

Canton, Texas  
January 8, 1963

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, Travis Coleman, J. W. Barron Sr. and Harvey Fincher. Absent: None.

Mr. E. B. Jones met and discussed the possibility of a sewer line into his property just off State Highway #243 where he is now constructing a new home. He agreed to pay the sum of \$300.00 on the cost of laying this sewer line and it was agreed by the council that such line could be and would be layed when the engineer completed the necessary grade levels and work could be started.

Mr. W. R. Cornelius, Division Manager of Henderson, Texas and Mr. John D. Allen, Revenue Requirements Supervisor of Brownwood, Texas, representatives of the Southwestern States Telephone Company, met and presented a proposal for increasing the telephone rates for the Canton Exchange. After a lengthy question and answer period, a motion was made by J. H. Reynolds and seconded by Travis Coleman that a secret ballot be taken and that each councilman vote "for" or vote "against" granting an increase in the telephone rates as presented by the proposal dated June 29, 1962, as Exhibit H-1 and that the representatives present be notified orally of said vote and also that the Southwestern States Telephone Company be officially notified of this vote. Vote was taken and the count was four (4) "against" and one (1) refused to vote.

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.

Mr. Marvin Fuller has asked to purchase the steel frames that were on the truck recently purchased by the city but a motion was made by Harvey Fincher and seconded by J. W. Barron Sr. that the city may have need for these frames and that they not be sold at this time. Motion carried unanimously.

Then came on the dedication of proposed extention of Tower Street into the property owned by Mrs. R. C. Ballard. A motion was made by J. W. Barron Sr. and seconded by Harvey Fincher that the council accept this dedication for public use. Motion carried unanimously. (Dedication and Plat to be made part of these minutes.)

Then came on the discussion of the traffic signal light. This light had recently been replaced but was again damaged beyond repair on December 19, 1962, and the city had placed and used temporary stop signs in a four-way pattern at the intersection of Highway #64 and Highway #198. This had proven to be very satisfactory for the traffic movement as well as for pedestrian crossing since placed. A motion was made

by J. H. Reynolds and seconded by Travis Coleman that the following resolution be passed, approved and adopted:

R E S O L U T I O N

WHEREAS, the City of Canton has for past years, installed, maintained and operated a traffic signal light at the intersection of State Highway No. 64 and State Highway No. 198, and

WHEREAS, said traffic signal light has been damaged and repaired and replaced on numerous occasions but on December 19, 1962, was damaged beyond repair, and

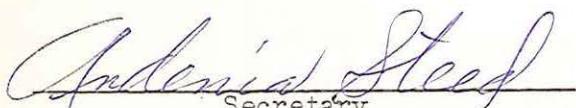
WHEREAS, said temporary stop signs erected in a four-way pattern at said intersection to handle traffic movement and pedestrian crossings have proved to be very satisfactory;

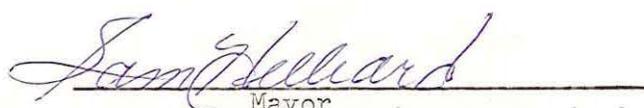
NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council that said four-way stop signs be permanently erected on small islands in the center of said highways at said intersection.

BE IT FURTHER RESOLVED that the Texas Highway Department be authorized to erect said four-way stop signs at an early date.

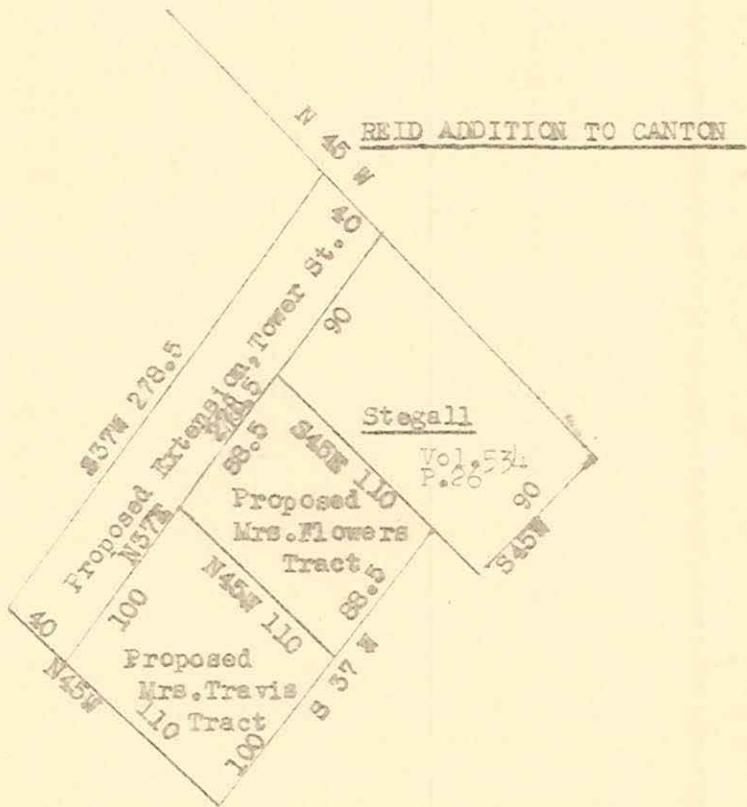
This resolution was adopted and approved with a unanimous vote and the secretary was instructed to notify the Texas Highway Department of its action.

A discussion of other city affairs followed and the council had no objection to the remodeling of the curb and gutter at the lot purchased by Oscar Brown and the Van Zandt County Farm Bureau where office buildings are under construction. There were other discussions but no immediate action was taken and a motion was made by Harvey Fincher and seconded by Travis Coleman to adjourn. Motion carried.

  
Secretary

  
Mayor

PLAT SHOWING TRACTS OUT OF JESSE STOCKWELL SURVEY, A-NO. 760, VAN ZANDT COUNTY, TEXAS



SCALE: 1 INCH = 100 FEET

DISTANCES IN FEET.

\*\*\*\*\*  
 J. E. Gibbard  
 Wills Point, Texas  
 \*\*\*\*\*

STATE OF TEXAS                    0  
 COUNTY OF VAN ZANDT           0

This is to certify that the City Council of the City of Canton, Texas, did on the 8 day of January 1963, approve for all purposes the attached plat as the official plat of the extension of Tower Street in the Reid Addition to the City of Canton, Texas.

Witness my hand and the seal of the City of Canton, this 8 day of January, A. D. 1963

ATTEST:  
*Jadonia Steef*  
 City Secretary

*Sam Hilliard*  
 Sam Hilliard, Mayor



Canton, Texas  
January 31, 1963

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, Travis Coleman, J. W. Barron Sr. and J. H. Reynolds. Absent: Harvey Fincher.

The meeting was called for the purpose of studying the plans for the laying of sewer lines in the Whispering Oaks and Folded Hills Sub-divisions. After studying the plans and a bid by Kemp Construction Company of Irving, Texas, a motion was made by J. H. Reynolds and seconded by B. R. Mahaffey that the following resolution be passed, approved and adopted:

R E S O L U T I O N

WHEREAS, the need for sewer service in all recently annexed properties is profound, and

WHEREAS, the City Council had architectural plans and specifications drawn and bids submitted for this sewer service and on October 5, 1962, did open said bids and Kemp Construction Company of Irving, Texas, was the low bidder, and

WHEREAS, the City Council made application for a grant under the Accelerated Public Works Program on October 16, 1962 to help defray the expense of this sewer service program and to date have not received such grant or part of grant, and

WHEREAS, the Whispering Oaks & Folded Hills sub-divisions are in immediate need of sewer services.

NOW THEREFORE, BE IT RESOLVED that Kemp Construction Company be granted a contract to complete the sewer service to said sub-divisions with the bid of ten cents (10¢) per foot above their original bid with the total construction cost being \$11,664.50.

BE IT FURTHER RESOLVED that Mayor, Sam Hilliard, be authorized to negotiate said contract with Kemp Construction Company.

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

*Rudenia Steef*  
Secretary

*Sam Hilliard*  
Mayor

Canton, Texas  
February 12, 1963

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

Glenn Scott, Ray Cooper Jr., Morris Bailey, B. M. Clark and Herman Gullett met with the council to discuss the parking problems confronting our city. After discussing the situation, suggestions were rendered and the council moved to fix the parking lot by paving it when the weather permits and mark off for more uniform parking and remark the streets. All agreed that this could help but should it become necessary, parking would be marked for two-hour parking around the square.

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

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

J. H. Reynolds introduced a resolution and order and moved that it be adopted calling for an election to be held on April 2, 1963 to elect a mayor, two city councilmen and city attorney. B. R. Mahaffey seconded the motion. Motion carried unanimously. (The resolution and order are attached and become part of these minutes.)

Then came on to be heard a dedication of a street to be known as Ridge Road that is located in the properties now owned by E. B. Jones and wife, Rubye E. Jones. J. W. Barron Sr. moved that this dedication be accepted. Seconded by J. H. Reynolds, the motion carried unanimously. (Copy of dedication attached and part of these minutes.)

A motion was made by J. W. Barron Sr. and seconded by B. R. Mahaffey that the Mayor be authorized to purchase the necessary amount of Asbestos-Cement pipe for the laying of necessary water lines. Motion carried.

A discussion of other city affairs followed but no immediate action was taken and a motion was made and seconded to adjourn. Motion carried.

Ardenial Steed  
Secretary

Sam Hilliard  
Mayor



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 8 day of February, A. D. 1963.

*W. W. B. B. B.*  
Notary Public in and for  
Van Zandt County, Texas.

THE STATE OF TEXAS

§

COUNTY OF VAN ZANDT

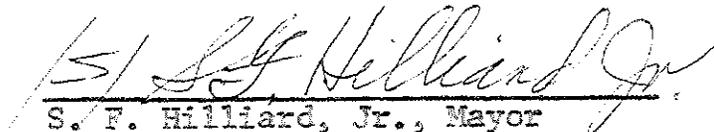
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This is to certify that the above and foregoing dedication of a certain street named "Ridge Road" as shown by the attached Plat and Plan thereof was presented to the City Council of Canton, Texas, on the 12<sup>th</sup> day of February, 1963, and upon motion being made and duly seconded, the Council voted to approve and accept same, and the County Clerk of Van Zandt County, is hereby

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authorized to record same in the Plat Records, Van Zandt  
County, Texas.

Witness my hand this 12 day of February,  
1963.

