds, Precinct 1,2,3 & 4, that is also be ordered that the Jail Bonds I & S Fund be closed and the amount of \$269.69 be transferred to the Courthouse & Jail Fund.

All voted aye

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ORDER AUTHORIZING THE ISSUANCE OF REFUNDING BONDS

THE STATE OF TEXAS) (

THE COUNTY OF JOHNSON) (

On this the 8th day of July, 1957, 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
- W. M. Coward Commissioner Precinct No. 1
- S. W. Evans, Commissioner Precinct No. 2
- J. L. Walters, Commissioner Precinct No. 3
- M. W. Roland, Commissioner Precinct No. 4,
- LOUIS B. LEE, County Clerk,

and, among other proceedings had were the following:

Commissioner W. M. Coward introduced an order and moved its adoption. The motion was seconded by Commissioner W. M. Roland. The motion, carrying with it the adoption of the order, prevailed by the following vote:

| | | |
|---------------------|---------------|--------------|
| AYES: Commissioners | W. M. Coward | S. W. Evans |
| | J. L. Walters | M. W. Roland |

NOES: None

The County Judge announced that the order had been finally passed. The order is as follows:

WHEREAS, the Commissioners Court of Johnson County, Texas, has heretofore authorized the issuance of JOHNSON COUNTY ROAD AND BRIDGE WARRANTS, SERIES OF 1956, dated April 1, 1956, Numbers 1 to 100, inclusive, of the denomination of \$1,000 each, aggregating \$100,000.00, bearing 3 ½% interest per annum, and maturing on April 1st, \$10,000 in each of the years 1966 to 1975 inclusive, of which issue there are now outstanding and unpaid warrants Nos 1 to 20, inclusive, 31, and 41 to 100, inclusive, aggregating \$81,000.00; and

WHEREAS, the Commissioners Court deems it advisable and to the best interest of said County to cancel \$80,000.00 of the above described outstanding warrants by the issuance of refunding bonds in lieu thereof, the warrants to be so refunded being Warrants Nos. 1 to 20, inclusive, and 41 to 100, inclusive; and

WHEREAS, the County Judge has been 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 of general circulation published in said County, and 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 July 8, 1957, the date set for the passage of the order authorizing the issuance of the refunding bonds; 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;

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

I.

That the bonds of said County of Johnson, to be known as JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BONDS, SERIES OF 1957, be issued under and in strict conformity with the Constitution and Laws of the State of Texas, in the principal sum of Eighty Thousand (\$80,000.00) dollars, 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 form 1 to 80, inclusive, and shall be of the denomination of One Thousand (\$1,000.00) dollars each, aggregating Eight Thousand (\$80,000.00) dollars.

III.

That said bonds shall bear interest from date until paid at the rate of three and one-half (3 ½%) per cent per annum, interest payable July 15, 1958, and semi-annually thereafter on January 15th, and July 15th, in each year; that 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 a the Mercantile National Bank at Dallas, Dallas, Texas, without exchange or collection charges to the owner or holder.

IV.

That said bonds shall be dated July 15, 1957, and shall become due and payable as follows:

| BOND NUMBERS (Inclusive) | MATURITY DATES | AMOUNTS |
|-----------------------------|----------------|----------|
| 1 - 5 | July 15, 1959 | \$ 5,000 |
| 6 - 10 | July 15, 1960 | 5,000 |
| 11 - 15 | July 15, 1961 | 5,000 |
| 16 - 20 | July 15, 1962 | 5,000 |
| 21 - 30 | July 15, 1963 | 10,000 |
| 31 - 40 | July 15, 1964 | 10,000 |
| 41 - 55 | July 15, 1965 | 15,000 |
| 56 - 80 | July 15, 1966 | 25,000 |

The Commissioners Court hereby affirmatively adjudges and decrees 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 the form of said bonds shall be substantially as follows: No. _____ \$1,000

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF JOHNSON

JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BOND, SERIES OF 1957

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 15th day of July 19__, with interest thereon from date hereof at the rate of three and one-half (3 $\frac{1}{2}$ %) per cent per annum, interest payable July 15, 1958, and semi-annually thereafter on January 15th and July 15th in each year, as evidenced by proper coupons attached hereto, 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, without exchange or collection charges to the owner or holder.

THIS BOND is one of a series of eighty (80) bonds, numbered consecutively from one (1) to eighty (80), inclusive, of the denomination of One thousand (\$1,000.00) dollars each, aggregating eighty thousand (\$80,000.00) dollars, issued for the purpose of refunding, canceling and in lieu of a like par amount of outstanding indebtedness of Johnson County, Texas, 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 by the Commissioners court of Johnson County, Texas, which order is duly recorded in the Minutes of said Court.

The date of this bond, in conformity with the order above referred to, is July 15, 1957.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to an 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 prompt payment of the principal of and interest on these bonds at maturity; that due provisions 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 holder 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 and its appurtenant coupons to be executed with the imprinted facsimile signatures of the County Judge and Count 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, Vernon's Civil Statutes of Texas, 1925, as amended.

