

THE STATE OF TEXAS :  
COUNTY OF VAN ZANDT :  
CITY OF CANTON :

On this the 8 day of Jan, 1962, the City Council of the City of Canton, Texas, convened in Special Meeting, with the following members present, to-wit:

Sam Hilliard, Mayor,  
B. R. Mahaffey, :  
John H. Reynolds, :  
Harvey Fincher, : Aldermen,  
J. W. Barron, Sr., :  
C. T. Coleman, :  
Ardenia Steed, City Secretary,

with the following absent: none, constituting a quorum, at which time the following proceedings were had:

Alderman Coleman introduced an ordinance and moved that it be passed. The motion was seconded by Alderman Fincher. The motion carrying with it the passage of the ordinance prevailed by the following vote:

AYES: Aldermen Mahaffey, Reynolds, Fincher, Barron and Coleman, and Mayor Hilliard.

NOES: None.

The ordinance as passed is as follows:

#### AN ORDINANCE

PROVIDING FOR THE ISSUANCE OF CITY OF CANTON, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 1962, IN THE PRINCIPAL AMOUNT OF \$177,000.00.

WHEREAS, the City Council has heretofore determined that it is to the best interest of the City and of its citizens that it issue revenue bonds of said City for the purpose of refunding outstanding Waterworks and Sewer Improvement and Extension Revenue Bonds and for the purpose of improving and extending the City's Sewer System; and

WHEREAS, pursuant to such determination the City Council of the City of Canton, Texas, adopted a resolution on the 18th day of April, 1961, calling an election on the following propositions:

PROPOSITION NO. 1

"Shall the City Council of the City of Canton, Texas, be authorized to issue the bonds of said City in the amount of \$40,000.00, maturing serially in such installments as may be fixed by the City Council, the maximum maturity being not more than Forty (40) years from their date, bearing interest at a rate not to exceed Six per cent (6%) per annum, for the purpose of refunding the presently outstanding \$40,000.00 of City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, dated February 10, 1948, to be issued in accordance with and secured in the manner provided in Articles 1111-1118, both inclusive, of the Revised Civil Statutes of Texas, 1925, as amended and supplemented, each such bond to be conditioned that the holder thereof shall never have the right to demand payment of said obligation out of funds raised or to be raised by taxation, secured by a pledge of the net revenues derived from the City's Waterworks and Sewer System."

PROPOSITION NO. 2

"Shall the City Council of the City of Canton, Texas, be authorized to issue the bonds of said City in the amount of \$140,000.00, maturing serially in such installments as may be fixed by the City Council, the maximum maturity being not more than Forty (40) years from their date, bearing interest at a rate not to exceed Six per cent (6%) per annum, for the purpose of improving and extending the City's Sewer System, to be issued in accordance with and secured in the manner provided in Articles 1111-1118, both inclusive, of the Revised Civil Statutes of Texas, 1925, as amended and supplemented, each bond to be conditioned that the holder thereof shall never have the right to demand payment of said obligation out of funds raised or to be raised by taxation, secured by a pledge of the net revenues derived from the City's Waterworks and Sewer System."

WHEREAS, at an election held in said City on the 9th day of May, 1961, a majority of the resident, qualified electors who own taxable property in said City and who had duly rendered the same for taxation, voting at said election, sustained the propositions to issue said bonds by the following votes:

PROPOSITION NO. 1

"FOR THE ISSUANCE OF WATERWORKS AND SEWER SYSTEM REFUNDING REVENUE BONDS"	69 Votes;
"AGAINST THE ISSUANCE OF WATERWORKS AND SEWER SYSTEM REFUNDING REVENUE BONDS"	4 Votes;

PROPOSITION NO. 2

"FOR THE ISSUANCE OF SEWER SYSTEM IMPROVEMENT AND EXTENSION REVENUE BONDS"	69 Votes;
"AGAINST THE ISSUANCE OF SEWER SYSTEM IMPROVEMENT AND EXTENSION REVENUE BONDS"	4 Votes;

WHEREAS, since the aforesaid bonds were voted, Bonds Nos. 33 through 35, both inclusive, due October 10, 1961, in the denomination of \$1,000.00 each, aggregating \$3,000.00 of that issue of City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, have been paid off and cancelled and no longer require refunding; and

WHEREAS, it is necessary for the City to issue refunding bonds for the purpose of refunding the \$37,000.00 of presently remaining outstanding City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, dated February 10, 1948, by issuing \$37,000.00 of the \$40,000.00 refunding bonds voted under Proposition No. 1 stated above, with the remaining \$3,000.00 thereof not to be issued; and

WHEREAS, it is necessary for the City to issue all of the \$140,000.00 sewer improvement and extension revenue bonds voted under Proposition No. 2 stated above; and

WHEREAS, the City Council has determined to combine all of the above described bonds being issued in a single issue of revenue bonds to be secured in the same manner;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS:

1. AUTHORIZATION OF BONDS. That for the purpose of refunding the presently outstanding \$37,000.00 of City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, dated February 10, 1948, and to provide \$140,000.00 for the purpose of improving and extending the City's Sewer System, there shall be issued "City of Canton, Texas, Waterworks and Sewer System Revenue Bonds, Series 1962," aggregating One Hundred Seventy Seven Thousand Dollars (\$177,000.00).

2. DATE; DENOMINATION; PLACES OF PAYMENT. That said Bonds shall be dated January 1, 1962; shall be of the denomination of One Thousand Dollars (\$1,000.00) each; shall be numbered consecutively from One (1) to One Hundred Seventy Seven (177), both inclusive; and the principal thereof and interest thereon shall be payable in lawful money of the United States of America at the Republic National Bank of Dallas, Dallas, Texas, or, at the option of the holder, at the First National Bank, Canton, Texas, without exchange or collection charges to the owner or holder thereof.

3. MATURITIES. Said Bonds shall mature serially as follows:

<u>BOND NUMBERS</u>	<u>MATURITY DATES</u>	<u>AMOUNTS</u>
1 to 3, both inclusive,	January 1, 1963	\$ 3,000.00
4 to 7, " "	January 1, 1964	4,000.00
8 to 12, " "	January 1, 1965	5,000.00
13 to 17, " "	January 1, 1966	5,000.00
18 to 22, " "	January 1, 1967	5,000.00
23 to 27, " "	January 1, 1968	5,000.00
28 to 32, " "	January 1, 1969	5,000.00
33 to 37, " "	January 1, 1970	5,000.00
38 to 42, " "	January 1, 1971	5,000.00
43 to 48, " "	January 1, 1972	6,000.00
49 to 54, " "	January 1, 1973	6,000.00
55 to 60, " "	January 1, 1974	6,000.00
61 to 67, " "	January 1, 1975	7,000.00
68 to 74, " "	January 1, 1976	7,000.00
75 to 81, " "	January 1, 1977	7,000.00
82 to 89, " "	January 1, 1978	8,000.00
90 to 97, " "	January 1, 1979	8,000.00
98 to 107, " "	January 1, 1980	10,000.00
108 to 117, " "	January 1, 1981	10,000.00
118 to 127, " "	January 1, 1982	10,000.00
128 to 137, " "	January 1, 1983	10,000.00
138 to 147, " "	January 1, 1984	10,000.00
148 to 157, " "	January 1, 1985	10,000.00
158 to 167, " "	January 1, 1986	10,000.00
168 to 177, " "	January 1, 1987	10,000.00

4. OPTION OF REDEMPTION. In Bonds Numbers Eighty Two (82) to One Hundred Seventy Seven (177), both inclusive, the City reserves the option of calling each such bond for redemption prior to maturity, on January 1, 1977, or on any interest payment date thereafter, at par and accrued interest to date so fixed for redemption, plus a premium of 2-1/2% of the principal amount of each Bond so called. Thirty days' notice of such redemption shall be given in writing to the banks of payment and notice of such redemption shall be published in a financial publication published in the City of New York, New York. Said notice shall appear in said publication in at least one issue, the date of said issue being not less than thirty days prior to the date so fixed for redemption. If any such bond is called for redemption in said manner and if funds sufficient to pay the redemption price shall have been duly placed in the banks of payment by the date fixed for redemption, it shall not thereafter bear interest. If on any occasion fewer than all of the optional bonds are called for redemption, they shall be called in their inverse numerical order.

5. INTEREST RATES. Said Bonds shall bear interest at the following rates:

Bonds Nos. 1 to 37, both inclusive, 3-1/2% per annum;  
Bonds Nos. 38 to 74, both inclusive, 4-1/4% per annum;  
Bonds Nos. 75 to 177, both inclusive, 4-1/2% per annum;

evidenced by coupons payable January 1, 1963, and semi-annually thereafter on July 1 and January 1 of each year.

6. EXECUTION OF BONDS AND COUPONS. Each of said Bonds and interest coupons shall be signed by the imprinted or lithographed facsimile signature of the Mayor of the City and countersigned by the imprinted or lithographed facsimile signature of the City Secretary, and the official seal of the City shall be impressed, or printed, or lithographed on each of said Bonds.

7. FORM OF BOND. The form of said Bonds shall be substantially as follows:

NO. \_\_\_\_\_ \$ 1,000.00

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF VAN ZANDT  
CITY OF CANTON  
WATERWORKS AND SEWER SYSTEM REVENUE BOND  
SERIES 1962

The City of Canton, in the County of Van Zandt, State of Texas, a municipal corporation duly incorporated under the laws of the State of Texas, for value received, hereby promises to pay to bearer hereof on the 1st day of January, 19\_\_\_\_, the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, with interest thereon from date hereof at the rate of \_\_\_\_\_ per cent (\_\_\_\_\_) per annum, evidenced by coupons payable January 1, 1963, and semi-annually thereafter on July 1 and January 1 of each year, both principal and interest payable upon presentation and surrender of bond or proper interest coupons at the Republic National Bank of Dallas, Dallas, Texas, or, at the option of the holder, at the First National Bank, Canton, Texas, without exchange or collection charges to the owner or holder thereof.

This bond is one of a series of bonds of like tenor and effect, except as to number, interest rate, maturity, and right of prior redemption, numbered One (1) to One Hundred Seventy Seven (177), both inclusive, of the denomination of One Thousand Dollars (\$1,000.00) each, aggregating One Hundred Seventy Seven Thousand Dollars (\$177,000.00), issued by the City of Canton,

Texas, for the purpose of refunding the presently outstanding \$37,000.00 of City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, dated February 10, 1948, and to provide \$140,000.00 for the purpose of improving and extending the City's Sewer System, in accordance with the Constitution and Laws of the State of Texas, including Articles 1111-1118, both inclusive, Revised Civil Statutes of Texas, 1925, as amended and supplemented, and pursuant to an ordinance passed by the City Council of the City of Canton, Texas, duly recorded in the minutes of said City Council.

In addition to all other rights, the holder or holders of the refunding bonds of this issue shall be subrogated to all of the rights of the holder or holders of the bonds being refunded thereby.

The date of this bond, in conformity with the ordinance above mentioned, is January 1, 1962.

\*(The City reserves the option of calling this bond for redemption prior to maturity, on January 1, 1977, or on any interest payment date thereafter, at par and accrued interest to date so fixed for redemption, plus a premium of 2-1/2% of the principal amount of this bond. Thirty days' notice of such redemption shall be given in writing to the banks of payment, and notice of such redemption shall be published in a financial publication published in the City of New York, New York. Said notice shall appear in said publication in at least one issue, the date of said issue being not less than thirty days prior to the date so fixed for redemption. If this bond is called for redemption in said manner and if funds sufficient to pay the redemption price shall have been duly placed in the banks of payment by the date fixed for redemption, it shall not thereafter bear interest. If on any occasion fewer than all of the optional bonds are called for redemption, they shall be called in their inverse numerical order.)

The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. Each successive holder of this bond, and each successive holder of each of the coupons hereto attached, is conclusively presumed to forego and renounce his equities in favor of subsequent holders for value without notice and agree that this bond, and each of the coupons hereto attached, may be negotiated by delivery

by any person having possession hereof, howsoever such possession may have been acquired and that any holder who shall have taken this bond or any of the coupons from any person for value and without notice, thereby has acquired absolute title thereto, free from any defenses enforceable against any prior holder and free from all equities and claims of ownership of any such prior holder. The City of Canton and its officials and the paying agents hereinabove named shall not be affected by any notice to the contrary.

AND IT IS HEREBY CERTIFIED AND RECITED that the issuance of this bond and the series of which it is a part is duly authorized by law and by the favorable vote of a majority of the resident, qualified electors who own taxable property in said City and who had duly rendered the same for taxation, voting at an election held for that purpose within said City; that all acts, conditions, and things required to exist precedent to and in the issuing of this bond to render the same lawful and valid have been properly done, have happened and been performed in regular and due time, form, and manner as required by the Constitution and laws of the State of Texas, and the ordinance hereinabove mentioned, and that this series of revenue bonds does not exceed any constitutional or statutory limitation, and that this bond, and the series of which it is a part, and the interest thereon, are secured by and payable from a first lien on and pledge of the Net Revenues of the Waterworks and Sewer System of the City of Canton, Texas.

The City reserves the right, subject to the conditions set forth in the ordinance authorizing this issue of bonds, to issue additional revenue bonds, which will be secured by and payable from a first lien on and pledge of the Net Revenues of said Waterworks and Sewer System, and which will be on a parity and of equal dignity in all respects with this issue of bonds.

IN WITNESS WHEREOF, this bond and the interest coupons attached hereto have been signed by the imprinted or lithographed facsimile signature of the Mayor of said City and countersigned by the imprinted or lithographed facsimile signature of the City Secretary, and the official seal of said City has been duly impressed, or printed, or lithographed on this bond.

COUNTERSIGNED:

\_\_\_\_\_  
Mayor, City of Canton, Texas.

\_\_\_\_\_  
City Secretary, City of Canton, Texas.

\*(This paragraph shall appear only in Bonds Nos. 82 to 177, both inclusive.)

8. FORM OF COUPON. The form of said coupons shall be substantially as follows:

NO. \_\_\_\_\_ \$ \_\_\_\_\_  
ON THE 1ST DAY OF \_\_\_\_\_, 19\_\_\_\_

The City of Canton, Texas, out of revenues specified in the bond to which this coupon is attached, will pay to the bearer \*(unless the bond to which this coupon is attached shall have been previously called for redemption as therein provided and provision for the redemption thereof made), at the Republic National Bank of Dallas, Dallas, Texas, or, at the option of the holder, at the First National Bank, Canton, Texas, without exchange or collection charges to the owner or holder hereof, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), in lawful money of the United States of America, said sum being interest due that day on "City of Canton, Texas, Waterworks and Sewer System Revenue Bond, Series 1962," bearing the number hereinafter specified, dated January 1, 1962. The holder hereof shall never have the right to demand payment of this obligation out of funds raised or to be raised by taxation.  
Bond No. \_\_\_\_\_

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

\*(This parenthetical expression shall be printed only in coupons which are to become due after January 1, 1977.)

9. COMPTROLLER'S CERTIFICATE. The form of Comptroller's Certificate, which shall be printed on the back of each bond, shall be substantially as follows:

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 it is a valid and binding special obligation of the City of

Canton, Texas, payable from the revenues pledged to its payment by and in the ordinance authorizing same, and said bond has this day been registered by me.

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

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

10. DEFINITIONS. (a) The term "System," as used in this ordinance, shall mean, include, and consist of the City's Waterworks System and the City's Sewer System, including all present and future improvements, extensions, enlargements, and additions thereto, and replacements thereof.