  
S. F. Hilliard, Jr., Mayor  
City of Canton

ATTEST:

  
City Secretary

Canton, Texas  
February 21, 1963

The Canton City Council met in a special session in the Service Cafe 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. Absent: None.

A telegram was received from Senator, Ralph Yarbrough notifying the city that a Federal Grant in the amount of \$1114,000.00 had been allotted under the Accelerated Public Works Program. The purpose of this meeting was to discuss the plans for accepting this grant but no immediate action was taken. It was decided to meet with the engineers and discuss the program further.

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

*Audenia Steed*  
Secretary

*Sam Hilliard*  
Mayor

\*V\* \* \* \* \*

Canton, Texas  
February 28, 1963

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

After a lengthy discussion of the physical needs it was decided that the engineer complete the plans according to the preliminary plans and show other needed water and sewer lines as alternates.

Then came on the discussion of the financial aspects with reference to the Federal Grant and it was decided that with the amount of cash on hand plus what amount was needed would be issued with tax warrants. The amount needed would be determined at a later date but C. N. Burt of C. N. Burt & Company and B. H. (Bill) Estes of Eppler, Guerin & Turner, Inc. have agreed to purchase said tax warrants.

Then came the discussion of calling for redemption \$21,000.00 of "City of Canton Street Improvement Bonds, Series 1948", dated February 10, 1948.

Mayor Hilliard introduced the attached resolution and it was adopted, passed and approved. (This resolution in its entirety to become part of these minutes.)

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

*Audenia Steed*  
Secretary

*Sam Hilliard*  
Mayor

RESOLUTION AUTHORIZING ISSUANCE OF NOTICE OF  
REDEMPTION IN RESPECT OF "CITY OF CANTON  
STREET IMPROVEMENT BONDS, SERIES 1948"  
DATED FEBRUARY 10, 1948

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

ON THIS, the 28th day of February, 1963, the City Council of the City of Canton, Texas, convened in Special session at the regular meeting place thereof in the City Hall, there being present and in attendance the following members, to-wit:

SAM HILLIARD	MAYOR
B. R. MAHAFFEY	ALDERMAN
HARVEY FINCHER	ALDERMAN
JOHN H. REYNOLDS	ALDERMAN
J. W. BARRON, SR.	ALDERMAN
C. T. COLEMAN	ALDERMAN

and with the following absent: None, constituting a quorum; and among other proceedings had were the following:

Mayor Hilliard introduced a resolution which was read in full. Alderman Fincher moved its adoption. The motion was seconded by Alderman Barron. The motion, carrying with it the adoption of the resolution prevailed by the following vote:

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

NOES: None.

The RESOLUTION is as follows:

WHEREAS, the following bonds of the City of Canton, Texas, have heretofore been issued pursuant to authority conferred and proceedings duly had in the manner prescribed by

law, to-wit:

\$21,000 "CITY OF CANTON STREET IMPROVEMENT BONDS, SERIES 1948", dated February 10, 1948, bearing interest at the rate of 3-1/2% per annum, payable semi-annually on April 10 and October 10, in each year, said bonds being in denomination of \$1,000 each, numbered from 20 to 40, both inclusive, maturing serially on April 10 in each of the years as follows: \$3,000 1964 to 1966 and \$4,000 1967 to 1969, all inclusive; such bonds being redeemable at the option of the City on any interest payment date on or after April 10, 1963 at 103-1/2 plus accrued interest; both principal and interest being payable at the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas.

AND WHEREAS, it is provided in the proceedings authorizing the issuance of the aforesaid bonds, and in each of said bonds, that the City reserves the right of redeeming bonds maturing in the years 1964 to 1969, both inclusive, on any interest payment date on or after April 10, 1963 at 103-1/2 plus accrued interest, it being further provided that notice thereof shall be made in writing not less than thirty (30) days prior to the date fixed for such redemption, to the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas, the paying agent named in each of said bonds, and that such notice shall be published once in a financial journal of general circulation, published in the City of New York, New York, at least thirty (30) days prior to the date fixed for redemption; that at the time the call is made funds shall be placed in the bank of payment sufficient to pay these bonds, the premium and accrued interest thereon to the date fixed for payment; and that said bonds shall cease to bear interest from and after the date so fixed for redemption; and,

WHEREAS, the City Council of the City of Canton, Texas, now deems it necessary and advisable to redeem the bonds hereinabove described, in the total principal sum of \$21,000; and,

WHEREAS, funds are available in amount sufficient to pay and redeem said outstanding bonds, the premium, and accrued interest thereon to the date fixed for redemption, to-wit: April 10, 1963; therefore,

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

SECTION 1: That the TENTH DAY OF APRIL, 1963, is the date hereby fixed for redeeming the \$21,000 "CITY OF CANTON STREET IMPROVEMENT BONDS, SERIES 1948", dated February 10, 1948, hereinabove described.

SECTION 2: That the City Secretary of said City is hereby authorized and directed to issue notice in writing to the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas, the paying agent named in each of the aforesaid bonds, to the effect that said bonds have been called in for redemption, which notice shall be sent by the City Secretary so that the same will be received by the said REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas, full thirty (30) days prior to the date herein fixed for redemption. The City Secretary is also hereby authorized and directed to have the notice of intention to redeem said bonds published one time in a financial journal published in the City of New York, New York, the date of said publication to be not less than thirty (30) days prior to the date hereby fixed for redemption.

SECTION 3: That all of said bonds hereinabove described shall be presented for redemption at the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas.

SECTION 4: That the notice of redemption to be issued by the City Secretary, pursuant to this resolution, shall be substantially in the following form:

NOTICE OF BOND REDEMPTION

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THE STATE OF TEXAS  
CITY OF CANTON  
COUNTY OF VAN ZANDT

TO THE REPUBLIC NATIONAL BANK OF DALLAS, DALLAS, TEXAS,

AND TO ALL OTHER INTERESTED PARTIES:

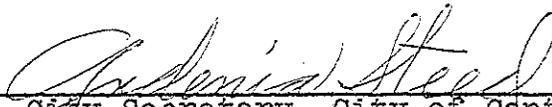
NOTICE IS HEREBY GIVEN that the City of Canton, Texas, through its City Council, and by resolution duly passed and adopted by said Council on the 28th day of February, 1963, has called in for redemption the following bonds of said City, to-wit:

\$21,000 "CITY OF CANTON STREET IMPROVEMENT BONDS, SERIES 1948", dated February 10, 1948, bearing interest at the rate of 3-1/2% per annum, payable semi-annually on April 10 and October 10, in each year, said bonds being in denomination of \$1,000 each, numbered from 20 to 40, both inclusive, maturing serially on April 10 in each of the years as follows: \$3,000 1964 to 1966 and \$4,000 1967 to 1969, all inclusive; such bonds being redeemable at the option of the City on any interest payment date on or after April 10, 1963 at 103-1/2 plus accrued interest; both principal and interest being payable at the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas

THE TENTH DAY OF APRIL, 1963, is the date fixed in the aforesaid resolution for redeeming said bonds, and funds have been placed in the place of payment sufficient to pay said bonds, the premium and accrued interest thereon to the date fixed for payment, and you are hereby notified that in the event said bonds, or any of them, are not on that date presented for redemption at the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas, they shall cease to bear interest from and after the date so fixed for redemption.

THIS NOTICE is issued and given pursuant to the aforesaid resolution of the City Council of the City of Canton, Texas, and in accordance with the recitals and provisions in each of said bonds.

WITNESS MY HAND AND THE SEAL OF SAID CITY OF CANTON, TEXAS, this the 28th day of February, 1963.

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

(City Seal)

SECTION 5: That proof of the issuance of such notice shall be made by the City Secretary by certificate to that effect, which certificate shall be recorded in the Minutes of the City Council.

PASSED AND APPROVED, this the 28th day of February, 1963.

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

ATTEST:

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

(City Seal)

CERTIFICATE OF CITY SECRETARY

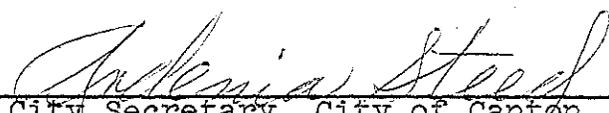
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THE STATE OF TEXAS }  
CITY OF CANTON }  
COUNTY OF VAN ZANDT }

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 resolution authorizing issuance of notice of redemption in respect of "City of Canton Street Improvement Bonds, Series 1948", dated February 10, 1948 (and Minutes pertaining to its adoption), passed by the City Council of said City on the 28th day of February, 1963, and recorded in Book 3, of the Minutes of said City Council.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said City, this the 28th day of February, 1963.

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

(City Seal)

CITY SECRETARY'S CERTIFICATE REGARDING ISSUANCE  
OF NOTICE OF REDEMPTION WITH RESPECT TO \$21,000  
"CITY OF CANTON STREET IMPROVEMENT BONDS, SERIES  
1948", DATED FEBRUARY 10, 1948

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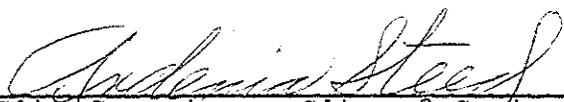
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THE STATE OF TEXAS  
CITY OF CANTON  
COUNTY OF VAN ZANDT

I, the undersigned, City Secretary of the City of Canton, Texas, DO HEREBY CERTIFY that pursuant to orders and directions of the City Council of said City, contained in its resolution passed and adopted on the 28th day of February, 1963, I have duly transmitted executed copy of notice of bond redemption in respect of \$21,000 "CITY OF CANTON STREET IMPROVEMENT BONDS, SERIES 1948", dated February 10, 1948, to the REPUBLIC NATIONAL BANK OF DALLAS, Dallas, Texas, said notice having been transmitted by me on the 7<sup>th</sup> day of March, 1963.

AND I FURTHER CERTIFY that I have submitted to the DAILY BOND BUYER, which is a financial journal of general circulation, published in the City of New York, New York, copy of said notice of redemption for publication in accordance with the terms of the aforesaid resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said City, this the 7<sup>th</sup> day of March, 1963.