County Judge, Johnson County, Texas

County Clerk, Johnson County, Texas

REGISTERED:

County Treasurer, Johnson County, Texas

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

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 above provided, all in accordance with the provisions of Article 717j, Vernon's Civil Statutes of Texas, 1925, as amended.

IX.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY the Commissioners Court of Johnson 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 \$100.00 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 at maturity, and there is hereby levied for the year 1957 out of the Constitutional Road and Bridge Tax of said County, 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 any 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 to 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 (2%) per cent 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 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 and control 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 McClung & Knickerbocker, or their duly authorized agent, in installments or otherwise, the obligations hereby refunded, and, after cancellation thereof, register a like amount of the bonds herein authorized and deliver same to McClung & Knickerbocker, or their agent.

PASSED AND APPROVED, this 8th day of July, 1957.

H. G. Littlefair,

County Judge

W. M. Coward

Commissioner Precinct No. 1

S. W. Evans

Commissioner Precinct No. 2

J. L. Walters

Commissioner Precinct No. 3

M. W. Roland

Commissioner Precinct No. 4

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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 8th day of July, 1957, authorizing the issuance of JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BONDS, in the maximum amount of \$80,000.00, for the purpose of refunding, canceling and in lieu of a like amount of Johnson County Road and Bridge Warrants, Series of 1956, dated April 1, 1956; said Refunding Bonds to bear interest at a rate not to exceed three and one-half (3 ½%) per cent per annum, and to mature over a period of years not to exceed fifteen (15) years from their date.

THIS NOTICE is given in pursuance of an order passed by the Commissioner's Court of Johnson County, Texas, on the 1st day of June, 1957.

H. G. Littlefair, County Judge

(SEAL)

Johnson County, Texas

I FURTHER CERTIFY that no election has been held in said county on the question of the further re-allocation of County taxes since said 6th day of March, 1954.

WITNESS MY HAND and the seal of the Commissioners Court, this the 8th day of July, 1957.

(SEAL) Louis B. Lee, County Clerk and Ex-Officio Clerk
of the Commissioners Court, Johnson County, Texas

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THE STATE OF TEXAS) (
COUNTY OF JOHNSON) (

We, the undersigned authorities, do hereby certify that none of the warrants being refunded by the \$80,00 JOHNSON COUNTY ROAD AND BRIDGE REFUNDING BONDS, SERIES OF 1957, were ever held in or purchased by the sinking fund created for the payments 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; and that there is no money in said sinking fund with which to pay the principal 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 OURHANDS and the seal of the Commissioners Court of Johnson County, Texas, this the 8th day of July, 1957.

(SEAL) Louis B. Lee, County Clerk
Johnson County, Texas

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STATEMENT OF INDEBTEDNESS

THE STATE OF TEXAS) (
COUNTY OF JOHNSON) (

I, the undersigned, County Treasurer of Johnson County, Texas, DO HEREBY CERTIFY that the foregoing is a true and correct statement of all indebtedness of said County now outstanding against the Road and Bridge Fund of said County;

I. OUTSTANDING BONDS:

| PURPOSE | DATE | INT. RATE | DUE | AMOUNT OUTSTDG. |
|--------------|------------|-----------|---------------------|-----------------|
| R & B Refdg. | | | | |
| Series 1 | 6-20-1948 | 3 ½% | \$17,000 6-20-1958 | \$17,000 |
| R & B Refdg. | 2- 1-1951 | 3 ½% | \$17,000 2- 1-1959 | |
| | | | \$18,000 1960 | |
| | | | 15,000 1961 | \$50,000 |
| R & B Refdg. | 11-15-1952 | 3 ½% | \$ 5,000 11-15-1961 | |
| | | | 20,000 1962 | \$25,000 |
| R & B Refdg. | 7- 1- 1955 | 3 ½% | \$ 7,000 7-1 -1963 | |
| | | | 8,000 1964 | |
| | | | 10,000 1965 | \$25,000 |

II. OUTSTANDING WARRANTS:

| | | | | |
|-------|-------------|------|-----------------------|----------|
| R & B | 4- 1 - 1956 | 3 ½% | \$10,000 4- 1-1966/67 | |
| | | | 1,000 1969 | |
| | | | 10,000 1970/75 | \$81,000 |

III. PROPOSED BONDS:

| | | | | |
|--------------|------------|------|------------------------|----------|
| R & B Refdg. | 7 -15-1957 | 3 ½% | \$ 5,000 7 -15-1959/62 | |
| | | | 10,000 1963/64 | |
| | | | 15,000 1965 | |
| | | | 25,000 1966 | \$80,000 |

WITNESS MY OFFICIAL SIGNATURE, this the 8 day of July, 1957.

Eula L. Higgins, County Treasurer,
Johnson County, Texas

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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 value of property in said County for the year 1956, as shown by the tax rolls of said County for said year, the same being the last approved tax rolls of Johnson County, Texas, is \$23,469.030.

WITNESS MY HAND and seal of office, this the 8th day of July, 1957.

Dennis McWilliams, Tax Ass'r-Co.

Tax Assessor-Collector, Johnson County, Texas

By J. P. Seroyer, Deputy

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(SEAL)