(b) The term "Net Revenues," as used in this ordinance, shall mean the gross revenues of the System, after deducting the expenses of operation and maintenance, including all salaries, labor, materials, repairs, and extensions necessary to render efficient service, provided, however, that only such repairs and extensions, as in the judgment of the City Council reasonably and fairly exercised, as are necessary to keep the System in operation and render adequate service to the City and the inhabitants thereof, or such as might be necessary to meet some physical accident or condition which would otherwise impair the Bonds authorized by this ordinance and the Additional Bonds permitted to be issued under Section 21 hereof, shall be deducted in determining "Net Revenues." Depreciation and payments into the Interest and Sinking Fund, the Reserve Fund, and the Emergency Fund hereinafter created, shall never be considered as expenses of operation and maintenance.

(c) The term "Bonds" shall mean the \$177,000.00 of Bonds authorized by this ordinance.

(d) The term "Additional Bonds" shall mean the additional bonds which the City reserves the right to issue under Section 21 of this ordinance.

11. PLEDGE. The Net Revenues of the System, in an amount sufficient and required to establish and maintain the Funds hereinafter provided for, are hereby irrevocably pledged for the payment of the Bonds and Additional Bonds, if issued under the conditions and in the manner specified in this ordinance, and the interest thereon, and it is hereby ordained that the Bonds, and the Additional Bonds, if so issued, and the interest thereon, shall be and are hereby secured by a first lien upon the Net Revenues of the System.

12. RATES. The City covenants and agrees with the holders of the Bonds and Additional Bonds, if and when issued:

(a) That it will at all times fix, maintain, charge, and collect for services rendered by the System, rates which will produce gross revenues at least sufficient to pay all operation and maintenance expenses and sufficient to provide Net Revenues adequate to pay promptly all of the principal of and interest on all the Bonds and Additional Bonds, if issued, and to make all deposits now or hereafter required to be made into the Funds established by this ordinance.

(b) If the System should become legally liable for any other indebtedness, the City shall fix and maintain additional rates and collect charges for the services of the System sufficient to establish and maintain funds for the payment thereof.

13. FUNDS. All revenues derived from the operation of the System shall be kept separate from other funds of the City. To that end, the following special Funds are hereby created and shall be established and maintained, so long as any of the Bonds and Additional Bonds, if issued, are outstanding, in the depository bank of the City:

(a) City of Canton Waterworks and Sewer System Revenue Fund, hereinafter called "Revenue Fund";

(b) City of Canton Waterworks and Sewer System Revenue Bonds Interest and Sinking Fund, hereinafter called "Interest and Sinking Fund";

(c) City of Canton Waterworks and Sewer System Revenue Bonds Reserve Fund, hereinafter called "Reserve Fund";

(d) City of Canton Waterworks and Sewer System Emergency Fund, hereinafter called "Emergency Fund."

14. REVENUE FUND. All gross revenues of every nature received from the operation of the System shall be deposited from day to day as collected into the Revenue Fund, and the reasonable, necessary, and proper expenses of operating and maintaining the System shall be paid from the Revenue Fund upon approval by the City Council. The revenues of the System not actually required to pay said expenses shall be deposited from the Revenue Fund into the other Funds established by this ordinance as hereinafter provided, and each of such Funds shall have priority as to such deposits in the order in which they are treated in the following sections.

15. INTEREST AND SINKING FUND. On or before January 15, 1962, and on or before the 15th day of each month thereafter to and including December 15, 1962, the City shall deposit into the Interest and Sinking Fund an amount of money not less than one-twelfth ( $1/12$ ) of the next maturing principal and interest of the Bonds. On or before January 15, 1963, and on or before the 15th day of each month thereafter, the City shall deposit into the Interest and Sinking Fund an amount of money not less than one-sixth ( $1/6$ ) of the next maturing interest and one-twelfth ( $1/12$ ) of the next maturing principal of the Bonds. All amounts received from the Purchaser of Bonds Nos. 38 to 177, both inclusive, as interest accrued thereon to date of delivery, shall be placed in the Interest and Sinking Fund, which shall reduce by such amount the sums which would otherwise be required to be placed into the Interest and Sinking Fund from the Net Revenues of the System. The Interest and Sinking Fund shall be used to pay the principal of and interest on the Bonds and the Additional Bonds, if issued, as the same come due.

16. RESERVE FUND. On or before January 15, 1962, and on or before the 15th day of each month thereafter, the City shall deposit into the Reserve Fund an amount of money not less than \$175.00, until such time as the Reserve Fund shall contain the amount of \$13,500.00. No deposits shall be required to be made into the Reserve Fund so long as the Reserve Fund shall contain the amount of \$13,500.00, but whenever said Reserve Fund is reduced below that amount, the aforesaid monthly deposits into the Reserve Fund shall be resumed and continued until such time as the Reserve Fund has been restored to the amount of \$13,500.00. The Reserve Fund shall be used to pay the principal of or interest on the Bonds and the Additional Bonds, if issued, at any time when there is not sufficient money available in the Interest and Sinking Fund for such purpose. Money in the Reserve Fund may, upon authorization by the City Council, be invested in direct obligations of the United States of America having maturities not in excess of five years from the date of the making of such investment. Any obligation in which money is so invested shall be kept in the depository bank of the City, and shall be promptly sold and the proceeds of sale applied to the making of payments required to be made from the Reserve Fund, whenever such payments are necessary to be made under this Section. The

deposits into the Reserve Fund shall be subordinate to those required to be made into the Interest and Sinking Fund.

17. EMERGENCY FUND. On or before January 15, 1962, and on or before the 15th day of each month thereafter, the City shall deposit into the Emergency Fund an amount of money not less than \$65.00, until such time as the Emergency Fund shall contain the amount of \$6,000.00. No deposits shall be required to be made into the Emergency Fund so long as the Emergency Fund shall contain the amount of \$6,000.00, but whenever said Emergency Fund is reduced below that amount, the aforesaid monthly deposits into the Emergency Fund shall be resumed and continued until such time as the Emergency Fund has been restored to the amount of \$6,000.00. The Emergency Fund shall be used to pay the cost of any repairs or extensions to the System authorized by Article 1113, Revised Civil Statutes of Texas, 1925, as amended, and for the payment of which no other funds are available. Also, the Emergency Fund shall be used to pay the principal of or interest on the Bonds and the Additional Bonds, if issued, at any time when there are not sufficient amounts in the Interest and Sinking Fund and the Reserve Fund for such purpose. Money in the Emergency Fund may, upon authorization by the City Council, be invested in direct obligations of the United States of America, having maturities not in excess of five years from the date of the making of such investment. Any obligation in which money is so invested shall be kept in the depository bank of the City, and shall be promptly sold and the proceeds of sale applied to the making of payments required or permitted to be made from the Emergency Fund, whenever such payments are necessary to be made under this Section. The deposits into the Emergency Fund shall be subordinate to those required to be made into the Interest and Sinking Fund and the Reserve Fund.

18. DEFICIENCIES IN FUNDS. If in any month the City shall fail to pay into the Interest and Sinking Fund or Reserve Fund or Emergency Fund the full amounts at any time required by this ordinance, amounts equivalent to such deficiencies shall be set apart and paid into said Funds from the first available and unallocated Net Revenues of the following month or months, and such payments shall be in addition to the amounts hereinabove provided to be otherwise paid into said Funds during such month or months. To

the extent necessary the City shall increase the rates and charges for services of the System to make up for any such deficiencies.

19. EXCESS REVENUES. The Net Revenues of the System, in excess of those required to establish and maintain the Funds as above required, or as hereafter may be required in connection with the issuance of Additional Bonds, may be used for any lawful purpose.

20. SECURITY FOR BONDS. All Funds created by this ordinance shall be secured in the manner and to the fullest extent permitted by Law for the security of public funds, and such Funds shall be used only for the purposes permitted in this ordinance.

21. ADDITIONAL BONDS. The City also reserves the right to issue Additional Bonds which, when issued, shall be secured by and payable from a first lien on and pledge of the Net Revenues of the System, in the same manner and to the same extent as are the Bonds authorized by this ordinance, and the Bonds and Additional Bonds, if issued, shall in all respects be on a parity and be of equal dignity. The Additional Bonds may be issued in one or more installments or series, provided, however, that no installment or series of Additional Bonds shall be issued unless:

(a) The Interest and Sinking Fund and the Reserve Fund each contains the amount then required to be on deposit therein;

(b) A report by an independent Certified Public Accountant shows that the Net Revenues of the System, for any twelve consecutive calendar month period ending not more than sixty days prior to the passage of the ordinance authorizing the issuance of such Additional Bonds, were equal to at least one and one-half (1-1/2) times the combined principal and interest requirements on all then outstanding Bonds and Additional Bonds, and on the installment or series of Additional Bonds then proposed to be issued, during the year in which said requirements are scheduled to be the greatest;

(c) A competent independent engineer certifies in writing his opinion as to the annual gross revenues, expenses of operation and maintenance, and Net Revenues of the System through the life of the Bonds and the Additional Bonds, and such opinion is that the average annual Net Revenues of the System will be at least one and one-half (1-1/2) times the combined

principal and interest requirements on the then outstanding Bonds and Additional Bonds, and on the installment or series of Additional Bonds then proposed to be issued, during the year in which said requirements are scheduled to be the greatest;

(d) The Additional Bonds are made to mature on January 1 of each of the years in which they are scheduled to mature;

(e) The Additional Bonds shall have been voted in accordance with law.

22. MAINTENANCE AND OPERATION; INSURANCE. The City covenants to maintain the System in good condition and operate the same in an efficient manner and at a reasonable expense. So long as any of the Bonds or Additional Bonds are outstanding, the City agrees to maintain insurance on the System, for the benefit of the holder or holders of the Bonds and Additional Bonds, of a kind and in an amount which usually would be carried by private companies engaged in a similar type of business. Nothing in this ordinance shall be construed as requiring the City to expend any funds which are derived from sources other than the operation of the System, but nothing herein shall be construed as preventing the City from doing so.

23. ACCOUNTS AND FISCAL YEAR. The City shall keep proper books of records and accounts (separate from all other records and accounts of the City) in which complete and correct entries shall be made of all transactions relating to the System, and shall have said books audited once each fiscal year by an independent Certified Public Accountant. The City agrees to operate the System and keep its books of records and accounts pertaining thereto on the basis of a fiscal year ending March 31 of each year; provided, however, that the City Council may change such fiscal year by ordinance duly passed, if such change is deemed necessary.

24. ACCOUNTING REPORTS. Within ninety days after the close of each fiscal year hereafter, the City will furnish without cost to any holder of any outstanding Bonds or Additional Bonds, who may so request, a signed or certified copy of a report by an independent Certified Public Accountant, covering the next preceding fiscal year, showing the following information:

- (a) A detailed statement of all income, revenues, and expenditures;
- (b) Balance sheet as of the end of the fiscal year;
- (c) Accountant's comment regarding the manner in which the City has complied with the requirements of this ordinance and his recommendations, if any, for any changes or improvements in the operation of the System;
- (d) List of insurance policies in force at the end of the year, showing, as to each policy, the risk covered, the name of the insurer, and the expiration date;
- (e) The number of properties connected with the Waterworks System and the Sewer System, and the gross revenues from each of said Systems for the fiscal year;
- (f) The number of unmetered customers of the Waterworks System at the end of the fiscal year;
- (g) The number of gallons of water registered through the City's meters and the number of gallons sold during the fiscal year.

25. **INSPECTION.** Any holder or holders of any Bonds or Additional Bonds shall have the right at all reasonable times to inspect the System and all records, accounts, and data of the City relating thereto.

26. **SPECIAL COVENANTS.** The City further covenants as follows:

- (a) That it has the lawful power to pledge the Net Revenues of the System to the payment of the Bonds and Additional Bonds, if issued, and has lawfully exercised said power under the Constitution and laws of the State of Texas, including said power existing under Articles 1111-1118, both inclusive, Revised Civil Statutes of Texas, 1925, as amended; that the Bonds and Additional Bonds, if issued, shall be rotably secured by said pledge in such manner that one bond shall have no preference over any other bond.

(b) That other than for the payment of the Bonds herein authorized, the rents, revenues, and income of the System have not in any manner been pledged to the payment of any debt or obligation of the City or of the System.

(c) That, so long as any of the Bonds or Additional Bonds are outstanding, the City will not sell or encumber the System or any substantial part thereof, and that, with the exception of the Additional Bonds expressly permitted by this ordinance to be issued, it will not encumber the rents, revenues, and income thereof unless such encumbrance is made junior and subordinate in all respects to the Bonds and Additional Bonds.

(d) That no free service of the System shall be allowed and should the City or any of its agencies or instrumentalities make use of the services and facilities of the System, payment of the reasonable value thereof shall be made by the City out of funds from sources other than the revenues and income of the System.

(e) To the extent that it legally may, the City further covenants and agrees that, so long as any of the Bonds or Additional Bonds are outstanding, no franchise shall be granted for the installation or operation of any competing Waterworks System or Sewer System; that the City will prohibit the operation of any such System other than that owned by the City, and the operation of any such System by anyone other than this City is hereby prohibited.

27. REMEDIES. In addition to all the rights and remedies provided by law, the City further covenants and agrees that if it should default in the payment of any principal of or interest on any Bonds or Additional Bonds when due, or should fail to make any deposits or payments at any time required to be made into the Funds established by this ordinance, or should default in the observance or performance of any other of the covenants, conditions, or obligations set forth in the Bonds or Additional Bonds, or in this ordinance, or in any ordinance authorizing the issuance of Additional Bonds, then the holder or holders of any of the Bonds or Additional Bonds, or the interest coupons appertaining thereto, shall be entitled to a writ of mandamus or other appropriate order issued by any court of proper jurisdiction compelling and requiring the City and the officials thereof to observe and perform all said covenants, conditions, and obligations. No delay or omission to exercise any right or power accruing upon any such default shall impair any such right or

power or shall be construed to be waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

28. BONDS ARE SPECIAL OBLIGATIONS. The Bonds and Additional Bonds, if issued, shall be special obligations of the City payable solely from the pledged Net Revenues, and the holder or holders thereof shall never have the right to demand payment thereof out of funds raised or to be raised by taxation.

29. APPROVAL BY ATTORNEY GENERAL. The Bonds and the record relating thereto shall be submitted to the Attorney General of Texas for his approval, and after he shall have approved the same, the Bonds shall be deposited with the Comptroller of Public Accounts of the State of Texas for registration. The Comptroller of Public Accounts shall register said Bonds, and upon registration of said Bonds, the Comptroller of Public Accounts (or a deputy designated in writing to act for the Comptroller) shall manually sign the Comptroller's certificate of registration prescribed herein to be printed on the back of each Bond, and the seal of said Comptroller shall be impressed, or printed, or lithographed on each of said Bonds.

30. Bonds Numbers 1 through 37, both inclusive, (aggregating \$37,000.00 in principal amount) of this issue of Series 1962 Bonds are and shall be issued for the purpose of refunding Bonds Numbers 36 through 72, both inclusive, in the denomination of \$1,000.00 each (aggregating \$37,000.00 in principal amount) of that issue of City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, dated February 10, 1948.

It is hereby found, determined, and declared that such refunding bonds of the Series 1962 Bonds will bear interest at the same rate as that borne by the bonds being refunded thereby.