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

(City Seal)

# Order Establishing Procedure For City Officers' Election

THE STATE OF TEXAS

CITY OF Canton



On this the 12th day of February, 19 63, the City Council/~~Commission~~<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. H. Reynolds, Alderman/~~Commissioner~~<sup>1</sup>
- J. W. Barron Sr., Alderman/~~Commissioner~~<sup>1</sup>
- B. R. Mahaffey, Alderman<sup>2</sup>
- \_\_\_\_\_, Alderman<sup>2</sup>
- \_\_\_\_\_, Alderman<sup>2</sup>
- Mrs. Ardenia Steed, City Secretary/~~Clerk~~<sup>1</sup>

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

Alderman/~~Commissioner~~<sup>1</sup> J. H. Reynolds 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: Reynolds, Mahaffey and Coleman

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>

2 Alderman<sup>2</sup>  
(Number of)  
City Attorney

~~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, 1963 for the above mentioned offices file their applications to become candidates with the Mayor of this City at Canton 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 2nd day of April, 1963 as a candidate for \_\_\_\_\_ 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 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 12th day of February, 1963.

Sam Hilliard  
Mayor

ATTEST:

Andenia 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.

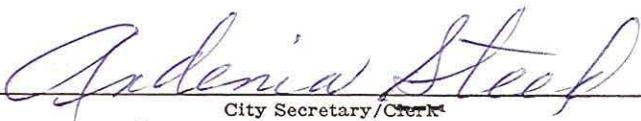
# NOTICE OF CITY OFFICERS' ELECTION

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 2nd day of April, 1963 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 12 day of February, 1963. Said attached order for City Officers' Election being made a part of this notice for all intents and purposes.

  
City Secretary/Clerk

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 Mrs. 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, Courthouse;
- In Election Precinct No. \_\_\_\_\_ at Light Pole at First National Bank Bldg.;
- In Election Precinct No. \_\_\_\_\_ at Bulletin Board, City Hall;
- In Election Precinct No. \_\_\_\_\_ at \_\_\_\_\_;

within the boundaries of said city on the 1st day of March, 19 63, 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 1st day of March, 19 63.

Ardenia Steed  
City Secretary/~~Clerk~~

Sworn to and subscribed before me this the 1st day of March, 19 63.

[Signature]

Notary Public, Van Zandt County, Texas

(SEAL)

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

Canton, Texas  
March 12, 1963

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. H. Reynolds, Travis Coleman, J. W. Barron Sr. and Harvey Fincher. Absent: None.

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

Minutes of the two special meetings were read and approved as read by a motion made by J. H. Reynolds and seconded by Travis Coleman.

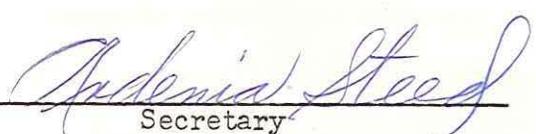
A discussion then followed concerning the before mentioned partition of the Scates land of which the city had purchased for a dumping ground. Upon the advice of the City Attorney, Clyde Elliott Jr, it was unanimously decided that the city pay their pro rata cost of bringing the abstract, now owned by Clayton Bolt, up-to-date and that the city enter suit for partition of this land through the courts.

A motion was made by Harvey Fincher and seconded by J. W. Barron Sr. that the Mayor and secretary be given the authority to issue payment to Kemp Construction Company, Inc. when the sewer lines are completed in the Whispering Oaks Sub-division. It was agreed that the Mayor and some member or members of the City Council make a final inspection before payment is made. Motion carried unanimously.

A complaint had been made concerning a biting dog that is owned by Joe Pierce. After a discussion of the ordinance concerning dogs it was decided that a complaint be filed and that the ordinance then be carried out.

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that a water meter be set behind the residence of D. L. Seymore to meter the water used by six houses in the January Addition that is outside of the Canton City Limits. These house owners shall then place a deposit of \$10.00<sup>each</sup> and shall pay \$3.40 each for the first 1,000 gallons and should the water used meter over 6,000 gallons each, then all over shall be equally pro rated to all water users. Motion carried.

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

  
Secretary

  
Mayor

Canton, Texas  
April 9, 1963

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. H. Reynolds, J. W. Barron Sr., Travis Coleman and Harvey Fincher. Absent: None.

Minutes of the previous meeting were read and approved as read with a motion made by J. W. Barron Sr. and seconded by Harvey Fincher.

J. H. Reynolds moved that the attached order declaring the result of the election of a mayor, two aldermen and city attorney be adopted and approved. Travis Coleman seconded the motion. With a unanimous vote, the city secretary administered the Oaths of Office to Sam Hilliard as mayor, Harvey Fincher and J. W. Barron Sr. as aldermen and Clyde Elliott Jr. as city attorney.

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that Dan R. Hilliard, M. D. be appointed as City Health Officer for the ensuing two years. Motion carried unanimously.

Then came on a discussion of the pending condemnation suits. It was agreed by all that J. H. Reynolds and Mayor, Hilliard be appointed to consult with the City Attorney concerning the hiring of an outside attorney who would take the case and to also get an estimate as to the cost of the attorney fees and the cost of the courts. A motion was then made by B. R. Mahaffey and seconded by Harvey Fincher that if such costs were feasible, that they be authorized to hire the attorney to start court procedures. Motion carried unanimously.

Mr. C. N. Burt of C. N. Burt & Company of Dallas, met and discussed the financing of our proposed sewer and water improvements. It was decided that the sum of \$100,000.00 in tax warrants or taxbonds would be needed. Mr. Burt then decided to consult with the bond attorneys in Dallas as to which would be the best means for financing this program and would report to the Mayor within a week his findings.

Then came on the attached resolution for acceptance of grant offer for our APW-Tex-17G project. A motion was made by J. H. Reynolds and seconded by J. W. Barron that this acceptance by resolution be passed, approved and adopted and that the Mayor, secretary and city attorney be authorized to execute said acceptance of grant offer and/or any other documents necessary to carry out this project. It was further resolved that Ardenia Steed, City Secretary be known as the recording officer and that she will maintain all records or other forms pertaining to this project. Motion carried unanimously.

# Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF Canton

On this the 9th day of April, 19 63, 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,
- Travis Coleman, Alderman/Commissioner<sup>1</sup>
- Harvey Fincher, Alderman/Commissioner<sup>1</sup>
- J. W. Barron Sr., Alderman<sup>2</sup>
- J. H. Reynolds, Alderman<sup>2</sup>
- B. R. Mahaffey, Alderman<sup>2</sup>
- Ardenia Steed, City Secretary/Clerk<sup>1</sup>

and the following absent: \_\_\_\_\_, constituting a quorum, and among other proceedings had were the following:

Alderman/Commissioner<sup>1</sup> J. H. Reynolds 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: Reynolds, Coleman, Fincher + Barron  
NOES: none

The resolution is as follows:

There came on to be considered the returns of an election held on the 2nd day of April, 19 63, 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 18 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
<u>Sam Hilliard</u>	<u>17</u>
_____	_____
_____	_____
_____	_____
_____	_____

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

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
<u>Harvey Fincher</u>	<u>17</u>
<u>J. W. Barron Sr.</u>	<u>18</u>
_____	_____
_____	_____
_____	_____

FOR City Attorney

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
<u>Clyde Elliott Jr.</u>	<u>18</u>
_____	_____
_____	_____
_____	_____

FOR \_\_\_\_\_

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

FOR \_\_\_\_\_

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

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 Sam Hilliard was duly elected Mayor of said City at said election<sup>2</sup> and J. W. Barron Sr. and Harvey Fincher

were duly elected Aldermen/~~Commissioners~~<sup>1</sup> of said City at said election, and that Clyde Elliott Jr. was duly elected City Attorney,<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 63.

Sam Hilliard  
Mayor

ATTEST:  
Adenia Stead  
 Secretary/Clerk<sup>1</sup>

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

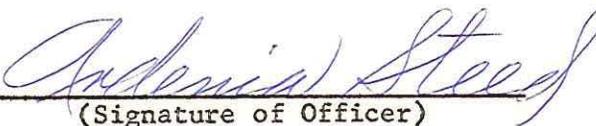
CERTIFICATE OF RECORDING OFFICER

I, the undersigned, the duly qualified and acting Recording Officer of the City of Canton (herein called the "Applicant"), and the keeper of the records of the Applicant, including the Journal of Proceedings of the Canton City Council (herein called the "Governing Body") do hereby certify:

1. That the attached resolution is a true and correct copy of the resolution as finally adopted at a meeting of the governing body held on the 9th day of April, 1963, and duly recorded in my office;

2. That said meeting was duly convened and held in all respects in accordance with law and to the extent required by law and due and proper notice of such meeting was given; and a legal quorum was present throughout the meeting, and a legally sufficient number of members of the governing body voted in the proper manner and for the adoption of said resolution; that all other requirements and proceedings under the law incident to the proper adoption or passage of said resolution, including publication, if required, have been duly fulfilled, carried out, and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of April, 1963.

  
(Signature of Officer)

City Secretary  
(Official Title)

(SEAL)

(If Applicant has no seal, make and sign statement to that effect here)

ACCEPTANCE OF THE GRANT OFFER

WHEREAS, there has been filed with the Government in behalf of

the City of Canton

(herein called the Applicant) an application, Project Number AFW-Tex-17G

dated November 1962, for Federal assistance under the Public Works Acceleration Act, Public Law 87-658, and the UNITED STATES OF AMERICA, acting by and through the Regional Director of Community Facilities, has transmitted to the Applicant for acceptance a Grant Offer dated March 29, 1963 of Federal assistance in connection with the Project referred to in said application and described in said Offer; and

WHEREAS, said Grant Offer has been fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the Applicant's public records; and

WHEREAS, it is deemed advisable and in the public interest that said Grant Offer be accepted;

NOW, THEREFORE, be it Resolved by the City of Canton  
(Name of Applicant)

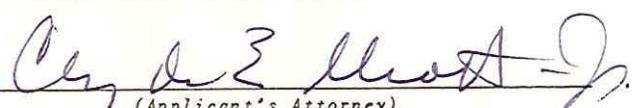
that the said Grant Offer, a true and correct copy of which, including the Special Conditions and the Terms and Conditions, is hereto attached, be and the same hereby is accepted without reservation or qualification, and the Applicant agrees to comply with the provisions thereof.

Passed by the aforementioned governing body of the Applicant on the 9th day of April, 1963.