The Comptroller of Public Accounts shall deliver the Series 1962 Bonds described in this Section in exchange for, and upon surrender and cancellation of, the aforesaid Series 1948 Bonds being refunded thereby. Said

delivery shall be made in one installment upon surrender of all said Series 1948 Bonds for exchange and cancellation. In addition to all other rights, the holder or holders of the aforesaid refunding Bonds shall be subrogated to all of the rights of the holder or holders of said bonds being refunded thereby.

31. Upon registration, the Comptroller of Public Accounts shall dispose of Bonds Numbers 38 to 177, both inclusive, (aggregating \$140,000.00 in principal amount) of this issue of Series 1962 Bonds in accordance with the instruction of the Mayor of the City of Canton. Said Bonds Numbers 38 through 177, both inclusive, are hereby awarded to, and shall be sold and delivered to Epler, Garin & Turner, Inc., for the price of par and accrued interest to date of delivery.

32. All ordinances and resolutions, and parts thereof, which may conflict with the provisions of this ordinance, are hereby expressly repealed to the extent of such conflict.

PASSED AND APPROVED this the 8 day of Jan, 1962.

Sam Willard  
Mayor, City of Canton, Texas.

ATTEST:

Adenia Steed  
City Secretary, City of Canton, Texas.

THE STATE OF TEXAS :  
COUNTY OF VAN ZANDT :  
CITY OF CANTON :

On this the 8 day of Jan, 1962, the City Council of the City of Canton, Texas, convened in Special Meeting, with the following members present, to-wit:

Sam Hilliard, Mayor,  
B. R. Mahaffey, :  
John H. Reynolds, :  
Harvey Fincher, : Aldermen,  
J. W. Barron, Sr., :  
C. T. Coleman, :  
Ardenia Steed, City Secretary,

with the following absent: none,

constituting a quorum, at which time the following proceedings were had:

Alderman Barron introduced an ordinance and moved that it be passed. The motion was seconded by Alderman Reynolds. The motion carrying with it the passage of the ordinance prevailed by the following vote:

AYES: Aldermen Mahaffey, Reynolds, Fincher, Barron, and Coleman, and Mayor Hilliard.

NOES: None.

The ordinance as passed is as follows:

AN ORDINANCE

FIXING WATER AND SEWER RATES FOR THE CITY OF CANTON, TEXAS; AND ORDAINING OTHER MATTERS RELATIVE TO RENDERING WATER AND SEWER SERVICE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS:

1. That the monthly water and sewer rates to be charged and collected by the City of Canton, Texas, from all customers obtaining service from the Waterworks and Sewer System of said City shall be and are hereby fixed as set forth below:

MONTHLY WATER RATES

First 1,000 gallons	\$ 2.00 (minimum)
Over 1,000 gallons	\$ 0.50 per M

MONTHLY SEWER RATES

Residential	\$ 1.75 (minimum)
Commercial	\$ 2.50 (minimum)

2. That all bills for services rendered by said Waterworks and Sewer System shall be paid monthly on or before the first day of each month after the billing date. If not paid within ten days after the due date, all services shall be discontinued. In the event of discontinuance of service an additional sum of \$3.00 shall be charged for reconnection to the System. Water service shall be disconnected if the bill for sewer service is not paid within ten days after the due date of the bill for sewer service, even though the bill for water service shall have been paid.

3. That no free services of the Waterworks and Sewer System shall be permitted, and if the City or any of its agencies or instrumentalities make use of the services and facilities of said System, payment of the regular rates shall be made by the City out of funds from sources other than the revenues of the System.

4. That the Waterworks System shall be operated on a fully metered basis, and dual connections (more than one user on a single meter) are and shall be prohibited.

PASSED AND APPROVED this the 8 day of January 1962.

Sam DeLeonard  
Mayor, City of Canton, Texas.

ATTEST:

Adeline Steed  
City Secretary, City of Canton, Texas.

THE STATE OF TEXAS :

COUNTY OF VAN ZANDT :

CITY OF CANTON :

I, the undersigned, City Secretary of the City of Canton, Texas, do hereby certify that the above and foregoing is a true and correct copy of an ordinance passed by the City Council of the City of Canton, Texas, (and of the minutes pertaining thereto), on the 8 day of January 1962, fixing water and sewer rates for the City of Canton, Texas, and ordaining other matters relative to rendering water and sewer service, which ordinance is of record in the minutes of said City Council.

GIVEN UNDER MY OFFICIAL HAND and seal of said City, this the 8 day of January, 1962.

  
City Secretary, City of Canton, Texas.

(SEAL)

THE STATE OF TEXAS :  
COUNTY OF VAN ZANDT :  
CITY OF CANTON :

We, the undersigned, Mayor and City Secretary, respectively, of the City of Canton, Texas, do hereby certify:

1. That this certificate is in reference to City of Canton, Texas, Waterworks and Sewer System Revenue Bonds, Series 1962, \$177,000.00;
2. That the City of Canton, Texas, was duly incorporated under the General Laws of the State of Texas, with an Aldermanic form of government, which form of government has not been changed since the incorporation of the City, and the City of Canton, Texas, has adopted and is now operating under the provisions of Chapters 1 through 10, both inclusive, of Title 28, Revised Civil Statutes of 1925, as amended, and has a population at this time of approximately 1,350 inhabitants;
3. That the names of the members and officials of the City Council of the City of Canton, Texas, are as follows:

Sam Hilliard,		Mayor,
B. R. Mahaffey,	:	
John H. Reynolds,	:	
Harvey Fincher,	:	Aldermen,
J. W. Barron, Sr.,	:	
C. T. Coleman,	:	
Ardenia Steed,		City Secretary,
4. That no litigation of any nature has been filed or is now pending to restrain or enjoin the issuance or delivery of said Bonds or the coupons appertaining thereto, or which would affect the provision made for their payment or security, or in any manner questioning the validity of said Bonds or coupons or the proceedings or authority pertaining to the issuance of said Bonds and coupons, and that so far as we know and believe, no such litigation is threatened;

5. That neither the corporate existence nor boundaries nor the title of present officers to their respective offices is being contested and that no authority or proceedings for the issuance of said Bonds and coupons have been repealed, revoked, or rescinded.

EXECUTED this the 8 day of Jan, 1961.

(SEAL)

  
\_\_\_\_\_  
Mayor, City of Canton, Texas.

  
\_\_\_\_\_  
City Secretary, City of Canton, Texas.

THE STATE OF TEXAS :  
COUNTY OF VAN ZANDT :  
CITY OF CANTON :

We, the undersigned, Mayor and City Secretary, respectively, of the City of Canton, Texas, do hereby certify as follows:

1. That at the date of this certificate, the revenues of the City's Waterworks and Sewer System are not encumbered except for the payment of Bonds Nos. 36 through 72, both inclusive, in the denomination of \$1,000.00 each, aggregating \$37,000.00, of that issue of City of Canton, Texas, Waterworks and Sewer Improvement and Extension Revenue Bonds, Series 1948, dated February 10, 1948, with Bonds Nos. 1 through 35, both inclusive, of said issue having been duly paid off, retired, and cancelled;

2. That the outstanding bonds of the issue of bonds described above are being refunded by part of the proposed issue of City of Canton, Texas, Waterworks and Sewer System Revenue Bonds, Series 1962, dated January 1, 1962, and that upon the consummation of said refunding, none of the revenues of the City's Waterworks and Sewer System will be encumbered or pledged in any manner except to the payment of said Waterworks and Sewer System Revenue Bonds, Series 1962.

WITNESS OUR HANDS and the seal of the City of Canton, Texas,  
this the 8 day of Jan, 1962.

(SEAL)

Sam Hedward  
Mayor, City of Canton, Texas.

Adeline Steed  
City Secretary, City of Canton, Texas.

THE STATE OF TEXAS :  
COUNTY OF VAN ZANDT :  
CITY OF CANTON :

I, the undersigned, City Secretary of the City of Canton, Texas, do hereby certify that the following is a schedule of the Gross Revenues, Expenses of operation and maintenance, and Net Revenues of the City's Waterworks and Sewer System for the past three years:

<u>Year Ending</u>	<u>3-31-61</u>	<u>3-31-60</u>	<u>3-31-59</u>
Gross Revenues	\$ 38,833.00	\$ 34,559.00	\$ 32,973.00
Expenses	17,243.00	15,536.00	15,241.00
Net Revenues	\$ 21,590.00	\$ 19,023.00	\$ 17,732.00

EXECUTED UNDER MY HAND and seal of said City, this the 8  
day of Jan, 1961.

  
City Secretary, City of Canton, Texas.

(SEAL)

THE STATE OF TEXAS :  
COUNTY OF VAN ZANDT :  
CITY OF CANTON :

We, the undersigned, Mayor and City Secretary, respectively, of the City of Canton, Texas, do hereby certify:

(a) That this certificate is in reference to City of Canton, Texas, Waterworks and Sewer System Revenue Bonds, Series 1962, \$177,000.00 of which \$37,000.00 are being issued to refund outstanding bonds;

(b) That none of the original bonds being refunded by said Series 1962 Bonds has ever been held in or purchased by the sinking fund accumulated for the payment of the bonds being refunded; and that there are no sinking funds available for the retirement of any of said original bonds being refunded.

EXECUTED this the 8 day of Jan, 1964.

(SEAL)

Sam Heard  
Mayor, City of Canton, Texas.

Julius Steed  
City Secretary, City of Canton, Texas.

Canton, Texas  
January 9, 1962

The Canton City Council met in regular meeting in the City Office with Mayor, Sam Hilliard, presiding with the following members present: B. R. Mahaffey, J. W. Barron, Sr., Travis Coleman and J. H. Reynolds. Absent: Harvey Fincher.

Minutes of the regular meeting were read and approved as read with a motion by B. R. Mahaffey and seconded by Travis Colman.

Bids for the renting of the pasture land on the City Lake property were opened and the following bids were read by the Mayor: R. W. Parker, Sr. \$70.00 per year with a five year option; Billy J. Curry \$110.00 per year; and, C. R. Pickrell, \$125.00 per year for three to five years. Billy Gene Griser met and rejected his option for this lease for the price bid. A motion was made by B. R. Mahaffey and seconded by J. R. Reynolds that the bid of C. R. Pickrell be accepted and that he be given a three year lease beginning January 1, 1962 and ending January 1, 1965 with an open option for future lease on same property. Motion carried unanimously with instructions for the secretary to notify C. R. Pickrell and draw said lease for this rental.

James Zuspann of the Lone Star Gas Company met with the council and discussed the possibility of extending service lines into the recent annexed properties and the feasibility of the company placing one man on duty in the city at all times.

Billy Deen met with the council and discussed with them the easement on his property of the proposed sewer line. He said there would be damages to three fences, a levee for turning water, ditch erosion, and two acres of pasture, hay, vetch and fertilizer plus seed. He asked that he be paid the sum of \$1,000.0 for said easement plus all damages. After a discussion by the council a motion was made by J. W. Barron and seconded by J. H. Reynolds that the council offer him \$1.00 per rod for the 10 ft. permanent easement and a \$1.00 per rod for damages on the 50 ft. construction easement and that the following resolution be adopted:

RESOLUTION

WHEREAS, the City of Canton, Texas, through its Mayor and City Council has authorized a program of construction of sewage works and the laying of outfall sewer lines, and

WHEREAS, the City of Canton, Texas, has through its engineer, determined that said outfall sewer lines as surveyed out, are necessary to complete said program, and

WHEREAS, the said City Council has determined that said easements for rights-of-way as surveyed and as shown by the attached field notes are needed by the City of Canton and are essential for said purpose;

NOW THEREFORE, BE IT RESOLVED by the City Council that the Mayor be authorized to offer \$1.00 per rod for the necessary ten feet permanent easements and \$1.00 per rod for the necessary fifty feet construction easements and in the event he is unable to purchase same through negotiation, that the necessary Eminent Domain proceedings be commenced for the purpose of acquiring such easements, excepting from purchase or condemnation proceedings the oil, gas, and other mineral rights which are not necessary for the cities' purpose.

ADOPTED AND APPROVED this the 9th day of January, 1962, with a unanimous vote.

Then came on the discussion of accepting the low bids for the construction and laying of sewer lines and construction of sewage treatment plant additions.

B. R. Mahaffey introduced a resolution and moved that it be adopted. The motion was seconded by Travis Coleman. The following resolution was adopted by a unanimous vote.

#### RESOLUTION

WHEREAS, The City Council of the City of Canton, Texas, advertised and accepted bids for the construction of outfall sewage lines, and

WHEREAS, said bids called for alternate bids on both vitrified clay sewer pipe and concrete sewer pipe, and

WHEREAS, some seven bids were received and opened on January 8, 1962 at 4:00 o'clock P. M., and

WHEREAS, Kemp Construction Company, Inc. of Irving, Texas, was the low bidder with a bid of \$72,435.25 using vitrified clay sewer pipe and a bid of \$64,919.00 using concrete sewer pipe.

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Canton, Texas, that said bid of \$64,919.00 using concrete sewer pipe, together with the terms and conditions thereof, be accepted.

BE IT FURTHER RESOLVED that the City of Canton, Texas, having accepted a Federal grant from the United States Government through its Public Health Service, awards this contract to Kemp Construction Company, Inc. of Irving, Texas, subject to the approval of the State Health Department and the United States Public Health Service.

PASSED, APPROVED AND ADOPTED, on the 9th day of January, 1962.

B. R. Mahaffey introduced a resolution and moved that it be adopted. The motion was seconded by J. W. Barron, Sr. The following resolution was adopted by a unanimous vote:

#### RESOLUTION

WHEREAS, The City Council of the City of Canton, Texas, advertised and accepted bids for the construction of sewage treatment plant additions, and

THE STATE OF TEXAS  
 COUNTY OF VAN ZANDT

Field Notes of a proposed Right of Way for a Sewer Line Easement for the City of Canton, being a part of the Jesse Stockwell Survey, Abstract NO. 760, Van Zandt County, Texas and being a part of the land deeded to Billy Deen by J. E. Deen and Wife, Doren Deen on the 19th day of July, 1951 and being more fully described as follows:

Beginning at a point on the N. B. line of Right of Way of Highway NO. 64, same being the S. B. line of the Billy Deen 40 acre tract of land, more or less, beginning point being in the center of proposed Right of Way for Sewer Line and being 320 feet S. 61 deg. E. from the most Westerly South West corner of said Billy Deen tract;

Thence S. 61 deg. E. with the S. B. line of the Billy Deen land and the N. B. line of Right of Way of Highway NO. 64 25.45 feet to a point 25 feet perpendicular distance from center line of proposed Right of Way;

Thence N. 17 deg. 20 min. E., panning parallel to and 25 feet perpendicular distance from center line of proposed Right of Way 221.3 feet to point 25 feet perpendicular distance from said center line;

Thence N. 52 deg. E., running 25 feet perpendicular distance from and parallel to center of proposed Right of Way 836.3 feet to a point;

Thence S. 73 deg. 20 min. E., parallel to and 25 feet perpendicular distance from said center line of proposed Right of Way 503.2 feet to a point for corner in fence line running along the E. B. line of the Billy Deen tract of land;

Thence N. 12 deg. E. with the E. B. line of the Billy Deen land, at 25 feet passing said center line and at a distance of 50 feet point for corner 25 feet from said center line, this point being 666 feet S. 12 deg. W. from the North East corner of the Billy Deen tract of land;

Thence in a Westerly direction running 25 feet perpendicular distance from and parallel to the center line of proposed Right of Way, as follows: N. 73 deg. 20 min. W. 525 feet; S. 52 deg. W. 877.7 feet; S. 17 deg. 20 min. W. 226.7 feet to point for corner in N. B. line of Right of Way of Highway No. 64;

Thence S. 61 deg. E. with said Highway Right of Way line 25.45 feet to the of beginning.