Date April 9, 1963 (Signed)   
(Name of Officer Required to Approve)

Title Mayor

Approved as a Valid Acceptance of the above-mentioned Grant Offer

  
(Applicant's Attorney)

Address:

P. O. Box 236, Canton, Texas

Housing and Home Finance Agency  
Community Facilities Administration

CFA-1122  
(2-63)

Previous Editions Obsolete

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

## ACCELERATED PUBLIC WORKS PROGRAM

Project No. APW-Tex-17GOffer Date March 29, 1963Contract No. H-502-3108

## GRANT OFFER

Subject to the Terms and Conditions, dated November 1962, attached hereto and made a part hereof as Exhibit "A," and the Special Conditions attached hereto and made a part hereof as Exhibit "B," the Housing and Home Finance Agency, hereinafter referred to as the Government, hereby offers to make a grant of \$ 114,000 or 50 percent of the eligible project cost, whichever is the lesser, to the City of Canton

(herein called the "Applicant"), in order to aid in financing the construction of essential public works or facilities presently estimated to cost \$ 228,000, consisting of water system improvements, being addition of one deep gravel well, water well and turbine pump, iron removal plant, water storage tank, water line extensions and new sewer lateral lines

(herein called the "Project"): Provided, that in the event the actual eligible project cost as determined by the Government upon completion is less than \$ 228,000, the amount of the grant shall be reduced so that the grant amount shall not exceed the above percentage of the actual eligible project cost.

Upon acceptance, this Offer, together with the Terms and Conditions and the Special Conditions referred to, shall become the "Grant Agreement."

Prior to disbursement of any Government grant monies hereunder, the Applicant shall have the right to terminate this Grant Agreement effective fifteen days after giving notice of termination to the Government. The Government shall have the right to terminate this Grant Agreement, effective upon fifteen days notice thereof to the Applicant, whenever it determines that the Applicant has failed to proceed promptly with the construction and financing of the project.

This Offer must be accepted within fifteen days from the date of receipt.

Housing and Home Finance Agency  
Community Facilities Administration

By  
ACTING

(S. TRAVIS W.)  
Regional Director of Community Relations

CONFORMED COPY

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

## TERMS AND CONDITIONS

Constituting Part of the Grant Agreement Providing for the Financing and Construction of Public Works or Facilities Under Title II of the Housing Amendments of 1955, as Amended by the Public Works Acceleration Act, Public Law 87-658.

Section 1. Definitions. As used in these Terms and Conditions:

"Government" means the United States of America.

"Project" means the Public Works or Facilities covered by the Grant Agreement.

"Grant Agreement" means the contract between the Government and the Applicant covering the Project and includes both these Terms and Conditions and other contract instruments.

"Applicant" means the public entity designated in the Grant Agreement.

"Project Costs" means the cost of construction work for the Project, cost of necessary architectural/engineering services, legal, administrative and clerical costs, cost of land acquisition, necessary travel expenses, interest during construction and development, and other necessary miscellaneous expenses, all as determined by the Government.

"Eligible Project Costs" means Project Costs less the cost of land, rights-of-way, initial operating supplies and equipment with the exception of those items directly or reasonably required for the completion of construction, planning financed by a Planning Advance under Section 702 of the Housing Act of 1954, as amended, and any other ineligible miscellaneous expenses, all as determined by the Government.

"Depository Bank" means a bank or trust company which is a member of the Federal Deposit Insurance Corporation.

Section 2. Prerequisites to Government's Obligations. The Government shall be under no obligation to disburse funds under the Grant Agreement if:

- (a) Representations. Any representation made by the Applicant to the Government in connection with the application shall be incorrect or incomplete in any material respect, or the Government determines that the Applicant has failed to proceed promptly with Project financing or construction;

(b) Concurrence by Government. The Applicant, having submitted to the Government any of the documents mentioned in Section 10 hereof which under the established procedures require the Government's prior approval, shall have proceeded to make related expenditures or incur related obligations without having been advised by the Government that the same are satisfactory; it being the purpose of this provision to insure that no action will be taken in the development of the Project which would result in legal or contractual violation rendering it impossible for the Government to make the grant hereunder or for the parties to accomplish the objects of the Grant Agreement;

(c) Prohibited Interests. If any official of the Applicant who is authorized in such capacity and on behalf of the Applicant to negotiate, make, accept or approve, or to take any part in negotiating, making, accepting, or approving any architectural, engineering, inspection, construction materials, supply, or equipment contract or any subcontract in connection with the construction of the Project, shall become directly or indirectly interested personally in any such contract or subcontract, or if any official, employee, architect, attorney, engineer or inspector of or for the Applicant who is authorized in such capacity and on behalf of the Applicant to exercise any legislative, executive, supervisory or other functions in connection with the construction of the Project, shall become directly or indirectly interested personally in any construction, materials, supply, equipment or insurance contract, in any subcontract or any other contract pertaining to the Project.

Section 3. Applicant's Funds. The Applicant shall initiate and prosecute to completion all proceedings necessary to enable the Applicant to provide its share of the Project Costs on or prior to the time that such funds are needed to meet project costs.

Section 4. Legal Matters. The Applicant shall take all actions necessary to enable it to finance, construct, and develop the Project in due time, form, and manner as required by law and the Grant Agreement.

Section 5. Prerequisites to Grant Disbursements. Prior to the Government disbursing any portion of the grant proceeds, the Applicant shall present satisfactory evidence that:

(a) It has obtained, or can obtain, all land, rights-of-way, easements, permits, franchises, Federal, State, County, and Municipal approvals required in connection with the construction and operation of the Project, including approval of the final plans and specifications by the appropriate State authorities;

- (b) It has the funds or a firm and binding commitment to provide its share of the Project Costs;
- (c) It has deposited into the Construction Account, in addition to the grant proceeds, any portion then available of the funds to be furnished by the applicant to meet its share of the Project Costs and that it will promptly deposit any remaining portion of its share of Project Costs in order that all payments in connection with the Project can be made as the same become due;
- (d) The Project can be completed at a total cost satisfactory to the Government which will be within the amount of funds available therefor;
- (e) The applicant (1) has formally amended its capital improvement plan, budget or other schedule, or is in the process of so amending it, to incorporate the increase in its planned net expenditures for capital improvements pursuant to the resolution furnished with the grant application; (2) has secured, or is in the process of securing, approval of the amendments by any State or other public body having authority in such matters; and (3) has arranged for, or is proceeding expeditiously to obtain, the funds needed for such increase in expenditures.

Section 6. Grant Disbursements. The Applicant may requisition disbursements against the grant as follows:

- (1) 25% upon approval of the award of the construction contract(s).
- (2) 50% when construction is 50% complete.
- (3) 15% upon final inspection.
- (4) 10% after Project completion and audit, subject to adjustment to reflect the actual cost as determined by the Government.

Such requisitions shall be accompanied by such supporting data as the Government may require and shall be honored by the Government, subject to the provisions of the Grant Agreement. No request for review of a determination of the Government affecting the grant payable under the Agreement will be considered unless such request is received by the Government not later than three months following notice to the Applicant of such determination. All accounting records including bank deposit slips, cancelled checks and other supporting documents and construction contract awards shall be retained intact for audit or inspection by the Government's authorized representatives.

Section 7. Construction Account. The Applicant shall set up in a Depository Bank, or with the fiscal agency of the Applicant fixed by law, a separate account or accounts (herein collectively called the "Construction Account") into which shall be deposited the proceeds of the Government grant and the funds required by the provisions of the Grant Agreement to be furnished by the Applicant to assure

the payment of all Project Costs. Moneys in the Construction Account shall be expended only for such purposes as shall have been previously specified in the project cost estimates approved by the Government. The Applicant shall pay all Project Costs from the Construction Account.

Moneys in the Construction Account shall be secured by the Depository Bank in the manner prescribed by statutes relating to the securing of public funds. Where the moneys on deposit in the Construction Account exceed the estimated disbursements on account of the Project for the next 90 days, the Applicant may direct the Depository Bank to invest such excess funds in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States Government, which shall mature not later than 18 months after the date of such investment and which shall be subject to redemption at any time by the holder thereof. The earnings from any such investments shall be deposited in the Construction Account by the Applicant.

After completion of construction and payment of all costs of the project, any balance in the Construction Account shall remain therein pending determination by the Government of the total project cost and the Federal grant. Such balance shall be used to refund promptly to the Government any overpayment made with respect to the Federal grant; any amount thereafter remaining shall be available for disposition by the Applicant in accordance with its other contractual agreements, applicable state or local law, or other governing conditions.

Section 8. Prompt Procedure--Economic Construction. The Applicant covenants and agrees that it will proceed promptly with all matters necessary to the financing and the development of the Project; and that the Project will be undertaken and developed in such manner that economy will be promoted in such development and in the construction work.

Section 9. Approvals and Permits. The Applicant shall obtain approvals and permits required by law as a condition precedent to the acquisition, construction, development, and operation of the Project.

Section 10. Submission of Proceedings, Contract and Other Documents. The Applicant shall submit to the Government such data, reports, records and documents relating to the construction, financing, and operation of the Project as the Government may require. Approval of the Government must be obtained prior to the assignment of any interest in or part of any contract relating to the Project.

Section 11. Construction by Contract. All work on the Project shall be done under contract and every opportunity shall be given for free, open and competitive bidding for each and every construction, material, and equipment contract. The Applicant shall give such publicity by advertisement or calls for bids by it for

the furnishing to it of work, labor, materials, and equipment as required by applicable law and as will provide adequate competition; and the award of each contract therefor shall be made, after approval by the Government to the lowest responsible bidder as soon as practicable; Provided, that in the selection of equipment or materials the Applicant may, in the interest of standardization or ultimate economy, if the advantage of such standardization or such ultimate economy is clearly evident, award a contract to a responsible bidder other than the lowest in price. The Applicant shall obtain the concurrence of the Government before approving subcontracts relating to the Project.

- (a) Contracts and subcontracts shall provide for submission of such employment and other data relating to construction of the project as the Applicant may require.
- (b) The Applicant shall include in each of its construction contracts a provision requiring the contractor insofar as practicable to give preference in the hiring of workers for the project to qualified local labor. The provision also will require each contractor to insert the same or a similar provision in each subcontract for the project.

Section 12. Changes in Construction Contract. Any change in a construction contract shall be submitted to the Government for approval. Construction contracts shall include a provision specifying that the above requirement will be met.

Section 13. Contract Security. The Applicant shall require that each construction contractor shall furnish a performance bond in an amount at least equal to 100 percent of his contract price as security for the faithful performance of his contract and also a payment bond in an amount not less than 50 percent of his contract price or in a penal sum not less than that prescribed by State, territorial, or local law, as security for the payment of all persons performing labor on the Project under his contract and furnishing materials in connection with his contract. The performance bond and the payment bond may be in one or in separate instruments in accordance with local law.