10 feet of the above described Right of Way (5 feet on each side of center line) is to be a permanent Easement for Sewer line, the remainder of described Right of Way is to be used as a construction Easement and will expire when the construction of the Sewer Line is complete.

Field Notes prepared by W. A. Morrison Mr., Registered Public Surveyor, this 18th day of November, 1961.

-----  
*W. A. Morrison Jr.*  
 -----  
 Registered Public Surveyor for the State of Texas

*Sketch underneath*

WHEREAS, six bids were received and opened on January 8, 1962, at 4:00 O'clock P. M., and

WHEREAS, Hugh Robertson of Tyler, Texas, was the low bidder with a bid of \$37,790.00.

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Canton, Texas, that said bid as submitted, together with the terms and conditions thereof, be accepted.

BE IT FURTHER RESOLVED that the City of Canton, Texas, having accepted a Federal grant from the United States Government through its Public Health Service, awards this contract to Hugh Robertson of Tyler, Texas, subject to the approval of the State Health Department and the United States Public Health Service.

PASSED, APPROVED AND ADOPTED on the 9th day of January, 1962.

A motion was made by Travis Coleman and seconded By J. W. Barron Sr. that the Mayor be authorized to purchase the necessary 6" A C water pipe for the laying of water lines down Highway #64. Motion carried unanimously.

A Motion was made by J. W. Barron Sr. and seconded by Travis Coleman to grant a wage increase of \$20.00 to Truman Easley making his monthly salary of \$220.00. Motion carried unanimously.

A motion was made and seconded to pay into the Firemen's Pension Fund the amount of \$5.00 per fireman for the coming year. Motion carried.

There being no further business to come before the council a motion and seconded was made to adjourn.

*Ardenia Steep*  
Secretary

*Sam Hilliard*  
Mayor

Canton, Texas  
February 2, 1962

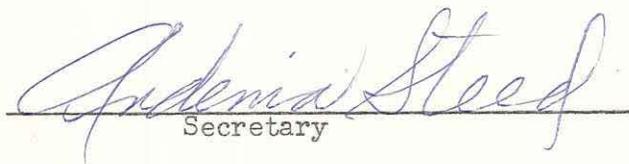
The Canton City Council met in a called meeting in the city office with Mayor, Sam Hilliard, presiding and the following members present: J. H. Reynolds, B. R. Mahaffey, J. W. Barron Sr., Travis Coleman and Harvey Fincher.

A motion was made by B. R. Mahaffey and seconded by J. H. Reynolds that the secretary and mayor be authorized to pay Eppler, Guerin & Turner from the Waterworks and Sewer System Revenue Bond Fund the amount of \$4,433.88 for services rendered. This being \$2,233.88 for the exchange of old bonds plus premium and accrued interest and the \$2,200.00 for handling the bonds as total fees as per agreement with same. Motion carried unanimously.

Quotations for well repairs were read and discussed and the secretary was asked to call J. B. Jennings of Briggs & Weaver to meet with the council at a called meeting on February 6th, 1962.

The proposal and schedules for rate increase in telephone exchange service by the Southwestern States Telephone Company was studied and discussed and the secretary was asked to have Mr. H. E. Reeves also meet the council at a called meeting on February 6, 1962.

There being no further business, a motion was made and seconded to adjourn.

  
Secretary

  
Mayor

\*\*\*\*\*

Canton, Texas  
February 6, 1962

The City Council met in a called meeting in the city office with Mayor, Sam Hilliard, presiding with the following members present: B. R. Mahaffey, Travis Coleman, J. W. Barron Sr., J. H. Reynolds and Harvey Fincher.

Approval by the State Health Department for awarding contracts to Hugh Robertson in the amount of \$37,790.00 for Sewer Plant Additions and to Kemp Construction Company, Inc. in the amount of \$64,919.00 for outfall Sewer Lines was received and a motion was made by J. W. Barron Sr. and seconded by Travis Colman authorizing the secretary and Mayor to complete these and notify each contractor. Motion carried unanimously.

Mr. J. B. Jennings of Briggs & Weaver met and discussed the repairs to the water well and water pump. A motion was made by Harvey Fincher and seconded by Travis Coleman that the council enter into a contract with Mr. Jennings to repair same. Motion carried.

CONTRACT

On this the 6th day of February, 1962, we the undersigned entered into a contract for the following repairs to the City of Canton Water Well No. 1:

Total Labor - Moving in and out, pulling pump and re-installing pump	\$200.00
Parts - Foot valve	\$ 37.00
Rebuilt Peerless Bowl, Complete	
Oil Lubricated type	\$470.00
Two - 10 feet lengths of oil column, 1x1 $\frac{1}{2}$ " x 10 feet - 6 inch pipe -	\$162.00

Pump will be guaranteed for one year and guaranteed to deliver 160 gallons per minute.

If either should fail, same will be corrected at no cost to the City of Canton.

Briggs & Weaver

Signed: /S/ J. B. Jennings

Mr. Charles Wanner of Fischer & Porter Co. demonstrated a chlorinator for the council. A motion was made by Travis Coleman and seconded by B. R. Mahaffey that said chlorinator be purchased at a price of \$841.00 and that said company install same and teach water superintendent the operation of said equipment. Motion carried unanimously.

Mr. H. E. Reeves of the Southwestern States Telephone Company met and discussed the proposed rate increase in telephone exchange service. After a lengthy discussion, a motion was made by J. W. Barron Sr. and seconded by B. R. Mahaffey that the proposed increase in rates be rejected as information presented does not warrant an increase in telephone exchange services. Motion carried unanimously.

There being no other business a motion was made by Harvey Fincher and seconded by Travis Coleman to adjourn.

*Julian Steed*  
Secretary

*Sam Hilliard*  
Mayor

Canton, Texas  
February 13, 1962

The Canton City Council met in regular meeting in the city office with Mayor, Sam Hilliard, presiding with the following members present; B. R. Mahaffey, Travis Coleman and J. W. Barron Sr. Members absent: J. H. Reynolds and Harvey Fincher.

Minutes of the previous meetings were read and approved as read with a motion by J. W. Barron Sr. and seconded by B. R. Mahaffey.

A discussion of annexed property and increased population followed and the secretary was asked to write a letter to Mr. Jack Sides, Resident Foreman, of the Texas State Highway Department asking that the signs be changed. B. R. Mahaffey introduced a resolution and moved that it be passed. Travis Coleman seconded the motion. Motion carried. The resolution as passed is as follows:

#### RESOLUTION

WHEREAS, the Texas State Highway Department has erected, at the properly designated points on each highway into the City of Canton, the 1960 population figure of 11114 on city limit signs, and

WHEREAS, The City of Canton has extended its city limits some 427.305 acres and increased its population some 227 through legal annexation by action of the City Council on December 11, 1961.

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of Canton, Texas, that said city limit signs be extended and population figures be changed to 1341.

BE IT FURTHER RESOLVED that the Texas State Highway Department be authorized to change such signs at an early date.

PASSED, APPROVED AND ADOPTED, this the 13th day of February, 1962.

J. W. Barron Sr. introduced a resolution and order and moved that it be adopted calling for an election be held on April 3, 1962 to elect three councilmen. B. R. Mahaffey seconded the motion. Motion carried unanimously. (The attached resolution and order to become part of these minutes.)

A discussion of the current affairs and the progress of the city and the city employees and their laying of the 6" water line on Highway No. 64 followed but no immediate action was taken.

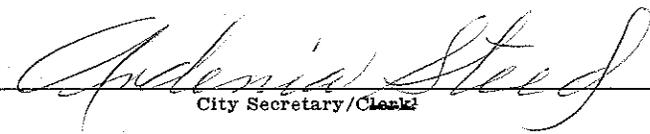
# NOTICE OF CITY OFFICERS' ELECTION

THE STATE OF TEXAS

CITY OF Canton

TO THE RESIDENT QUALIFIED VOTERS OF THE CITY OF CANTON, TEXAS:

TAKE NOTICE that an election will be held on the 3rd day of April, 19 62 in the City of Canton, Texas, at the place, in the manner, and for the officials set forth in the attached copy of an order for City Officers' Election, duly adopted by the Mayor of said City on the 13th day of February, 19 62. Said attached order for City Officers' Election being made a part of this notice for all intents and purposes.

  
City Secretary/Clerk

<sup>1</sup>Strike the title not applicable.

AFFIDAVIT OF POSTING NOTICE OF CITY OFFICERS' ELECTION

THE STATE OF TEXAS

CITY OF Canton

BEFORE ME, the undersigned authority, on this day personally appeared Ardenia Steed, City Secretary/Clerk<sup>1</sup> of the City of Canton, Texas, who after being by me duly sworn deposes and says:

That the foregoing is a true and correct copy of the Notice of City Officers' Election giving notice of the election therein mentioned, and that I posted a true and correct copy of said Notice of City Officers' Election at each of the following places, to-wit:

In Election Precinct No. \_\_\_\_\_ at Bulletin Board - V. Z.Co. Courthouse;

In Election Precinct No. \_\_\_\_\_ at City Hall;

In Election Precinct No. \_\_\_\_\_ at Lightpole at First National Bank Bldg.;

In Election Precinct No. \_\_\_\_\_ at \_\_\_\_\_;

within the boundaries of said city on the 3rd day of April, 19 62, which posting was done not less than 30 full days prior to the date fixed for said election.

I further certify that I delivered a copy of the order for City Officers' Election to each of the persons appointed Presiding Judge in said order for said election.

WITNESS MY HAND this the 26th day of February, 1962.

Ardenia Steed  
City Secretary/Clerk<sup>1</sup>

Sworn to and subscribed before me this the 26th day of February, 19 62.

[Signature]

Notary Public, Van Zandt County, Texas

(SEAL)

<sup>1</sup>Strike title not applicable.

# Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS

CITY OF Canton

On this the 13th day of February, 19 62, the City Council/Commissioner<sup>1-</sup> of the City of Canton, Texas, convened in Regular session at the regular meeting place thereof with the following members present, to-wit:

- Sam Hilliard, Mayor,
- J. W. Barron Sr., Alderman/Commissioner<sup>1</sup>
- Travis Coleman, Alderman/Commissioner<sup>1</sup>
- B. R. Mahaffey, Alderman<sup>2</sup>
- \_\_\_\_\_, Alderman<sup>2</sup>
- \_\_\_\_\_, Alderman<sup>2</sup>
- Ardenia Steed, City Secretary/Clerk<sup>1</sup>

and the following absent: Harvey Fincher and J. H. Reynolds, constituting a quorum, and among other proceedings had were the following:

Alderman/Commissioner<sup>1</sup> J. W. Barron Sr. introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/Commissioner<sup>1</sup> B. R. Mahaffey, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,  
AYES: Barron, Coleman, Mahaffey

NOES: None

The resolution and order are as follows:

Whereas the laws of the State of Texas provide that the next ensuing first Tuesday in April, there shall be elected the following officials for this city:

**MAYOR<sup>2</sup>**

Three Alderman<sup>2</sup>  
(Number of)

Two Commissioners<sup>2</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Whereas the laws of the State of Texas further provide that the Election Code of the State of Texas is applicable to said election, and in order to comply with said Code, an order should be passed establishing the procedure to be followed in said election, and designating the voting place for said election.

THEREFORE, BE IT ORDERED BY THE CITY COUNCIL/COMMISSION<sup>1</sup>

OF THE CITY OF Canton, TEXAS:

That all independent candidates at the election to be held on the first Tuesday in April, 1962 for the above mentioned offices file their applications to become candidates with the Mayor of this City at City Hall on or before 30 days from the date of said election;

That all of said applications shall be substantially in the following form: <sup>3</sup>

To the Mayor of the City of Canton, Texas:

I hereby request that my name be placed upon the official ballot for the election to be held on the 3 day of April, 1962 as a candidate for Alderman of said City.

I hereby certify that I am eligible to hold office under the Constitution of this state and have resided in this state for a period of twelve months and six months in this city in which I offer myself as a candidate, and have been an actual bona fide citizen of said city for more than six months.

DATED this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Name of Candidate

Received the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Mayor

That the Secretary/Clerk<sup>1</sup> of this City shall, in accordance with the terms and provisions of Election Code, Chapter 13, Sec. 210, post in his office the names of all candidates who have been certified to him by the Chairman of the Executive Committee of any party holding a primary election for said above mentioned offices, and the names of all independent candidates who have filed their applications in accordance with the terms and provisions of this order, and said names shall be posted at a conspicuous place in said office for at least 10 days before said secretary/clerk<sup>1</sup> orders the same to be printed on the ballot for said election.

This city, having one election precinct, said election shall be held at the following place in said city:

1. In Election Precinct No. \_\_\_\_\_ at Assembly Room of County Courthouse Building.
2. In Election Precinct No. \_\_\_\_\_ at \_\_\_\_\_ Building.<sup>2</sup>
3. In Election Precinct No. \_\_\_\_\_ at \_\_\_\_\_ Building.<sup>2</sup>
4. In Election Precinct No. \_\_\_\_\_ at \_\_\_\_\_ Building.<sup>2</sup>

The City Secretary/Clerk<sup>1</sup> is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

The Mayor shall issue all necessary orders, writs and notices for said election and returns of said election shall be made to this council/commission<sup>1</sup> immediately after the closing of the polls.

PASSED, APPROVED AND ADOPTED this the 13th day of February, 1962.

Sam S. ...  
Mayor

ATTEST:

Adenia Steed  
Secretary/Clerk<sup>1</sup>

1. Strike one not applicable.  
2. Strike if not applicable.  
3. This application is available as a separate form. Order Form A1102—Request to Place Name on City Officer Election Ballot.

Then came on the matter of an easement on the property of C. W. Corry. Mr. Corry did not meet with the council after having been invited to do so but Mr. Irby Mills had contacted him in his authorized capacity to secure these easements and reported that Mr. Corry would take the amount of \$200.00 for his easement and that a gate be erected on the said 10 feet easement for egress and ingress and that he would like for the sewer line to be constructed to his property so that he might benefit from this trunk sewer line.

B. R. Mahaffey introduced a resolution and moved that it be passed. J. W. Barron seconded the motion. Motion carried unanimously. The resolution as passed is as follows:

#### RESOLUTION

WHEREAS, the City of Canton, Texas, through its Mayor and City Council has authorized a program of construction of sewage works and the laying of outfall sewer lines, and

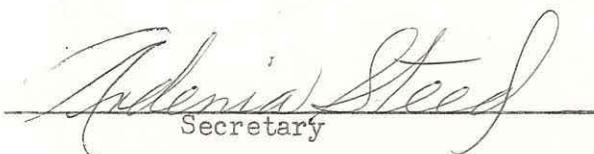
WHEREAS, the City of Canton, Texas, has through its engineer, determined that said outfall sewer lines as surveyed out, are necessary to complete said program, and

WHEREAS, the said City Council has determined that said easements for rights-of-way as surveyed and as shown by the attached field notes marked Exhibits "A" and "B" are needed by the City of Canton and are essential for said purpose;

NOW THEREFORE, BE IT RESOLVED BY the City Council that Mr. Irby Mills be authorized to offer C. W. Corry \$200.00 for the necessary ten feet permanent easements and fifty feet construction easments, as this being the price he agreed to with Mr. Mills, and that a lateral sewer line will be constructed in due time in an easterly direction up old Highway No. 64 approximately the distance to Mr. Corry's driveway and in the event he is unable to purchase same through negotiation, that the necessary Eminent Domain proceedings be commenced for the purpose of acquiring such easements, excepting from purchase or condemnation proceedings, the oil, gas, and other mineral rights which are not necessary for the cities' purpose.

ADOPTED AND APPROVED this the 13th day of February, 1962.

There being no other business to come before the council, a motion was made by J. W. Barron Sr. and seconded by Travis Coleman to adjourn. Motion carried.

  
Secretary

  
Mayor

Canton, Texas  
February 22, 1962

The Canton City Council met in a called meeting with Mayor, Sam Hilliard, presiding and the following members present: B. R. Mahaffey, J. H. Reynolds, Travis Coleman, J. W. Barron Sr. and Harvey Fincher.

A motion was made by J. W. Barron, Sr. and seconded by Harvey Fincher that a check on the City of Canton Waterworks and Sewer System Revenue Bond Fund in the amount of \$6,850.00 be deposited with the Van Zandt County Clerk. This amount being the award given by the condemnation commissioners to the Martha Utts et el covering the easements and acreage for the proposed sewer plant additions and the construction of outfall sewer lines. Motion carried unanimously.

There being no other business, meeting was adjourned.

*Judenia Steed*  
Secretary

*Sam Hilliard*  
Mayor

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Canton, Texas  
March 13, 1962

The Canton City Council met in regular session with Mayor, Sam Hilliard, presiding and the following members present: Travis Coleman, B. R. Mahaffey, J. H. Reynolds and J. W. Barron Sr. with Harvey Fincher, absent.

A motion was made by Travis Coleman and seconded by B. R. Mahaffey that the minutes be approved as read. Motion carried.

A motion was made by Travis Coleman and seconded by J. W. Barron Sr. that Mayor, Hilliard contact Mr. Jensen concerning his accepting a job as ~~engineer~~<sup>inspector</sup> for the city on the sewer job at a reasonable salary. Motion carried.

Trucks parking along the shoulders and right-of-ways were discussed and it was unanimously agreed that the City Attorney draw up an ordinance and that it be presented to the council at a later date for adoption.

J. W. Barron Sr. made a motion that was seconded by J. H. Reynolds that a five (5) wire fence with cresoted post 4 to 6 inches be erected around the property purchased for the sewer plant. Motion carried unanimously.

Wisembaker, Fix & Associates presented a bill for ~~515~~<sup>6570</sup> of total contract bids as engineering fees as described in a contract with them, and B. R. Mahaffey moved that this fee of \$1,506.36 be paid. J. H. Reynolds seconded the motion. Motion carried.

A motion was made by J. W. Barron Sr. and seconded by B. R. Mahaffey that the appointed court commissioners for the Martha Beth Utts Etal cause be paid. Motion carried unanimously.



until said fees are paid in full. Motion carried.

The Annual Financial Statement for the year ending March 31, 1962 was presented to the council and upon reviewing it, a motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that it be accepted and that it be published in the Canton Herald in condensed form and that a budget for the coming year be completed at next meeting date.

Motion carried.

Travis Coleman moved that the city secretary be paid a salary of \$225.00 per month as of April 1, 1962. J. W. Barron Sr. seconded the motion and upon vote, said motion carried unanimously.

There being no further business to come before them at this time a motion was made by J. H. Reynolds and seconded by B. R. Mahaffey to adjourn. Motion carried.

  
Secretary

  
Mayor

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Canton, Texas  
April 17, 1962

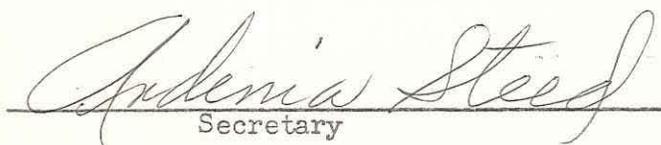
The Canton City Council met in a called meeting in the Service Cafe with Mayor Sam Hilliard presiding and the following members present: B. R. Mahaffey, J. H. Reynolds, Travis Coleman, J. W. Barron, Sr. and Harvey Fincher.

The Special Commissioner's hearings for the cases of condemnations on the Billy Deen and C. W. Corry causes were discussed. A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that the council instruct the city attorney to appeal the two cases. Motion carried unanimously.

A motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that the City Attorney be paid the sum of \$350.00 for his fees out of the Waterworks and Sewer System Revenue Bond Fund for the special commissioners hearings on the Utts, Deen and Corry Causes. Motion carried unanimously.

A motion was made by Harvey Fincher and seconded by J. H. Reynolds that the special commissioners, J. C. Rogers, L. P. Davidson and Geo. A. Reeves, be paid the sum of \$30.00 for their services. Motion carried.

A motion was made by J. H. Reynolds and seconded by Harvey Fincher to adjourn. Motion carried.

  
Secretary

  
Mayor

# Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF Van Zandt

On this the 9th day of April, 1962, the City Council/Commissioner<sup>1</sup>

of the City of Canton, Texas, convened in Regular session at the regular meeting place thereof with the following members present, to-wit:

- Sam Hilliard, Mayor,
- B. R. Mahaffey, Alderman/Commissioner<sup>1</sup>
- Travis Coleman, Alderman/Commissioner<sup>1</sup>
- J. H. Reynolds, Alderman<sup>2</sup>
- J. W. Barron Sr., Alderman<sup>2</sup>
- \_\_\_\_\_, Alderman<sup>2</sup>
- Ardenia Steed, City Secretary/Clerk<sup>1</sup>

and the following absent: Harvey Fincher, constituting a quorum, and among other proceedings had were the following:

Alderman/Commissioner<sup>1</sup> J. W. Barron Sr. introduced a resolution and order and moved its adoption. The motion was seconded by Alderman/Commissioner<sup>1</sup> Travis Coleman, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: Barron, Reynolds, Coleman & Mahaffey  
\_\_\_\_\_, NOES: None

The resolution is as follows:

There came on to be considered the returns of an election held on the 3 day of April, 1962, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 64 valid and legal votes; that each of the candidates in said election received the following votes:

### FOR MAYOR<sup>2</sup>

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

### FOR ALDERMAN/COMMISSIONER<sup>1</sup>

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
<u>B. R. Mahaffey</u>	<u>32</u>
<u>J. S. (Jimmie)Boroughs</u>	<u>32</u>
<u>Travis Coleman</u>	<u>63</u>
<u>J. H. Reynolds</u>	<u>60</u>
_____	_____
_____	_____

FOR \_\_\_\_\_  
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FOR \_\_\_\_\_  
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED  
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 \_\_\_\_\_

FOR \_\_\_\_\_  
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED  
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 \_\_\_\_\_

FOR \_\_\_\_\_  
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION OF THE CITY OF

Canton, TEXAS:

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that \_\_\_\_\_ was duly elected Mayor of said City at said election<sup>2</sup> and Travis Coleman, J. H. Reynolds and B. R. Mahaffey with J. S. (Jimmy) Borroughs refusing said "Write In" votes. \_\_\_\_\_ were duly elected Aldermen/Commissioners<sup>1</sup> of said City at said election, and that \_\_\_\_\_ was duly elected \_\_\_\_\_,<sup>2</sup> and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

PASSED, ADOPTED AND APPROVED this the 9th day of April

19 62

Sam Hilliard  
 Mayor

ATTEST:

Alexis Steed  
 Secretary/Clerk<sup>1</sup>

<sup>1</sup>Strike one not applicable.  
<sup>2</sup>Strike if not applicable.

CONTRACT

THIS AGREEMENT, Made and entered into this 17 day of April, 1962, by and between Water Tank Maintenance Company, d.b.a. WATER TANK SERVICE COMPANY, INC., DALLAS, TEXAS,

Party of the First Part, and, City of Canton
Canton, Texas

Party of the Second Part

WITNESSETH: That for and in consideration of the sum of \$ 1,445.00, to be paid to Party of the First Part by Party of the Second Part, Party of the First Part agrees to do and perform the following described work on the Water Tank belonging to Party of the Second Part, at its own risk and without any liability whatsoever to Party of the Second Part for any accidents, injuries or damages to employees of the Party of the First Part, excluding negligence on the part of the Party of the Second Part.

Clean the interior of the tank and apply one (1) coat of WTS-14 Plastic.
Clean the exterior of the tank and tower wherever rust and loose paint appear and spot paint with a rust inhibitive primer followed by a complete finish coat of top grade aluminum paint, then replace now present signs.

Party of the Second Part represents that the said tank located at Canton, State of Texas does not exceed 50,000 gallons capacity, and agrees to furnish the following material for the above work: Electricity for tools (110 Volts).

Party of the Second Part covenants and agrees with Party of the First Part to pay said Party of the First Part the sum of \$ 1,445.00 upon completion of the above described work.

Party of the First Part carries full coverage of Workmen's Compensation, Public Liability and Property Damage Insurance at all times:

This work is guaranteed for four (4) years and should the paint or plastic break down within that period, due to faulty workmanship or materials, same will be replaced by Party of the First Part without further charge.

WITNESS:

Witness signature lines

Water Tank Maintenance Company d.b.a.

WATER TANK SERVICE COMPANY, INC. 10760 Shady Trail, Dallas 20, Texas

By [Signature] President Party of the First Part

ATTEST:

[Signature] City Clerk.

By [Signature] Mayor Party of the Second Part

Canton, Texas  
May 8, 1962

The Canton City Council met in regular session in the city office with Mayor, Sam Hilliard, presiding and the following members present: J. H. Reynolds, J. W. Barron Sr. Travis Coleman, B. R. Mahaffey and absent: Harvey Fincher.

The minutes of the previous meetings were read and approved as read with a motion made by B. R. Mahaffey and seconded by J. W. Barron Sr.

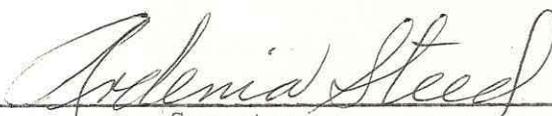
Mr. Albert Cline and Mr. Stanley of the Water Tank Service Company, Inc. of Dallas met and discussed the condition of the two water towers. Motion was made by B. R. Mahaffey and seconded by J. H. Reynolds to accept the contract and agreement for the amount of \$1,445.00 for the 50,000.gallon water tower at this time and the work to begin as soon as possible and that the contract and agreement for the 100,000 gallon tower be deferred until a later date. Motion carried unanimously.

J. H. Reynolds made a motion that was seconded by J. W. Barron Sr. that the City Attorney enter suit against Mayfield & Howell of Kerens, Texas, for water taken from the City Lake. Motion carried.

A motion was made by Travis Coleman and seconded by J. W. Barron Sr. that the Estimate # 2 for Contracts No. 705 and 706 be paid. With an unanimous vote the following was paid: Contract No. 705 - Kemp Construction Co., Inc. - \$20,234.16; Contract No. 706 - Hugh Robertson - \$8,812.74.

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that a street sweeper be purchased through Coleman Implement Co. Motion carried.

There being no further business, J. H. Reynolds moved to adjourn. J. W. Barron Sr. seconded the motion. Motion carried.

  
Secretary

  
Mayor

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Canton, Texas  
May 17, 1962

The Canton City Council met in a called meeting in the city office with Mayor, Sam Hilliard presiding and the following members present: Harvey Fincher, J. W. Barron Sr., B. R. Mahaffey, J. H. Reynolds and Travis Coleman.

The purpose of the meeting was the discussion of the selling of the remaining \$10,000.00 of Water & Sewer Revenue Bonds and it was a unanimous decision that the city would need this money to complete their sewer project. A motion was made by J. W. Barron Sr and seconded by Harvey Fincher that Mr. C. N. Burt be notified and

that he prepare the necessary papers to complete this transaction as per the original contract.

There being no further business to come before the council at this time, a motion was made and seconded to adjourn.

Ardenia Steed  
Secretary

Sam Hilliard  
Mayor

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Canton, Texas  
~~July~~ 12, 1962

The Canton City Council met in regular session in the city office with Mayor Sam Hilliard presiding with the following members present: B. R. Mahaffey, J. W. Barron Sr., Travis Coleman and J. H. Reynolds. Absent: Harvey Fincher.

Minutes of the regular meeting were read and approved and read by a motion made by J. W. Barron Sr. and seconded by B. R. Mahaffey.

Minutes of the called meeting were read and a motion was made by Travis Coleman and seconded by B. R. Mahaffey that they be accepted as read.

Motion was made by J. W. Barron Sr. and seconded by Travis Coleman that Water Tank Service Co., Inc. be paid by the secretary for the repairs to the water tower. The amount to be \$1,445.00 less 2% when invoice is received. Motion carried unanimously.

A motion was made by J. W. Barron Sr. and seconded by B. R. Mahaffey to pay for the street sweeper and that the secretary issue same when invoice is received. Motion carried unanimously.

A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that the Engineer's Reports No. 3 on Contracts No. 705 and 706 and the Engineer's invoices Nos. T-682 and T-690 be paid. The same being: Kemp Construction Co. Inc., Contract No. 705-\$18,950.55; Hugh Robertson, Contract No. 706 - \$16,946.74; Engineer's Invoice No. T-682-\$686.23 and Engineer's Invoice No. T-690 - \$848.08. Motion carried unanimously.

A motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that D. W. Wilson be taken into the city provided he complete the necessary papers and that he be advised that the city would lay a 6" water main with a fire plug to within 500 feet of his house and that he would be required to lay his own water line from that distance. Motion carried unanimously.

A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that Joe Hackney, Doyle Beal and R. L. Blackwell be appointed to serve as the Board of Equalization for the 1962 year. Motion carried unanimously.

FEDERAL HOUSING ADMINISTRATION  
DALLAS INSURING OFFICE

PROTECTIVE COVENANTS

PART A. PREAMBLE

Woodland Acres  
To apply to a New Subdivision "Woodland Acres"  
immediately adjacent to the new residence section  
of the Town of Canton, Texas, in wooded area being  
developed by

W. Ernest West  
Canton, Texas.

and being 25 acres, more or less, of J. Stockwell  
Survey, Abstract No. 760, within City Limits of  
the Town of Canton, Texas.

PART B. AREA OF APPLICATION

1. FULLY-PROTECTED RESIDENTIAL AREA. The residential area covenants in Part C in their entirety shall apply to WOODLAND ACRES, and to any adjoining land in same ownership to which covenants are to apply.

PART C. RESIDENTIAL AREA COVENANTS

2. LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height.
3. DWELLING SIZE. The floor area of the main structure, exclusive of open porches and garages, shall be not less than 1,250 square feet.
4. BUILDING LOCATION. No building shall be located on any lot near than 40 feet to the front lot line, or nearer than 25 feet to any side street line. No building shall be located nearer than 10% of the width of lot to an interior lot line, except that no side yard shall be required for a detached garage located fifty feet or more from the minimum building set-back line.
5. RE-LOCATION OF BUILDINGS. Construction of new buildings only shall be permitted, it being the intent of this covenant to prohibit the moving of any existing building on a lot and re-modeling or converting same into a dwelling unit in this subdivision.
6. ARCHITECTURAL CONTROL. No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee as to quality of workmanship and materials, harmony of external design as with existing structures, and as to location with respect to topography and finish grade elevation, this committee to be selected prior to any construction in subdivision.
7. PROCEDURE. The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative, fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

corded plat.