Section 14. Insurance During Construction. The Applicant shall require that each of its construction contractors and his subcontractors shall maintain, during the life of his contract, Workmen's Compensation Insurance, Public Liability and Property Damage Insurance in amounts and on terms satisfactory to the Government. The Applicant shall maintain Builders' Risk Insurance (fire and extended coverage) on a 100 percent basis on the insurable portions of the project for the benefit of the owner, prime contractor, and all subcontractors as their interests may appear, until the project is completed and is accepted by the Applicant.

Section 15. (a) Wage Rates: Upon receipt of the list of wage rates determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (Davis-Bacon Act, as amended), the Applicant shall include such list in all contracts calling for work on the Project and require adherence thereto. The Applicant shall also require of each of its contractors that such list shall be posted at appropriate conspicuous points on the site of the Project. Unless otherwise required by law, wage rates need not be listed for non-manual workers, including executive, supervisory, administrative and clerical employees.

If, after the award of the contract, it becomes necessary to employ any person in a trade or occupation not classified in the above list, such person shall be paid at not less than a rate to be determined by the Secretary of Labor. Such approved minimum rate shall be retroactive to the time of the initial employment of such person in such trade or occupation. The contractor shall notify the Applicant of his intention to employ persons in trades or occupations not classified in sufficient time for the Applicant to obtain approved rates for such trades or occupations.

(b) Contract Work Hours: The Applicant shall comply with the provisions of the Contract Work Hours Standards Act (P.L. 87-581) which provides that the Applicant will also require of its contractors that no laborer or mechanic shall be required or permitted to be employed in such work in excess of eight hours in any calendar day or in excess of forty hours in any workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek as the case may be.

Section 16. Payment of Employees. The Applicant shall require of its contractors that all employees engaged in work on the Project be paid in full (less deductions made mandatory by law) not less often than once each week.

Section 17. Wage Underpayments and Adjustments. The Applicant shall require of each of its contractors that, in cases of underpayment of wages by the contractor, the Applicant may withhold from such contractor out of payments due, an amount sufficient to pay workers employed on the work covered by his contract the difference between the wages required to be paid under the contract and the wages actually paid such workers for the total number of hours worked and may disburse such amounts so withheld by it for and on account of the contractor to the respective employees to whom they are due.

Section 18. Anti-Kickback Statute. The so-called Anti-Kickback Statute, Public Law No. 324, 73rd Congress, approved June 13, 1934 (48 Stat. 1948 as amended), and the regulations issued pursuant thereto, are a part of the Grant Agreement, and the Applicant shall comply, and require each of its contractors employed in the construction, prosecution, or completion of the Project to comply therewith, and to cause his subcontractors to do likewise.

Section 19. Accident Prevention. The applicant shall require of its contractors that precaution shall be exercised at all times for the protection of persons (including employees) and property, and that hazardous conditions be guarded against or eliminated.

Section 20. Supervision and Inspection. The Applicant shall provide and maintain on its own behalf competent and adequate architectural or engineering services covering the supervision and inspection of the development and construction of the Project.

Section 21. Nondiscrimination. The Applicant shall require that there shall be no discrimination against any employee who is employed in carrying out the Project, or against any applicant for such employment, because of race, religion, color or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Applicant shall insert the foregoing provision of this Section in all its contracts for Project work and will require all of its contractors for such work to insert a similar provision in all subcontracts for Project work; Provided, that the foregoing provision of this Section shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

The Applicant shall post at the Project, in conspicuous places available to employees and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause.

Section 22. Payments to Contractors. Not later than the fifteenth day of each calendar month the Applicant shall make a partial payment to each construction contractor on the basis of a duly certified and approved estimate of the work performed during the preceding calendar month by the particular contractor, but shall retain until final completion and acceptance of all work covered by the particular contract a reasonable amount, specified in the contract, sufficient to insure the proper performance of the contract.

Section 23. Audit and Inspection. The Applicant shall require of its contractors that the Government's authorized representatives be permitted, and it will

itself permit them to inspect all work, materials, payrolls, records of personnel, invoices of materials and other relevant data and records appertaining to the development of the Project; and shall permit the Government's authorized representatives to inspect or audit the books, records, and accounts of the Applicant pertaining to the Grant and the development of the Project.

Section 24. Signs. The Applicant shall cause to be erected at the site of the Project, and maintained during construction, signs satisfactory to the Government identifying the Project and indicating the fact that the Government is participating in the development of the Project.

Section 25. Operation of Project. The Applicant covenants that it will operate and maintain the Project or provide for the operation and maintenance thereof, to serve the objects and purposes for which the Grant has been made available under the Federal law and the terms of the Grant Agreement.

Section 26. Surety. The Applicant covenants that each of its officials or employees having custody of Project funds during acquisition, construction, and development of the Project, shall be bonded at all times in an amount at least equal to the total funds in his custody at any one time.

Section 27. Interest of Third Parties. The Grant Agreement is not for the benefit of third parties. The Government shall not be obligated or liable hereunder to any party other than the Applicant.

Section 28. Interest of Members of or Delegates to Congress. No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Grant Agreement or to any benefit arising therefrom.

Section 29. Bonus or Commission. By execution of the Grant Agreement the Applicant represents that it has not paid and, also, agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the Grant hereunder.

Section 30. State or Territorial Law. Anything in the Grant Agreement to the contrary notwithstanding, nothing in the Grant Agreement shall require the Applicant to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable State or territorial law: Provided, That if any of the provisions of the Grant Agreement violate any applicable State or territorial law, or if compliance with the provisions of the Grant Agreement would require the Applicant to violate any applicable State or territorial law, the Applicant will at once notify the Government in writing in order that appropriate changes and modifications may be made by the Government and the Applicant to the end that the Applicant may proceed as soon as possible with the construction of the Project.

EXHIBIT B

SPECIAL CONDITIONS

Project No. APW-TeX-17G

The following Special Conditions are made a part of the Grant Agreement for the above-numbered project.

1. The Applicant agrees that:

- (a) Within sixty (60) days from the date of receipt of the Grant Offer, it will furnish the Government satisfactory evidence that its share of the project cost is available or that firm and binding arrangements have been entered into to provide such funds as they are needed to meet project costs.
- (b) Within 120 days from the date of receipt of the Grant Offer, it will cause on-site labor to be employed in the construction of the project.

Failure of the Applicant to comply with the foregoing shall give the Government the right to terminate the Grant Agreement.

HOUSING AND HOME FINANCE AGENCY  
COMMUNITY FACILITIES ADMINISTRATION

Accelerated Public Works Program

PROJECT SUMMARY AND APPROVAL

PROJECT NO.

**APW-Tex-17G**

Name of Applicant City of Canton

Location of Project Canton , Van Zandt County, Texas

BRIEF PROJECT DESCRIPTION

Water system improvements, being addition of one deep gravel wall water well and turbine pump, iron removal plant, water storage tank, water line extensions and new sewer lateral lines.

COMMUNITY NEED TO BE MET

The project will meet an essential public need.

METHOD OF FINANCING

AMOUNT

1. Federal grant	\$ 114,000
2. Federal loan	
(a) General obligation bonds	\$
(b) Revenue bonds	\$
(c) Assessment bonds	\$
(d) Total Federal loan	\$
3. Other Borrowings <b>warrants</b>	
(a) General obligations <del>bonds</del>	\$ 73,000
(b) Revenue bonds	\$
(c) Assessment bonds	\$
(d) Total Other Borrowings	\$
4. Budgetary Appropriation	\$
5. Other Sources - <b>Cash on hand</b>	\$ 41,000
6. Total	\$ 228,000

PROJECT COST ESTIMATE

1. Preliminary Expense.....	\$	<u>-0-</u>
2. Land and Rights-of-Way.....	\$	<u>-0-</u>
3. Construction (Use A or B as applicable):		
A. <u>Architectural Projects</u>		
(1) Building including fixed equipment .....	\$	_____
(2) Site Improvements.....	\$	_____
(3) Utility Connections.....	\$	_____
(4) Construction Contingencies.....	\$	_____
(5) Subtotal for 3A.....	\$	_____
B. <u>Engineering Projects</u>		
(1) General Construction incl. fixed equipment...	\$	<u>183,700</u>
(2) Construction Contingencies.....	\$	<u>9,200</u>
(3) Subtotal for 3B.....	\$	<u>192,900</u>
4. Architectural/Engineering Services:		
Fees.....	\$	<u>18,500</u>
Resident Inspection.....	\$	_____
Surveys.....	\$	_____
Borings.....	\$	_____
Subtotal for Item 4 .....	\$	<u>18,500</u>
5. Legal and Administrative Expenses.....	\$	<u>4,300</u>
6. Capitalized Interest:		
Interest during construction.....	\$	<u>6,000</u>
Interest during development period.....	\$	_____
Subtotal for Item 6.....	\$	<u>6,000</u>
7. Project Contingency.....	\$	<u>6,300</u>
8. Estimated Total Project Cost.....	\$	<u>228,000</u>
9. <u>Less Costs Ineligible for Grant Financing:</u>		
a. Land and rights-of-way (Item 2).....	\$	<u>-0-</u>
b. Planning costs covered by a planning advance made under CFA's Program of Advances for Public Works Planning.....	\$	_____
c. Other.....	\$	_____
d. Total Ineligible Cost.....	\$	<u>-0-</u>
10. ADJUSTED TOTAL COSTS (Item 8 minus 9d).....	\$	<u>228,000</u>
11. Estimated grant ( <u>50</u> % of Item 10).....	\$	<u>114,000</u>
12. Estimated cost of furnishings and movable equipment.....	\$	<u>-0-</u>

CONSTRUCTION COST BREAKDOWN

1. Construction Contract Costs		
(a) Labor.....	\$	<u>64,500</u>
(b) Materials and all other.....	\$	<u>119,200</u>
(c) Total (Per Item 3A or 3B).....	\$	<u>183,700</u>
2. (When applicable)		
(a) Total sq. ft. area.....	\$	_____
(b) Construction cost per sq. ft. ....	\$	_____
(c) Total project cost per sq. ft.....	\$	_____

EMPLOYMENT AND LABOR COSTS

1. Anticipated on-site employment (man-months)	<u>180</u>
2. Percentage of on-site labor cost to construction cost	<u>35</u>

CONSTRUCTION SCHEDULE

1. Days from approval of application to	
(1) Final plan completion	<u>60</u>
(2) Award of construction contract	<u>120</u>
(3) First on-site employment	<u>140</u>
2. Estimated construction period (months)	<u>8</u>

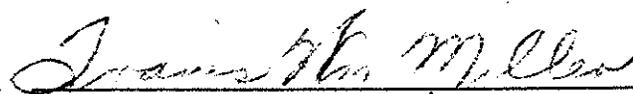
SPECIAL CONDITIONS FOR AGREEMENT

To be as specified in Item VIII of the Engineering Review Report dated 10-23-62  
Item IV of the Financial Review Report dated 10-24-62, and Item VI  
of the Legal Review Report dated 1-2-63.