9. FENCES. No fence shall be constructed or allowed to remain in front of the minimum building set-back line.
10. TRANSPORT VEHICLES. Trucks with tonnage in excess of 3/4 ton shall not be permitted to park on the streets, driveways, or lots over night, and no vehicle of any size which normally transports inflammatory or explosive cargo may be kept in this subdivision at any time.
11. NUISANCES. No noxious or offensive activities shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
12. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
13. SIGNS. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
14. EASEMENTS. All easements and alleys for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and it is further provided that no shrubbery, fence or other obstruction shall be placed in any easement or alleyway, and that full right of ingress and egress shall be had at all times over any dedicated easement for the installation, operation, maintenance, repair or removal of any utility together with the right to remove any obstruction that may be placed in such easement that would constitute interference with the use, maintenance, operation or installation of such utility.
15. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot. (Approximately 640 acres is drilling unit in area and would not affect this area).
16. LIVESTOCK AND POULTRY. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes.
17. GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
18. SIGHT DISTANCE AT INTERSECTIONS. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines

within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

19. WATER SUPPLY. No individual water-supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of City of Canton Health Officer. Approval of such system as installed shall be obtained from such authority.

20. SEWAGE DISPOSAL. No individual sewerage disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of City of Canton Public Health Officer. Approval of such system as installed shall be obtained from such authority.

PART D GENERAL PROVISIONS

21. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

22. ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

23. SEVERABILITY. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Respectfully submitted,

*W. Ernest West*  
W. Ernest West, Owner  
P.O. Box 218  
Canton, Texas

FILED FOR RECORD..... 3:00 o'clock..... P. M., November 23, 1962 A. D. 19.....

RECORDED..... 13..... day of..... A. D. 1962..... o'clock..... M.  
By *Mary Young* Deputy

LESTER SLATON  
County Clerk, Van Zandt County, Texas

11/11/62

Discussions of other city affairs followed but no immediate action was taken. and J. H. Reynolds moved that the meeting adjourn. Travis Coleman Seconded his motion.

*Adenia Steed*  
Secretary

*Sam Hilliard*  
Mayor

\* \* \* \* \*

Canton, Texas  
July 10, 1962

The Canton City Council met in regular session in the City Office with Mayor, Sam Hilliard, presiding and the following members present: B. R. Mahaffey, J. H. Reynolds, J. W. Barron Sr. and Travis Coleman. Absent: Harvey Fincher.

Minutes of the previous meeting were read and approved as read with a motion by J. H. Reynolds and seconded by Travis Coleman.

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that the Engineer's Reports No. 1 on Contracts No. 705 and 706 be paid. The same being: Kemp Construction Co. Inc., Contract No. 705-\$2,805.48; Hugh Robertson, Contract No. 706-\$5,407.78. Motion carried unanimously.

A discussion of the dumping grounds owned by M. M. Weaver was discussed and a motion was made by B. R. Mahaffey and seconded by J. W. Barron Sr. ~~since~~ since John Norman had purchased the W. P. Cotton home and was owner of the adjoining lot where the gate to the dumping grounds is located that the city prepare a written agreement agreeing to pay to Mr. John Norman a sum of \$3.00 per month for the use of said lot for ingress and egress to said dumping grounds. Motion carried unanimously.

A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that B. R. Mahaffey contact L. E. Curry about the out-door toilets on his property within the city limits and ask that they be made less conspicuous. Motion carried.

A plat and dedication of streets and alleys of the E. B. Jones and wife, Rubye E. Jones, sub-division under the name of Folded Hills Addition was submitted and read and a motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that the Council accept the attached plat and dedication. Motion carried unanimously.

A motion was made by B. R. Mahaffey and seconded by J. W. Barron Sr. that the Park Street extention be oiled. Motion carried.

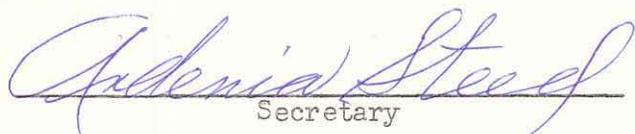
A motion was made by B. R. Mahaffey and seconded by Travis Coleman that clay pipe with concrete joint be used for the street sewer lines. Motion carried.

It was agreed that the Mayor and councilmen that could, at an appointed time, meet with the Commissioner's Court and discuss the possiblity of a site for a market place,

A Motion was made by J. W. Barron Sr. and seconded by Travis Coleman that the aerial map made by Jerry Foster be purchased and that the secretary secure the invoice and write a check in the amount of \$45.00 for same. Motion carried.

A motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that Joe Wallace be appointed as City Judge with fees or salary to be discussed later. Motion carried.

After further discussion concerning city matters with no immediate actions, a motion was made by B. R. Mahaffey and seconded by Travis Coleman to adjourn. Motion carried.

  
Secretary

  
Mayor

\* \* \* \* \*

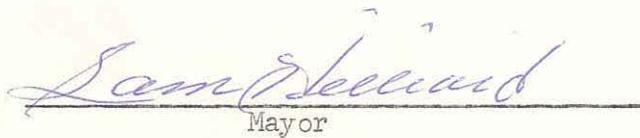
Canton, Texas  
June 18, 1962

The Canton City Council met in a called meeting in the city office with Mayor Sam Hilliard, presiding and the following members present: B. R. Mahaffey, J. H. Reynolds, Travis Coleman, J. W. Barron Sr. & Harvey Fincher.

The purpose of this meeting was to hear the representatives of the Southwestern States Telephone Company in regard to their application for rate increases for telephone service. Mr. H. E. Reeves, Division Manager and William E. Little, of the District office of Henderson, and Mr. John D. Allen, Revenue Requirement Supervisor, of Brownwood met and discussed and presented figures, graphs and recommended possible increase rates. After a discussion of this proposal, a motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that this request be denied. Motion carried unanimously.

A motion was made by J. H. Reynolds and seconded by Travis Coleman to adjourn. Motion carried.

  
Secretary

  
Mayor



~~Copy~~

DEDICATION OF STREETS

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF VAN ZANDT   §

KNOW ALL MEN BY THESE PRESENTS;

That we, E. B. Jones, and wife, RUBY E. JONES, of Van Zandt County, Texas, do hereby adopt the attached plan for subdividing the Folded Hills Addition to the City of Canton, Van Zandt County, Texas, which is known as the Folded Hills Subdivision, and do hereby dedicate for the use of the public the streets and alleys as shown thereon.

The subdivision of the said Folded Hills Addition to the City of Canton, Texas, is shown by exhibit "A" hereto attached and is hereby made a part hereof for all purposes.

Signed at Canton, Texas, this 29th day of June, 1962.

E. B. Jones  
E. B. Jones

Ruby E. Jones  
Ruby E. Jones

THE STATE OF TEXAS    §  
COUNTY OF VAN ZANDT   §

BEFORE ME, the undersigned authority, a Notary Public in and for Van Zandt County, Texas, on this day personally appeared E. B. Jones and Ruby E. Jones, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said RUBY E. JONES, wife of the said E. B. Jones, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said RUBY E. JONES, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 29th day of June, A. D. 1962.

Betty Mills Crawford  
NOTARY PUBLIC IN AND FOR  
VAN ZANDT COUNTY, TEXAS

~~Copy~~

R E S O L U T I O N

THE STATE OF TEXAS     §

COUNTY OF VAN ZANDT   §

BE IT REMEMBERED, that on this 10th day of July, 1962, the City Council of the City of Canton, Van Zandt County, Texas, convened in REGULAR SESSION, with the following members present, to-wit:

Sam Hilliard	Mayor
J. H. Reynolds	Councilman
B. R. Mahaffey	Councilman
Travis Coleman	Councilman
<del>Harvey Fincher</del>	<del>Councilman</del>
J. W. Barron, Sr.	Councilman
Ardenia Steed	City Secretary

constituting ~~the entire~~ City Council, at which time the subject of the dedication of streets and alleys of the Folded Hills Subdivision in Van Zandt County was brought before the Council for discussion.

BE IT REMEMBERED, that the council was asked to accept the dedication of the streets and alleys of said residential subdivision under the name of the Folded Hills Subdivision Addition to the City of Canton, Texas, for public use.

BE IT FURTHER REMEMBERED, after due consideration, Motion was made by Councilman J. H. Reynolds and duly seconded by Councilman J. W. Barron, Sr., the Council accepted the dedication of the streets and alleys shown by the plat marked Exhibit "A" and attached to said dedication.

Signed this 10th day of July, 1962.

ATTESTED BY:

Ardenia Steed  
Ardenia Steed  
City Secretary

Sam Hilliard  
SAM HILLIARD, Mayor of the  
City of Canton, Texas

Canton, Texas  
August 14, 1962

The Canton City Council met in regular session in the city office with Mayor, Sam Hilliard, presiding with the following members present: B. R. Mahaffey, J. W. Barron Sr. and Travis Coleman. Absent: Harvey Fincher and J. H. Reynolds.

The minutes of the previous meeting was read and approved as read with a motion by J. W. Barron Sr. and seconded by B. R. Mahaffey.

F. L. Brewer met and discussed with the council the water rights he owns in the territory that is being annexed to the city, and the investment he now has within this territory. A motion was made by B. R. Mahaffey and seconded by J. W. Barron, Sr. that the city pay Mr. Brewer the amount of \$850.00 subject to legal approval by the City Attorney for these water rights. Motion carried unanimously.

Dr. Dan Hilliard, City Health Office, met and discussed health hazards within the city. The first being discussed was the dumping of wet garbage on the road, in the road ditch and also on the trash dump grounds. This garbage dumping must be stopped. The second being discussed was the use of motor boats on the city lake with water skiers and occassional swimmers contaminating the water.

After a discussion, a motion was made by J. W. Barron Sr. and seconded by Travis Coleman that an ordinance be prepared and adopted to levy fines for any person or persons guilty of dumping garbage in or near the trash dump grounds and that large signs be erected stating the hows and whats of this dumping and that the fine be in the amount of \$25.00. Motion carried.

A motion then was made by J. W. Barron Sr. and seconded by Travis Coleman that all motor boats, skiers and swimmers be prohibited on the city lake, and that signs be erected to notify each and every person in or near the city lake. Two voted for and one against.

A motion was made by B. R. Mahaffey and seconded by J. W. Barron Sr. that the Engineer's Reports No. 5 for Contracts #705 and #706 and Engineer's Invoice No. T-708 be approved and that the secretary prepare the checks for these. These payments also are to be the last and final payments on these projects. Contract No. 705- Kemp Construction Co., Inc.-\$7,119.83; Contract No. 706-Hugh Robertson-\$4,967.00 and Invoice T-708-Wisenbaker, Fix & Associates- \$755.09. Motion carried unanimously.

An ordinance establishing maximum rates of speed on certain portions of certain streets in the City of Canton was read and a motion was made by Travis Coleman and seconded by B. R. Mahaffey that it be adopted as read. With the ordinance attached to these minutes it was unanimously approved.

A motion was made by Travis Coleman and seconded by J. W. Barron Sr. that the following city employees be paid a weeks vacation as it was their desire to work instead of taking their vacations: C. W. Janes, F. H. Stegall and Truman G. Easley. Motion carried unanimously.

There being no further business a motion was made by B. R. Mahaffey and seconded by Travis Coleman to adjourn.

  
Secretary

  
Mayor

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ESTABLISHING MAXIMUM RATES OF SPEED ON CERTAIN PORTIONS OF CERTAIN STREETS AND AVENUES AND PUBLIC PLACES IN THE CITY OF CANTON, REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, FIXING PENALTIES FOR VIOLATION, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS:

I.

The governing body of the City of Canton, Texas, having made an engineering and traffic investigation concerning the maximum, reasonable and prudent speed rates to apply to certain sections of the streets, highways, avenues, and other public places in said City, and having received the recommendation of the State Highway Department concerning the rates of speed that should be applicable in said areas, and having determined the maximum speed rates shall be established as hereinafter set forth:

It shall hereafter be unlawful for any person to operate or drive any motor or other vehicle upon the following portions of streets, highways, avenues, and public places in the City of Canton at speeds in excess of those prescribed, which said portions of streets and speed rates allowed therein shall be as follows:

- (1) On State Highway 19, from College Street to Terrell Street, the maximum rate of speed shall be 30 miles per hour.
- (2) On State Highway 19, from Terrell Street to the Canton North City Limit, the maximum rate of speed shall be 40 miles per hour.
- (3) On State Highway 19, from College Street to a point 0.400 mile south of College Street, the maximum rate of speed shall be 45 miles per hour.
- (4) On State Highway 19, from a point 0.400 mile south of College Street to the Canton South City Limit, the maximum rate of speed shall be 30 miles per hour.
- (5) On State Highway 64, from a point 0.030 mile east of State Highway 19 to a point 0.32 mile northwest of State Highway 19, the maximum rate of speed shall be 30 miles per hour.
- (6) On State Highway 64, from a point 0.320 mile northwest of State Highway 19 to a point 0.520 mile northwest of State Highway 19, the maximum rate of speed shall be 40 miles per hour.
- (7) On State Highway 64, from a point 0.520 mile northwest of State Highway 19 to a point 0.870 mile northwest of State Highway 19, the maximum rate of speed shall be 50 miles per hour.
- (8) On State Highway 64, from a point 0.870 mile northwest of State Highway 19 to the Canton Northwest City Limit, the maximum rate of speed shall be 55 miles per hour.

- (9) On State Highway 64, from a point 0.030 mile southeast of State Highway 19 to a point 0.230 mile southeast of State Highway 19, the maximum rate of speed shall be 40 miles per hour.
- (10) On State Highway 64, from a point 0.230 mile southeast of State Highway 19 to the Canton Southeast City Limit, the maximum rate of speed shall be 50 miles per hour.
- (11) On State Highway 198, from State Highway 64 to College Street, the maximum rate of speed shall be 30 miles per hour.
- (12) On State Highway 198, from College Street to a point 0.660 mile southwest of College Street, the maximum rate of speed shall be 35 miles per hour.
- (13) On State Highway 198, from a point 0.660 mile southwest of College Street to a point 0.960 mile southwest of College Street, the maximum rate of speed shall be 40 miles per hour.
- (14) On State Highway 198, from a point 0.960 mile southwest of College Street to a point 1.160 mile southwest of College Street, the maximum rate of speed shall be 45 miles per hour.
- (15) On State Highway 198, from a point 1.160 mile southwest of College Street to a point 1.360 mile southwest of College Street, the maximum rate of speed shall be 50 miles per hour.
- (16) On State Highway 198, from a point 1.360 mile southwest of College Street to the Canton Southwest City Limit, the maximum rate of speed shall be 60 miles per hour (day) and 55 miles per hour (night).
- (17) On State Highway 243, from State Highway 198 to a point 0.250 mile west of State Highway 198, the maximum rate of speed shall be 50 miles per hour.
- (18) On State Highway 243, from a point 0.250 mile west of State Highway 198 to the Canton West City Limit, the maximum rate of speed shall be 60 miles per hour (day) and 55 miles per hour (night).
- (19) On Farm to Market Road 1654 (signed S. H. 243) from State Highway 198 to a point 0.300 mile east of State Highway 198, the maximum rate of speed shall be 50 miles per hour.
- (20) On Farm to Market Road 1654 (signed S. H. 243), from a point 0.300 mile east of State Highway 198 to the Canton East City Limit, the maximum rate of speed shall be 60 miles per hour (day) and 55 miles per hour (night).

## II.

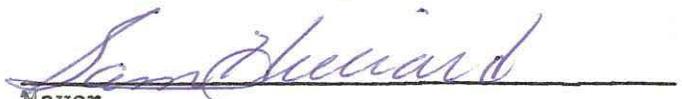
All Ordinances and parts of Ordinances in force in the City of Canton which conflict with the terms and provisions of this Ordinance are repealed insofar as they conflict with the above areas, but shall remain in full force and effect in all other portions of the City of Canton.

Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor, and upon the conviction thereof, shall be punished by a fine not exceeding \$25.00 for the first offense and by a fine not exceeding \$100.00 for a second of subsequent offense.

III.

The fact that present traffic regulations are inadequate to control traffic in areas covered by this Ordinance creates an emergency which is here and now declared, and all rules and regulations providing for the reading of Ordinances on more than one occasion or more than one time are suspended, and this Ordinance is passed as an emergency measure and shall be in full force and effect from and after its passage and publication.

PASSED AND APPROVED this the 14<sup>th</sup> day of August, 1962.

  
\_\_\_\_\_  
Mayor  
City of Canton

ATTEST:

  
\_\_\_\_\_  
City Secretary

CONTRACT

THIS AGREEMENT, Made and entered into this 11 day of September, 1962, by and between Water Tank Maintenance Company, d.b.a. WATER TANK SERVICE COMPANY, INC., DALLAS, TEXAS,

Party of the First Part, and, City of Canton, Canton, Texas

Party of the Second Part

WITNESSETH: That for and in consideration of the sum of \$ 3,945.00, to be paid to Party of the First Part by Party of the Second Part, Party of the First Part agrees to do and perform the following described work on the Water Tank belonging to Party of the Second Part, at its own risk and without any liability whatsoever to Party of the Second Part for any accidents, injuries or damages to employees of the Party of the First Part, excluding negligence on the part of the Party of the Second Part.

As per Schedule A, attached.

Party of the Second Part represents that the said tank located at Canton, State of Texas does

not exceed 100,000 gallons capacity, and agrees to furnish the following material for the above work: Electricity for tools (110 Volts).

Party of the Second Part covenants and agrees with Party of the First Part to pay said Party of the First Part the sum of \$ upon completion of the above described work.

Party of the First Part carries full coverage of Workmen's Compensation, Public Liability and Property Damage Insurance at all times:

This work is guaranteed for four (4) years and should the paint or plastic break down within that period, due to faulty workmanship or materials, same will be replaced by Party of the First Part without further charge.

WITNESS:

Water Tank Maintenance Company d.b.a. WATER TANK SERVICE COMPANY, INC. 10760 Shady Trail, Dallas 20, Texas

By [Signature] President Party of the First Part

ATTEST: [Signature] City Clerk.

City of Canton By [Signature] MAYOR Party of the Second Part

WATER TANK MAINTENANCE COMPANY  
d.b.a.

# WATER TANK SERVICE COMPANY, INC.

"MEMBER AMERICAN WATER WORKS ASSOCIATION"

10760 SHADY TRAIL  
DALLAS 20, TEXAS

ALBERT W. CLINE  
PRESIDENT

FLEETWOOD 7-0439

## SCHEDULE A

### Interior:

The inside of the tank, including the underneath side of the roof, shell, bowl, spider rods, roof clips, bolts, ladder, etc. and all appurtenances thereto, including riser pipe, shall be sandblasted to a "WHITE" finish and then painted with three (3) or more coats of WTS-14 Epoxy Plastic to a dry film thickness of eight (8) to ten (10) mils. Whatever metal is sandblasted on any one day shall be coated with one (1) coat of plastic on the same day. If any rust forms on blasted surface, the surface shall be recleaned as necessary before the application of the plastic. All plastic to be applied by use of Airless equipment. The thickness of the coating to be determined by use of an Elcometer. The entire surface will be thoroughly searched by use of a holiday detector to locate any pin holes or voids that might appear in the coating, and any voids found shall be recoated as necessary in order to give a complete void free coating. All materials used are to be approved by the American Water Works Association or the United States Food and Drug Administration, Washington, D.C.

### Exterior:

The exterior of the tank and tower shall be cleaned of all rust, loose paint and foreign matter by means of scrapers and wire brushes and spot painted with one (1) coat of Red Lead Linseed Oil Paint conforming to Federal Specifications #TT-P-86a, Type I, followed by one (1) complete finish coat of aluminum paint. The mixing varnish for aluminum paint shall conform to Federal Specifications #TT-V-816, Type II, Class B, and aluminum mixing varnish to two (2) pounds aluminum paste.

### Repair Work:

Weld all pits deemed necessary.

Canton, Texas  
September 11, 1962

The Canton City Council met in regular session in the city office with Mayor, Sam Hilliard, presiding and the following members present: J. H. Reynolds, Travis Coleman and B. R. Mahaffey. Absent: J. W. Barron Sr. and Harvey Fincher.

Minutes of the previous meeting were read and approved as read with a motion by B. R. Mahaffey and seconded by J. H. Reynolds.

Mr. Albert Cline of the Water Tank Service Company of Dallas met and discussed a contract for repairing the 100,000 gallon water tower. He stated that the repairs were needed and that the contract price of \$3,945.00 would be invoiced as of January 1, 1963 and that the city would have six months to pay for same before the 6% interest charges would be levied. A motion was made by Travis Coleman and seconded by B. R. Mahaffey that the city enter into this contract and that the repairs be made during the month of October provided the weather permits. Should the weather continue to be dry and the demand for water be great at this time, the repairs to this tower would be delayed. Motion carried unanimously, with contract attached hereto.

A motion was made by J. H. Reynolds and seconded by Travis Coleman that letters be written to Senators, Ralph Yarbrough and John Tower and Congressman, Lindley Beckworth asking their support in obtaining free city delivery service by the local post office. Motion carried.

A motion was made by J. H. Reynolds and seconded by Travis Coleman that a letter be written to Lester T. Potter, President of the Lone Star Gas Company, requesting extension of gas lines to the annexed property. Motion carried.

A request by Mrs. Charles E. Branton for a street light on the Edgewood Road was read and a motion was made by B. R. Mahaffey and seconded by Travis Coleman that a street light be erected near the Charles E. Branton home on the Edgewood Road and that a street light be erected at the intersection of Highway No. 64 and the Edgewood Road. Motion Carried.

Motion was made by J. H. Reynolds and seconded by Travis Coleman that the City grant permission to the Atlantic Refining Company to conduct seismic operations on the lands that are at presently under lease by this Company. This Company agrees to pay to the City the sum of \$25.00 per three-hole pattern for each pattern that is to be drilled and shot and that if there should be any damage to the water well or any excessive surface damages from such drilling or shooting that they would be liable. Motion carried.

A motion was made by J. H. Reynolds and seconded by B. R. Mahaffey that the contract prepared by the City Attorney with F. L. Brewer purchasing his water rights be recorded. Motion carried unanimously.

The Tax Roll for the year 1962 with a valuation of \$1,936,080.00 was reviewed and a motion was made by B. R. Mahaffey and seconded by Travis Coleman that it be approved and that the \$1.00 tax rate be levied with .90¢ being placed in the General Tax Fund and .10¢ being placed in the General Sinking Fund. Motion carried.

The plans and specification prepared by Wisenbaker, Fix & Associates for sewer line extentions were discussed and it was agreed that they be offered to the public for bids. Such bids to be received until 2:00 P.M. October 5, 1962, and then publicly opened with the city reserving the right to reject any and all bids.

With no further business, a motion was made and seconded to adjourn.

Adenia Steed  
Secretary

Sam Hilliard  
Mayor

\* \* \* \* \*

Canton, Texas  
October 9, 1962

The Canton City Council met in regular session in the city office with Mayor, Sam Hilliard, presiding with the following members present: B. R. Mahaffey, J. H. Reynolds, Travis Coleman, J. W. Barron Sr. and Harvey Fincher. Absent: None.

The minutes of the previous meeting were read and approved as read with a motion by J. H. Reynolds and a second by B. R. Mahaffey.

Mayor, Sam Hilliard, read a letter received from Mr. Lester T. Potter, President, of Lone Star Gas Company, concerning extention of gas lines into recently annexed properties, stating that further study would have to be made before any changes in their policies would be made.

Mr. E. N. Sides met and discussed with the council the possibilities of building, types of buildings and future repairs on property that he had recently purchased which lies within the fire zone within the city.

Mr. Clayton Bolt, Mrs. Allen Travis and City Attorney, Clyde Elliott Jr. met with the Council and discussed a possible division of the undivided Scates property in which the city has an interest and wishes to use for dumping. Mr. Elliott suggested that Mr. Bolt, Mrs. Travis and the city agree on such division and that proper papers be drawn up to this agreement. They agreed to meet with Mr. Bolt at the site of the property and look further into this agreement of division.

Then came on a discussion of establishing a Corporate Court. It was found that the Corporate Court of the City of Canton was established by ordinance on April 18, 1919, and at which time the Penal Code of the State of Texas and the penalties thereof were adopted and gave the City of Canton concurrent jurisdiction with the justice court.

It was decided that further study be made of this and that the City Attorney draw an amended ordinance for this cause.

A water line replacement which furnishes Gordon Whitaker's wash rack was discussed and B. R. Mahaffey was appointed to secure more information on this before any action was taken.

Then came on a discussion of installing street lights into the annexed areas and the council agreed to make a survey with Mr. Tom Milford of the Texas Power & Light Company to determine the type of lights and the location of these lights.

A motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that the council authorize the Mayor and Secretary to sign the application for the Accelerated Public Works Program that has been enacted when such applied for application arrives. Motion carried unanimously.

A motion was made by J. W. Barron Sr. and seconded by B. R. Mahaffey authorizing the Mayor to buy another load of asbestos-cement pipe for laying of water lines. Motion Carried.

The petitions for annexing additional property were read and the signed affidavits were presented and a motion was made by B. R. Mahaffey and seconded by Harvey Fincher that the following ordinance be passed. Motion carried unanimously.

ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY.

WHEREAS, a petition has been signed by a majority of the property owners who are citizens of the State of Texas and inhabitants of the following described territory, to-wit:

Tract No. 1:

Being all that certain lot, tract, or parcel of land, lying and being situate in the County of Van Zandt, State of Texas, a part of the Jesse Stockwell Survey, Abstract No. 760, and more fully described as follows, to-wit:

BEGINNING at a concrete monument at the West corner of Whispering Oaks Sub-division and being the same monument described in the field notes of that portion of land that was annexed to the City of Canton on December 11, 1961, and of record in Vol. 2, Page 99 Plat Records of Van Zandt County, Texas;

THENCE North 20 deg. East, with Northwest line of said Whispering Oaks Sub-division, passing concrete monument in South right-of-way line of State Highway No. 243, and continuing North 20 deg. East to a total distance of 1325 feet to concrete monument for corner in North right-of-way line of said State Highway No. 243;

THENCE North 10 deg. East, crossing Towles wooded lands a distance of 2851.20 feet to concrete monument in Northeast line of same;

THENCE South 43 deg. 12 min. West a distance of 3538.10 feet along an old fence line on Northeast line of Towles wooded land to concrete monument for Northeast corner of the D. W. Wilson tract; same being the Northwest boundary line of the Jesse Stockwell Survey, Abstract No. 760;

THENCE South 45 deg. East a distance of 2084.11 feet to the place of beginning, containing 92.1 acres of land, more or less.

Tract No. 2:

Being all that certain lot, tract, or parcel of land, lying and being situate in the County of Van Zandt, State of Texas, a part of the Jesse Stockwell Survey, Abstract No. 760, and a part of the James Douthit Survey, Abstract No. 198, and more fully described as follows, to-wit:

BEGINNING at a concrete monument in the Northeast right-of-way line of Highway No. 198, and being the same monument as described in the field notes of that portion of land that was annexed to the City of Canton, on December 11, 1961, and of record in Vol. 2, Page 99, Plat Records of Van Zandt County, Texas;

THENCE South 45 deg. East a distance of 1917.12 feet to concrete monument for corner, same being the Northwest right-of-way line of a public road which lies in part in both surveys;

THENCE North 32 deg. 57 min. East a distance of 854.56 feet to concrete monument for corner, same being along said public road;

THENCE North 37 deg. 54 min. East a distance of 931.64 feet to concrete monument for corner; same being the North side of said public road which at this point turns in a Westerly direction;

THENCE South 45 deg. East a distance of 26.50 feet to concrete monument for corner;

THENCE North 45 deg East a distance of 1290.40 feet to concrete monument; same being the Southeast Corner of that portion of land annexed to the City of Canton on June 22, 1945, and of record in Vol 360, Page 147, Deed Records of Van Zandt County, Texas;

THENCE North 45 deg. West a distance of 1178 feet to concrete monument in same, being the North boundary line of State Highway No. 198;

THENCE South 54 deg. West with boundary line of said highway a distance of 614 feet thus passing corner of the June 22, 1945 annexation to the corner where the December 11, 1961 annexation began;

THENCE North 45 deg. West a distance of 281 feet to concrete monument in same;

THENCE South 45 deg. West a distance of 1828 feet to concrete monument in same;

THENCE South 54 deg. West a distance of 620 feet to place of beginning, containing 105 acres of land, more or less.

~~WHEREAS~~, said territory is adjoining the City of Canton, and

WHEREAS, said petition, desiring and requesting the annexation of said territory to said city, has been presented to the City Council and has attached to it an affidavit of three (3) of said applicants to the effect that said petition is signed by a majority of the qualified votes within sauch property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS:

That the following described property, to-wit:

TRACT NO. 1:

Tract No. 1:

Being all that certain lot, tract, or parcel of land, lying and being situate in the County of Van Zandt, State of Texas, a part of the Jesse Stockwell Survey, Abstract No. 760, and more fully described as follows, to-wit:

BEGINNING at a concrete monument at the West corner of Whispering Oaks Sub-division and being the same monument described in the field notes of that portion of land that was annexed to the City of Canton on December 11, 1961, and of record in Vol. 1, Page 55, Plat Records of Van Zandt County, Texas;

THENCE North 20 deg. East, with Northwest line of said Whispering Oaks Sub-division, passing concrete monument in South right-of-way line of State Highway No. 243, and continuing North 20 deg. East to a total distance of 1325 feet to concrete monument for corner in North right-of-way line of said State Highway No. 243;

THENCE North 10 deg. East, crossing Towles wooded lands a distance of 2851.20 feet to concrete monument in Northeast line of same;

THENCE South 43 deg. 12 min. West a distance of 3538.10 feet along an old fence line on Northeast line of Towles wooded land to concrete monument for Northeast corner of the D. W. Wilson tract; same being the Northwest boundary line of the Jesse Stockwell Survey, Abstract No. 760;

THENCE South 45 deg. East a distance of 2084.11 feet to the place of beginning, containing 92.1 acres of land, more or less.