RECOMMENDATION OF APPROVAL

Based upon review of the application, approval of the project and the grant or grant and loan is recommended. A fund reservation is outstanding covering the amount recommended.

  
\_\_\_\_\_  
Program Operations Officer

  
\_\_\_\_\_  
Regional Director of Community Facilities

March 21, 1963  
Date

March 21, 1963  
Date

APPROVAL

I approve, subject to the stated conditions, the project described above and the making of a grant or grant and loan in the amount(s) stated above.

March 22, 1963  
Date

  
\_\_\_\_\_  
Regional Administrator

Then came on the discussion of a dedication and plat of Tower, New Elm and Park Streets. A motion was made by Harvey Fincher and seconded by J. W. Barron, Sr. that the attached plat and dedication of these streets be adopted with the following resolution:

WHEREAS, a plat and dedication of Tower Street, New Elm Street and Park Street was received on May 10, 1960, and

WHEREAS, said plat and dedication acceptance was deferred on May 10, 1960 because of the thirty-five feet width of Park Street, and

WHEREAS, at a later date the City was notified that the said Park Street could be no wider because of property haveing been sold and buildings under construction, and

WHEREAS, said plat and dedication was misplaced and was not accepted.

NOW THEREFORE BE IT RESOLVED that the City Council and Mayor accept said plat and dedication for the purpose of designating said Tower Street, New Elm Street and Park Street.

PASSED, APPROVED AND ADOPTED by a unanimous vote, this the 25th day of April, 1963.

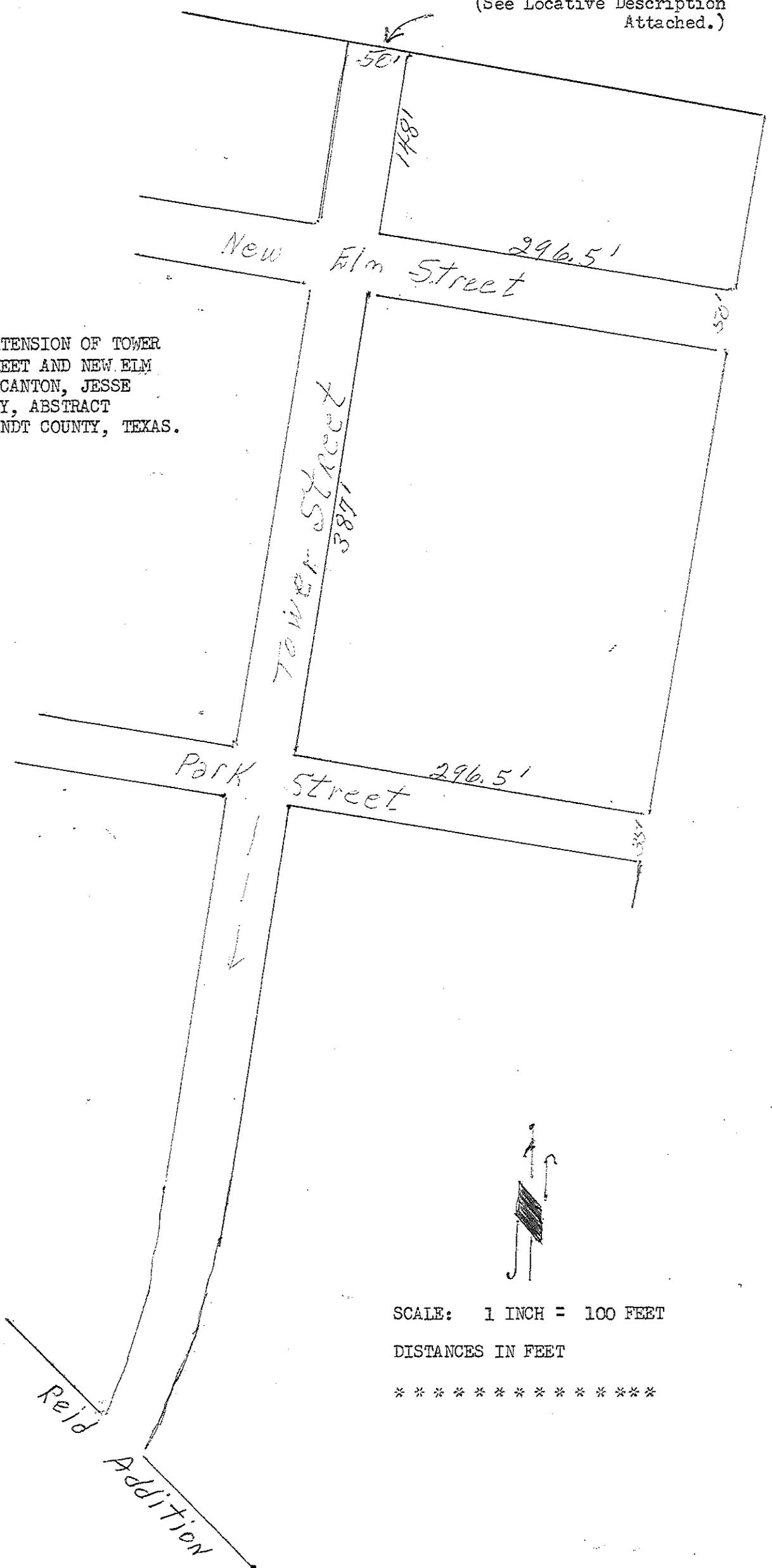
There being no further business a motion was made by Travis Coleman and seconded by Harvey Fincher to adjourn. Motion carried.

*Andonia Steed*  
Secretary

*Sam Hilliard*  
Mayor

Beg. Point (Center Line)  
(See Locative Description  
Attached.)

PLAT SHOWING EXTENSION OF TOWER  
STREE, PARK STREET AND NEW ELM  
STREE, CITY OF CANTON, JESSE  
STOCKWELL SURVEY, ABSTRACT  
NO. 760, VAN ZANDT COUNTY, TEXAS.



SCALE: 1 INCH = 100 FEET

DISTANCES IN FEET

\*\*\*\*\*

Canton, Texas  
May 8, 1963

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, Travis Coleman, J. W. Barron Sr. Harvey Fincher and B. R. Mahaffey. Absent: None.

The purpose of the meeting was presented by the Mayor and a motion was made J. H. Reynolds and seconded by Harvey Fincher that an order be prepared for the calling of a Tax Bond Election for the amount of \$100,000.00 to carry out the work of extending the water and sewer lines as proposed under the Grant Offer on APA Project No. 17G. Motion carried unanimously.

There being no other business, a motion was made by J. W. Barron Sr. and seconded by Travis Coleman to adjourn.

*Adenia Steed*  
Secretary

*Sam Hilliard*  
Mayor

\*\*\*\*\*

Canton, Texas  
May 14, 1963

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

The minutes of the previous meeting were read and approved as read with a motion by Harvey Fincher and seconded by J. W. Barron, Sr.

The minutes of the special meeting were read and approved as read with a motion by J. W. Barron Sr. and seconded by J. H. Reynolds.

A motion was made by Harvey Fincher and seconded by J. W. Barron Sr. that monies in the amount of \$2,201.93 be transferred from the General Tax Fund and placed into the General Sinking Fund to make secure an amount of \$21,735.00 for the purpose of redeeming the 1948 Series of Tax Bonds that were called for redemption as per the option stipulated and that the city secretary be authorized to then issue to the First National Bank a check in this amount to pay said bonds and close the account known as General Sinking Fund leaving the city clear of any tax indebtedness. Motion carried unanimously.

It was unanimously agreed that the city was in need of a tractor with a mower attached and that a good used tractor be purchased from Coleman Implement Co if such satisfactory tractor could be located.

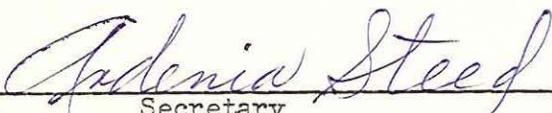
B. H. (Bill) Estes of Eppler, Guerin & Turner, Inc. of Dallas, Texas, met and discussed tax bond election and presented an Order for officially calling same. A motion was made by Harvey Fincher and seconded by B. R. Mahaffey that the Ordinance

be passed and adopted calling for an election to be held on May 31, 1963, in the principal amount of \$60,000.00 for improving the sewer system and \$40,000.00 for extending the waterworks. Motion carried unanimously. (Ordinance attached hereto and to become part of these Minutes.)

A motion was then made by Harvey Fincher and seconded by Travis Coleman to enter into a contract with B. H. Estes of Eppler, Guerin and Turner, Inc. to perform professional services in the capacity of Financial Advisor for the authorization, issuance, sale and delivery of \$100,000.00 of Tax Bonds for a fee of \$1075.00, with Said Bonds being dated July 1, 1963 for a term of 17 years with interest rates to be  $3\frac{1}{2}\%$  for the years 1964 through 1973 both inclusive and  $3\frac{3}{4}\%$  for the years 1974 through 1980 both inclusive with an option date being set as July 1, 1976, calling at par and accrued interest to date so fixed for redemption of bonds prior to maturity. Motion carried unanimously.

A motion was then made by Harvey Fincher and seconded by J. W. Barron, Sr. that on First Monday that all sellers of New merchandise and eating products sold for a profit be taxed the amount of \$5.00 except for non-profit organizations. Motion carried.

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

  
Secretary

  
Mayor





PROPOSITION NO. 2

"FOR THE ISSUANCE OF WATERWORKS SYSTEM TAX BONDS"

"AGAINST THE ISSUANCE OF WATERWORKS SYSTEM TAX BONDS"

4. That only resident, qualified electors who own taxable property in said City and who have duly rendered the same for taxation shall be entitled to vote at said election.

5. That notice of said election shall be given by posting a substantial copy of this Ordinance at the City Hall and at two other places in said City, not less than 15 days prior to the date set for said election; and a substantial copy of this Ordinance also shall be published on the same day in each of two successive weeks in a newspaper of general circulation published in said City, the date of the first publication to be not less than 14 days prior to the date set for said election.

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AFFIDAVIT OF POSTING

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

BEFORE ME, the undersigned authority, on this day personally appeared ARDENIA STEED who, having been duly sworn, says upon his oath:

1. That he posted a true and correct copy of the attached and following Notice of Election at each of the places in the City of Canton, Texas, named below:

One at the City Hall;

One at Beckett Road County Courthouse

One at High + Paul Signs & Buffalo Streets

2. That each of said places is a public place in said City.

3. That each copy of said Notice of Election was so posted on the

14 day of May, 1963.

EXECUTED this the 14 day of May, 1963.

Ardenia Steed

SUBSCRIBED AND SWORN TO BEFORE ME this the 14 day of May, 1963.

Arlette Z. Fincher  
Notary Public in and for Van Zandt  
County, Texas.

(SEAL)

NOTICE OF ELECTION

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

TO THE RESIDENT, QUALIFIED ELECTORS OF SAID CITY, WHO OWN TAXABLE  
PROPERTY IN SAID CITY AND WHO HAVE DULY RENDERED THE SAME FOR TAXATION:

TAKE NOTICE that an election will be held in said City at the time  
and place, and on the Propositions, as provided in the Ordinance Calling  
An Election, duly passed by the City Council of said City, which Ordinance  
is substantially as follows:

ORDINANCE CALLING AN ELECTION

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

WHEREAS, the City Council of said City deems it advisable to issue the bonds of said City for the purposes hereinafter stated.

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

1. That an election shall be held in said City on the 31st day of May, 1963, in the Assembly Room of the County Courthouse, Canton, Texas, and the following election officers are hereby appointed to hold said election at said polling place:

<u>H. K. Beard</u>	Presiding Judge
<u>Mrs. H. K. Beard</u>	Judge
<u>Ben Pop</u>	Clerk
<u>Mr. N. P. Staten</u>	Clerk

2. That at said election the following Propositions shall be submitted in accordance with law:

PROPOSITION NO. 1

Shall the City Council of said City be authorized to issue the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$60,000, with the bonds of each such series or issue, respectively, to mature serially within not to exceed 20 years from their date, and to bear interest at rates not to exceed 4-1/2% per annum, for the purpose of improving and extending said City's Sewer System; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes in an amount sufficient to pay the interest on said bonds and provide a sinking fund to pay said bonds at maturity?

PROPOSITION NO. 2

Shall the City Council of said City be authorized to issue the bonds of said City, in one or more series or issues, in the aggregate principal amount of \$40,000, with the bonds of each such series or issue, respectively, to mature serially within not to exceed 20 years from their date, and to bear interest at rates not to exceed 4-1/2% per annum, for the purpose of improving and extending said City's Waterworks System; and shall said City Council be authorized to levy and cause to be assessed and collected annual ad valorem taxes in an amount sufficient to pay the interest on said bonds and provide a sinking fund to pay said bonds at maturity.

3. That the official ballots for said election shall have written or printed thereon the following:

PROPOSITION NO. 1

"FOR THE ISSUANCE OF SEWER SYSTEM TAX BONDS"

"AGAINST THE ISSUANCE OF SEWER SYSTEM TAX BONDS"

PROPOSITION NO. 2

"FOR THE ISSUANCE OF WATERWORKS SYSTEM TAX BONDS"

"AGAINST THE ISSUANCE OF WATERWORKS SYSTEM TAX BONDS"

4. That only resident, qualified electors who own taxable property in said City and who have duly rendered the same for taxation shall be entitled to vote at said election.

5. That notice of said election shall be given by posting a substantial copy of this Ordinance at the City Hall and at two other places in said City, not less than 15 days prior to the date set for said election; and a substantial copy of this Ordinance also shall be published on the same day in each of two successive weeks in a newspaper of general circulation published in said City, the date of the first publication to be not less than 14 days prior to the date set for said election.

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AFFIDAVIT OF PUBLICATION

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

BEFORE ME, the undersigned authority, on this day personally appeared Jack Campbell, who, having been duly sworn, says upon his oath that he is the Editor and Publisher of the "Canton Herald," which is a newspaper of general circulation published in the City of Canton, Texas; and that a true and correct copy of the Notice of Election, a clipping of which is attached to this Affidavit, was published in said newspaper on the following dates:

May 16, 1963;  
May 23, 1963.

EXECUTED this the 25 day of May, 1963.

*Jack Campbell*

SUBSCRIBED AND SWORN TO BEFORE ME this the 25 day of May, 1963.

(SEAL)

pay said bonds at maturity.  
3. That the official ballots for said election shall have written or printed thereon the following:  
PROPOSITION NO. 1  
"FOR THE ISSUANCE OF SEWER SYTEM TAX BOND."  
"AGAINST THE ISSUANCE OF SEWER SYSTEM TAX BOND."  
PROPOSITION NO. 2  
"FOR THE ISSUANCE OF WATERWORKS SYSTEM TAX BONDS."  
"AGAINST THE ISSUANCE OF WATERWORKS SYSTEM TAX BONDS."  
4. That only resident, qualified electors who own taxable property in said City and who have duly rendered the same for taxation shall be entitled to vote at said election.  
5. That notice of said election shall be given by posting a substantial copy of this Ordinance at the City Hall and at two other places in said City, not less than 15 days prior to the date set for said election; and a substantial copy of this Ordinance also shall be published on the same day in each of two successive weeks in a newspaper of general circulation published in said City, the date of the first publication to be not less than 14 days prior to the date set for said election. 20t2

*Lucky Hardin*  
Notary Public in and for  
Van Zandt County, Texas.

Canton, Texas  
May 20, 1963

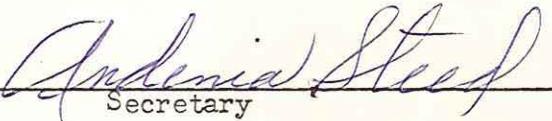
The Canton City Council met in a special meeting in the city office with Mayor Sam Hilliard presiding with the following members present: B. R. Mahaffey, Travis Coleman, Harvey Fincher and J. W. Barron Sr. Absent: J. H. Reynolds.

Mayor Hilliard presented the information concerning the building of a home for the aged as presented to him by Roger F. Smith of Care Homes Inc., 602 Continental Bank Bldg., Fort Worth, Texas.

A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that B. R. Mahaffey and Harvey Fincher be appointed to look for a suitable lot that could be bought or an option to buy. When the lot is found and when the Care Homes Inc. provides a performance bond guaranteeing the building of the building and operating of the home within the city limits, the city then will buy the lot and donate same to said Care Homes Inc. Motion carried.

A motion then was made by Harvey Fincher and Seconded by B. R. Mahaffey that in order to help alleviate a water problem now existing, that an 8" water line be layed beginning at the fire plug at the corner of Capitol Street and Tyler Street and running to the corner of Live Oak Street and that a 6" inch water line begin at this point and run to the corner of Goshen Street and connect with the now existing 4" water line. Then on Tyler Street lay a 6" water line down Main Street across State Highway #64 and connect to existing line. It was also agreed that fire plugs be replaced with New Improved models. Motion carried.

There being no further business a motion was made by Travis Coleman and seconded by J. W. Barron Sr. to adjourn.

  
Secretary

  
Mayor

\* \* \* \* \*

Canton, Texas  
May 31, 1963

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

The purpose of the meeting was to canvass the election returns for the Tax Bond Election that was held on May 31, 1963. A motion was made by Harvey Fincher and seconded by J. H. Reynolds that the attached ordinance declaring the results of said election be passed, approved and adopted. Motion carried unanimously.

There being no further business a motion was made and seconded that the secretary notify by telegram the Housing and Home Finance Agency of Fort Worth, Texas, the results of the said election and that this meeting adjourn. Motion carried.

*Adelia Steed*  
Secretary

*Sam Hilliard*  
Mayor



CERTIFICATE FOR CANVASS ORDINANCE

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

We, the undersigned, Mayor and City Secretary, respectively, of said City, hereby certify as follows:

1. That the attached and following is a true, full, and correct copy of an Ordinance Canvassing Election Returns duly passed by the City Council of said City at a Special Meeting held at the regular meeting place on the 31 day of May, 1963, which Ordinance has been duly recorded in the minutes of said City Council.

2. That the following are the members and officers of said City Council:

Sam Hilliard, Mayor

B. R. Mahaffey	John H. Reynolds	Harvey Fincher:	
			Aldermen
J. W. Barron, Sr.	C. T. Coleman	:	

Ardenia Stead, City Secretary

and all said persons were present at the time of passage of said Ordinance, except the following absentees: None.

3. That said Ordinance was introduced for the consideration of said City Council by its presiding officer and read in full, and, upon motion duly made and seconded, said Ordinance was passed by the following vote:

AYES: All Aldermen present voted "Aye."  
NOES: None.

4. That each of the members and officers of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said members and officers consented, in advance, to the holding of said Meeting for such purpose.

5. That the Mayor of said City has approved, and hereby approves, said Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that said Mayor and City Secretary hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED this the 31 day of May, 1963.

Ardenia Stead  
City Secretary

Sam Hilliard  
Mayor





WISENBAKER, FIX, & ASSOCIATES  
 Consulting Engineers  
 Tyler, Texas

TABULATION OF BIDS

City: CANTON, TEXAS Contract No. 744

Contract: Water and Sewer Line Extensions Bid Time: June 28, 1963 @ 2:00 P.M.

Working Time: 180 Calendar Days

NAME	Bid Total Base Bid CI Pipe	Bid Total Alt. "A" AC Pipe	Bid Total Alt. "B" CI & Sewer Deduction	Bid Total Alt. "C" AC & Sewer Deduction
1. HENRY C. McDONALD Co. Box 1032 KINGSORE, TEXAS	\$ 92,824.56	\$ 91,606.06	\$ 78,282.90	\$ 77,064.40
2. ELROD CONST. Co.  LINDEN, TEXAS	\$ 96,676.45	\$ 96,676.45	\$ 80,489.00	\$ 80,489.00
3. SUB-SURFACE CONST. Co. Box 964 FT. WORTH 1, TEXAS	\$ 101,330.02	\$ 99,836.02	\$ 85,776.12	\$ 84,282.12
4. HUGH ROBERTSON, CONTR. 3500 COPELAND TYLER, TEXAS	\$ 103,640.90	\$ 102,018.40	\$ 85,157.80	\$ 83,525.30
5. KEMP CONST. Co., INC. 134 S. MAIN ST. IRVING, TEXAS	\$ 107,647.50	\$ 105,896.50	\$ 89,178.20	\$ 87,427.20
6. ELM FORK CONST. Co., INC. Box 20196 DALLAS 20, TEXAS	\$ 112,887.76	\$ 111,638.76	\$ 97,309.16	\$ 96,060.16
7. SMITH & LUNCEFORD  GROVES, TEXAS	\$ 131,213.90	\$ 127,968.90	\$ 102,554.50	\$ 99,309.50
8.				
9.				