Tract No. 2:

Being all that certain lot, tract, or parcel of land, lying and being situate in the County of Van Zandt, State of Texas, a part of the Jesse Stockwell Survey, Abstract No. 760, and a part of the James Douthit Survey, Abstract No. 198, and more fully described as follows, to-wit;

BEGINNING at a concrete monument in the Northeast right-of-way line of Highway No. 198, and being the same monument as described in the field notes of that portion of land that was annexed to the City of Canton, on December 11, 1961, and of record in Vol. 1, Page 55, Plat Records of Van Zandt County, Texas;

THENCE South 45 deg. East a distance of 1917.12 feet to concrete monument for corner, same being the Northwest right-of-way line of a public road which lies in part in both surveys;

THENCE North 32 deg. 57 min. East a distance of 854.56 feet to concrete monument for corner, same being along said public road;

THENCE North 37 deg. 54 min. East a distance of 931.64 feet to concrete monument for corner; same being the North side of said public road which at this point turns in a Westerly direction;

THENCE South 45 deg. East a distance of 26.50 feet to concrete monument for corner;

THENCE North 45 deg. East a distance of 1290.40 feet to concrete monument; same being the Southeast corner of that portion of land annexed to the City of Canton on June 22, 1945, and of record in Vol. 360, Page 447, Deed Records of Van Zandt County, Texas;

THENCE North 45 deg. West a distance of 1178 feet to concrete monument in same, being the North boundary line of State Highway No. 198;

THENCE South 54 deg. West with boundary line of said highway a distance of 614 feet thus passing corner of the June 22, 1945 annexation to the corner where the December 11, 1961 annexation began;

THENCE North 45 deg. West a distance of 281 feet to concrete monument in same;

THENCE South 45 deg. West a distance of 1828 feet to concrete monument in same;

THENCE South 54 deg. West a distance of 620 feet to place of beginning, containing 105 acres of land, more or less.

be and the same is hereby annexed to the City of Canton, Van Zandt County, Texas, and that the boundary limits of the City of Canton be and the same are hereby extended to include the above described territory within the city limits of the City of Canton, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Canton and they shall be bound by the acts, ordinances, resolutions and regulations of said city.

PASSED by an affirmative vote of all members of the City Council, this the 9th day of October, A. D. 1961.

APPROVED:

ATTEST:

Ardenia Steed  
Ardenia Steed, City Secretary.

Sam Hilliard  
Sam Hilliard, Mayor

There being no further business to come before the council at this, a motion was made by B. R. Mahaffey and seconded by Travis Coleman to adjourn.

Ardenia Steed  
Secretary

Sam Hilliard  
Mayor

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Canton, Texas  
October 16, 1962

The Canton City Council met in a called session with Mayor, Sam Hilliard, presiding with the following members present: B. R. Mahaffey, Travis Coleman, J. H. Reynolds, Harvey Fincher and J. W. Barron Sr. Absent: None.

Mr. Walter Elliott of the firm of Wisenbaker, Fix and Associates, Engineers, met with the council and discussed the requirements for filing an application with the Housing and Home Finance Agency for a grant under the terms of Public Law 345, 84th Congress of the United States of America as amended by the Public Works Acceleration Act.

After some discussion Travis Coleman introduced a resolution and moved that it be adopted. B. R. Mahaffey seconded the motion. The motion carried with a unanimous vote by the council and adopted the following resolution.

WHEREAS, under the terms of said Public Law 345, as amended, the United States of America has authorized the making of grants to public bodies to aid in financing the construction of specific public projects:

NOW, THEREFORE, BE IT RESOLVED BY The City Council that Sam Hilliard, Mayor, be and he is hereby authorized to execute and file an application on behalf of the City of Canton with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of water and sewer improvements, and

That Sam Hilliard, Mayor, be and he is hereby authorized and directed to furnish such information as the Housing and Home Finance Agency may reasonably request in connection with the application which is herein authorized to be filed for the water and sewer improvements, add one new deep gravel wall water well, turbine pump, iron removal plant, water storage tank, water line extension and new sewer lateral lines.

B. R. Mahaffey then introduced a resolution and moved that it be adopted. Travis Coleman seconded the motion. The motion carried with a unanimous vote by the council and adopted the following resolution.:

WHEREAS, under the terms of Public Law 87-658, approved September 14, 1962, the United States of America has authroized the making of grants to aid in financing construction of specific public works projects, provided the proposed or planned total expenditure of the public body for its capital improvement projects is increased by an amount approximately equal to the non-Federal funds required to complete such public works projects:

NOW, THEREFORE, BE IT RESOLVED BY the City Council that as of the date of filing of an application by the City of Canton with the Housing and Home Finance Agency, United States Government, for a grant to aid in financing the construction of Water & Sewer Improvements the applicant had a capital improvements plan or capital improvement budget for the fiscal year or years during which construction of the proposed project is expected to occur; and that the total expenditure for capital improvements in said plan or budget was \$ -0- for the fiscal year ending 12-31-63 and \$ -0- for the fiscal year ending 12-31-64, and

That, in the event that said Federal grant is approved by the United States of America, said capital improvements plan or capital budget will be increased by \$114,000.00 for the fiscal year ending 12-31-63 and \$ -0- for the fiscal year ending 12-31-64 for a total increase of \$114,000.00 in the proposed or planned total expenditure for capital improvement projects, and

That said increase in the proposed or planned total expenditure for capital improvement projects is approximately equal to the non-Federal funds required to complete the public works project for which the application is to be submitted.

Then came on a discussion of this planned project and application and the engineering of the project. A Motion was made by B. R. Mahaffey and seconded by Travis Coleman that the City of Canton enter into a contract with Wisenbaker, Fix & Associates.

Motion was unanimously for the following contract and resolution:

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF VAN ZANDT §

This contract entered into this the 16th day of October, 1962, by and between the City of Canton, in Van Zandt County, Texas, a municipal corporation, hereafter called Owner, acting herein by and through its duly authorized Mayor, Sam Hilliard, and Wisenbaker, Fix, & Associates, a partnership of Tyler, Smith County, Texas, acting herein by and through its duly authorized partner, witnesseth:

SECTION 1. EMPLOYMENT OF THE ENGINEER: The Owner hereby employs Wisenbaker, Fix, & Associates, hereinafter called the Engineer, and the Engineer agrees to perform professional services in connection with the construction of water well, water treatment unit, ground storage tank, water supply line, and lateral sewer lines.

SECTION 2. CHARACTER AND EXTENT OF ENGINEERING SERVICES: The Engineer shall perform all the professional services necessary and required for the construction of the above named improvements, to the satisfaction of the Owner, including, but without limitation of, the following:

(a) Make the necessary field surveys and investigations, attend all necessary conferences, prepare complete general and detailed plans, specifications, and detailed estimate of cost, prepare forms for construction proposals, advertisements, construction contract and bonds, subject to the approval of the Owner; submit the plans, specifications and engineering report to the State Department of Health for approval, and prepare the necessary sets for contractors.

(b) The Engineer shall assist the Owner in receiving and opening bids and awarding a contract for construction.

(c) During the construction, the Engineer shall provide and be responsible for the general supervision and administration of the projects. The Engineer shall furnish all line and grade surveys that are necessary for the construction (but excluding land surveying for property lines and easements), check all shop and working drawings submitted in connection with the construction work, supervise and review the work of such inspection bureaus and testing laboratories as may be employed by the Owner, provide general supervision of the work and interpretation of the plans and specifications by periodic visits to the site by the Engineer or his representative, furnish consultation and advice during the construction, prepare monthly and final estimates for

payments to contractors, furnish assistance in checking and testing of installed equipment and make final inspection of the construction on its completion. The Engineer does not guarantee the performance of any contractor on any construction work.

SECTION 3. PAYMENT FOR ENGINEERING SERVICES: The Owner hereby agrees to pay the Engineer for the performance of all services, as set out in Section Two preceding, according to the schedule of fees for general engineering services as published by the Texas Society of Professional Engineers which are summarized as follows:

Construction Cost of Work	Fee (Percentage)
More than \$ 25,000, less than \$ 50,000	10% but not less than \$ 2,500
More than \$ 50,000, less than \$ 100,000	9.00% but not less than \$ 5,000
More than \$100,000, less than \$ 250,000	8.00% but not less than \$ 9,000
More than \$250,000, less than \$ 500,000	7.00% but not less than \$20,000
More than \$500,000, less than \$ 750,000	6.50% but not less than \$35,000

The total amount of engineering fee to be paid shall be based on the total final payment to the contractors in accordance with the preceding schedule.

Said payment shall be made as follows:

(a) Fifteen percent (15%) of the fee is to be paid to the Engineer for completion of the preliminary investigation studies, preliminary general plans, and a preliminary engineering report including an approximate estimate of cost, said payment to be based on the engineering fee on the estimated cost of construction included in the bond issue to be called to finance the construction, and is to be due as soon as the proceeds of the bond issue are received.

(b) Sixty percent (60%) of the fee is to be paid to the Engineer upon completion of and approval by the City Council of the detailed construction plans, specifications, and bidding documents.

(c) The remaining twenty-five percent (25%) of the engineering fee is to be paid monthly during the construction period in proportion to the amount of construction completed, until the aggregate of all payments shall equal the amount due under this agreement. The Contractor's estimates for periodical payments shall be the basis of determining the amount of construction completed.

SECTION 4. INSPECTION OF CONSTRUCTION: It is mutually agreed by the parties hereto that the supervision of construction to be performed by the Engineer shall be of a general nature, as previously specified. The Engineer shall keep an inspector satisfactory to the Owner on the job at all times requiring continuous inspection, with the inspector to have the authority to require the contractor performing the construction work to follow the plans and specifications. The Owner shall reimburse the Engineer the actual cost of the salary and expenses of this inspector. This actual cost is to be actual salaries paid plus 15 percent for payroll costs plus

actual cost of all non-labor items.

SECTION 5. SUCCESSORS AND ASSIGNMENTS: The Owner and the Engineer, each binds itself and themselves, their partners, successors, executors, administrators, and assigns to the other party of this agreement, and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all the covenants of this contract. Neither the Owner nor the Engineer shall assign, sublet, or transfer their respective interest in this agreement without written consent of the other.

IN TESTIMONY WHEREOF, the parties have affixed their hands and seals at Canton, Texas, this 16th day of October, A. D. , 1962.

ATTEST:

/S/ Ardenia Steed  
City Secretary

CITY OF CANTON, TEXAS

OWNER

By

/S/ Sam Hilliard, Mayor

WISENBAKER, FIX, & ASSOCIATES

By

/S/ Robt. E. Fix  
Partner

RESOLUTION

WHEREAS, the City of Canton is in need of certain engineering services necessary for having constructed water and sewer system improvements, and

WHEREAS, it is the opinion of the officials of the City of Canton that the Engineering firm, Wisenbaker, Fix, & Associates, is a firm consisting of several Engineers who are competent and capable in this specific field of work and having as principal members of the firm, engineers registered as Professional Engineers in the State of Texas;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Canton, Texas, that the Mayor be and is hereby authorized and instructed to enter into an agreement with the said firm for the engineering services above mentioned in the first paragraph of this Resolution.

There being no further business to come before the council, a motion was made and seconded to adjourn. Motion carried.

  
City Secretary

  
Mayor

Canton, Texas  
November 13, 1962

The Canton City Council met in regular session in the city office with Mayor, Sam Hilliard, presiding and the following members present: B. R. Mahaffey, J. W. Barron Sr., Travis Coleman, J. H. Reynolds and Harvey Fincher, Absent: None.

Minutes of the previous meetings were read and approved as read with a motion made by J. W. Barron Sr. and seconded by B. R. Mahaffey.

A discussion of the laying of sewer lines in the Whispering Oaks Sub-division followed and a motion was made by B. R. Mahaffey and seconded by J. H. Reynolds that Kemp Construction Company be contacted to give figures for this work and if it was at all reasonable to have them to do the work immediately as the citizens in this area are in dire need of these facilities. Motion carried unanimously.

A Motion was made by J. W. Barron Sr. and seconded by Harvey Fincher that the city purchase for the fire department 800 feet of fire hose from the local agent for The General Detroit Corp. at a price of \$1.22 per foot. Motion carried unanimously.

The fire truck and a pickup owned by Oneal Daniel was in a slight mishap and the mirror on the pickup was demolished and a motion was made by Harvey Fincher and seconded by J. W. Barron Sr. that the mirror be replaced and that the city pay for this replacement. Motion carried.

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that B. R. Mahaffey, Travis Coleman and Harvey Fincher be given the authority to look into the matter of purchasing a pickup for the city. Canton Motors presented a price of \$755.00 for and 1958-1/2 ton pickup and the Culwell Chevrolet Co. presented a price of \$1150.00 for a 1961-3/4 ton pickup. This committee is to have the authority to buy the pickup that is best suited for the purposes that it is needed. Motion carried.

A motion was made by Harvey Fincher and seconded by Travis Coleman that Hugh Robertson be sent a check in the amount of \$100.00 for purchase of a small building and some steel that was left at the sewerage treatment plant after its construction. Motion carried unanimously.

A motion was made by J. H. Reynolds and seconded by Harvey Fincher that the council authorize the Mayor and secretary to sign such papers and deeds that will be approved by the City Attorney as necessary for the securing the Scates land for a dumping ground. Motion carried unanimously.

There being no further business for immediate action, a motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. to adjourn.

Ademia Steed  
Secretary

Sam Hilliard  
Mayor

Canton, Texas  
December 11, 1962

The Canton City Council met in regular session in the city office with Mayor, Sam Hilliard, presiding and the following members present: Travis Coleman, B. R. Mahaffey, J. W. Barron Sr. and Harvey Fincher. Absent: J. H. Reynolds.

Mr. Ben Boggus met and discussed the use of Live Oak Street from Elm Street South in connection with the property owned by Mrs. Aara Chamblee. A Motion was made by Harvey Fincher and seconded by J. W. Barron Sr. that Mrs. Chamblee be granted permission to the use of this street until the time said street is needed for municipal purposes. The City grants this permission to Mrs. Chamblee for the permission granted to the City of Canton in 1948 to construct a sewer line across her property. Motion carried unanimously.

The minutes of the previous meeting were read and approved as read by a motion made by J. W. Barron Sr. and seconded by Travis Coleman.

A report was given by the Committee appointed to purchase a pickup for the city. They reported that the bids submitted were rejected and that the purchase of a 1956 GMC 3/4 Ton pickup from Mr. Charlie Fuller for the amount of \$600.00 be made.

Plans for the water and sewer line extensions were discussed and were mapped and the Mayor was appointed to notify the Engineer to draw up the final plans for such extensions.

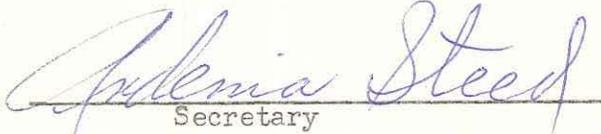
A motion was made by B. R. Mahaffey and seconded by J. W. Barron Sr. to pay to the Canton Lions Club \$50.00 for Xmas lighting. Motion carried.

A motion was made by B. R. Mahaffey and seconded by Travis Coleman that the City pay \$70.00 to Texas Municipal League for dues for the coming year. Motion carried.

A motion was made by Harvey Fincher and seconded by J. W. Barron Sr. to sell the 1950 Ford pickup. Motion carried.

A motion was made and seconded with unanimous vote to give \$25.00 each to F. H. Stegall, Woodrow Janes, Truman ~~Ensey~~ and W. O. Carpenter.

There being no further business a motion was made by Harvey Fincher and seconded by J. W. Barron Sr. to Adjourn. Motion carried.

  
Secretary

  
Mayor