WISENBAKER, FIX, & ASSOCIATES  
Consulting Engineers  
Tyler, Texas

TABULATION OF BIDS

City: CANTON, TEXAS Contract No.: 751

Contract: Water Treatment Plant Additions Bid Time: June 28, 1963 @ 2:00 PM

Name	Bid Total	Wkg. Time Cal. Days
1. HUGH ROBERTSON, CONTRATOR 3500 COPELAND TYLER, TEXAS	\$21,570.00	
2. GORBETT BROS. STEEL Co., INC. Box 7333 FT. WORTH, TEXAS	\$22,857.00	
3. S.M. FARQUHAR & Co. Box 4492 DALLAS 8, TEXAS	\$25,990.00	
4. ELM FORK CONST. Co. INC. Box 20196 DALLAS 20, TEXAS	\$26,779.00	
5.		
6.		
7.		
8.		
9.		
10.		

Canton, Texas  
June 11, 1963

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

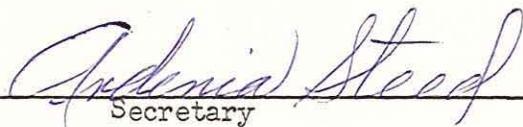
The minutes of the previous meetings were read and approved as read with a motion by Travis Coleman and seconded by Harvey Fincher.

A motion was made by Harvey Fincher and seconded by Travis Coleman that the firm of Wisenbaker, Fix & Associates be paid the sum of \$770.48 for engineering fees for the laying of lateral sewer lines in Whispering Oaks Addition. Motion carried.

Miss Martha Utts presented the council with a fact that a house she owned and was charged a minimum water bill until April billing had been torn down and moved from the premises about March or April, 1961. She asked that the Council refund her the charges made. A motion was made by B. R. Mahaffey and seconded by Travis Coleman that a refund of \$2.90 per month be paid her when she present proof of this house being moved. Motion Carried.

The plat of Woodland Acres Addition owned by W. E. West was presented for acceptance and dedication. A motion was made by J. H. Reynolds and seconded by Travis Coleman that plat be accepted subject to any changes that might have been made since its presentation. Motion carried.

Other city affairs were discussed but no action taken and a motion was made by B. R. Mahaffey and seconded by J. R. Reynolds to adjourn. Motion carried.

  
Secretary

  
Mayor

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Canton, Texas  
June 28, 1963

The Canton City Council met in a Special Meeting in the Assembly Room of the Van Zandt County Courthouse for the purpose of opening the bids for Contract No. 744, Water and Sewer Line Extentions, and Contract No. 751, Water Treatment Plant Extentions, Under A P W-Tex 17G.

The bids were opened and tabulated by a representative of Wisenbaker, Fix & Associates of Tyler and a representative of the Home Housing and Finance Agency of Fort Worth. A copy of which is attached to these minutes and becomes a part of them with a motion made by J. W. Barron Sr. and seconded by Harvey Fincher.

A motion was then made by B. R. Mahaffey and seconded by Harvey Fincher that the bid alternate "A" (construction with A C pipe) be accepted for bid purposes. Motion carried.

A motion was then made by J. W. Barron Sr. and seconded by Travis Coleman that the low bidders be accepted subject to approval of the Home Housing and Finance Agency. The low bidders were Henry C. McDonald Co., Box 1032, Kilgore, Texas, for Contract No. 744, for the amount of \$91,606.06 and Hugh Robertson, Contractor, 3500 Copeland Road, Tyler, Texas for Contract No. 751, for the amount of \$21,570.00. Motion carried unanimously.

A motion was then made by Harvey Fincher that the monies from the sale of the bonds in the amount of \$80,000.00 be placed in the "Construction Account" and the remaining \$20,000.00 be placed in the General Tax Fund. The \$80,000.00 being the cities part for the budgeted APW project. Travis Coleman seconded the motion and upon vote, motion carried unanimously.

Then came on a discussion of a letter from Wynne & Wynne, Wills Point, Texas, in answer to the City's submitted offer of \$6,850.00 for settlement of condemnation suit against Martha Utts et al. A copy of this letter with its provisions and the City's answer to each are attached and become part of this minute.

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

*Audenia Steed*  
Secretary

*Sam Hilliard*  
Mayor

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Canton, Texas  
July 9, 1963

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

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

A motion was made by Travis Coleman and seconded by Harvey Fincher that Martha Utts be paid in the amount of \$70.00 for refund on charges for water service after the house had been torn down. Motion carried.

A letter was read from Gordon Wynne with reference to the City's offer of settling the condemnation suit of Martha Utts et al. (A copy attached for reference.) Definite answers to the matters set out were given and are attached hereto for references also. A motion was made by Harvey Fincher and seconded by J. H. Reynolds that if the defendants did not accept these replies within thirty (30) days that the City proceed with court suit. Motion carried unanimously.

A discussion followed concerning the problems of plumbing and complaints given by residents concerning these problems and a motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that the following Resolution be adopted; and that F. H. Stegall inspect the plumbing:

R E S O L U T I O N

WHEREAS, the residents of the City of Canton are being plagued with plumbing troubles, and

WHEREAS, when aid is called, the plumbing is not adequate for proper and effective servicing.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council that when plumbers, home builders and/or contractors are plumbing, that they use four-inch cast iron or Orangeburg or Carlon from commode lines to outside and/or main lines with sufficient clean-out plugs and that all water and gas plumbing shall be done in a workmanlike manner and/or what is considered as standard plumbing procedures so that all measures of sanitation can be met.

PASSED, APPROVED AND ADOPTED this the 9th day of July, 1963.

Then came on the discussion of the Lone Star Gas Company and their extentions of gas services within the city limits and the following Resolution was presented for adoption:

R E S O L U T I O N

WHEREAS, the City of Canton has a franchise with the Lone Star Gas Company to furnish natural gas service within the City of Canton, and

WHEREAS, the City of Canton has recently extended its city limits by annexation, and

WHEREAS, The City of Canton has and is providing the areas annexed with water and sewer services, and

WHEREAS, the City of Canton is progressing and with this progress it is the wishes of the people to keep the City of Canton as beautiful and attractive as possible, and

WHEREAS, the Lone Star Gas Company has and is extending its gas services to our annexed areas, and

NOW THEREFORE, BE IT RESOLVED that the Lone Star Gas Company be required to place its gas meters at the houses as has been the practice within the city before, but should they be forced to place gas meters at the curb or on the right-of way, such gas meters be placed in the ground and covered.

PASSED, APPROVED AND ADOPTED, this the 9th day of July, 1963

It was then suggested that the following be contacted for acting members for a Board of Equalization for this year: O. O. Taylor, W. H. Oliver, D. W. Wilson, F. L. Brewer, Grady Cox and H. H. Riley.

A motion was made by J. W. Barron Sr. and seconded by Harvey Fincher that F. H. Stegall, C. W. Janes and Truman Easley be paid a weeks pay instead of taking a weeks vacation. Motion carried.

There being no further business a motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. that the meeting adjourn. Motion carried.

Ardenia Steed  
Secretary

Sam H. Fincher  
Mayor

Canton, Texas  
July 22, 1963

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

The purpose of the meeting was to discuss a water problem. With parts of the city completely without water and most of the city was without proper water pressure an emergency was declared and the following resolution was passed, adopted and approved:

R E S O L U T I O N

THAT WHEREAS, the water supply of the City of Canton has become dangerously inadequate because the present filtering system is not large enough to filter and properly pressure such water as the needs of the people require during the summer months;

THAT, WHEREAS, under the laws regulating the health and safety of the citizens of the State of Texas and under the rules and regulations of the Texas State Health Department the City of Canton can not release untreated water into its mains,

THAT, WHEREAS, three days prior to the date hereof, the City water mains and lines have been without sufficient pressure to supply the City because of the inadequacy of the filtering plant and the City has not been in a position to increase the pressure of such water lines and mains by placing therein untreated water because such action would violate the health codes and regulations of the State of Texas;

AND, WHEREAS, it has been made to appear to the City Council by statements and complaints of the citizens of this city that the water supply for the City of Canton is so low that it imperils the health and safety of the citizens thereof;

AND, WHEREAS, the lack of water pressure and water in the lines of the City water system renders inadequate and ineffective the ability of the City Fire Department to extinguish and control fires;

AND, WHEREAS the inadequacy of the filtering system generally is of such a nature as to increase the possibility of diseases such as typhoid, etc.;

AND WHEREAS, such conditions as hereinabove described create an immediate emergency in which the City Council is called upon to take immediate action and it appearing to the City Council that the emergency is of such a nature that there is not sufficient time afforded the City because of such emergency to follow the ordinary procedures provided by law to correct and remedy the aforesaid situation and the dangers incident thereto;

NOW, THEREFORE, the City Council of the City of Canton has declared and does by these presents declare the existence of an emergency created by the shortage of water and the perils and dangers incident thereto and in order to remedy and correct such situation has taken the following action:

BE IT RESOLVED THAT the engineering firm of Wisenbaker, Fix & Associates of Tyler, Texas, after having been called upon to draw plans and specifications for additional filtering equipment and to secure by telephone three bids for such additions did present the following bids: Hugh Robertson, Tyler, Texas - \$20,000.00; J. C. Scoggins, Irving, Texas; - \$22,800.00; and J. D. Stembridge, Gilmer, Texas - \$23,200.00.

BE IT FURTHER RESOLVED that this being an emergency, and that this emergency must be handled as quickly as possible to alleviate this problem, the City Council enter into a contract for these additions and that work begin immediately.

A motion was made by B. R. Mahaffey and seconded by Harvey Fincher that Hugh Robertson be awarded the contract for filter plant additions and that the contract entered into become part of these minutes. Motion carried unanimously.



Canton, Texas  
July 26, 1963

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

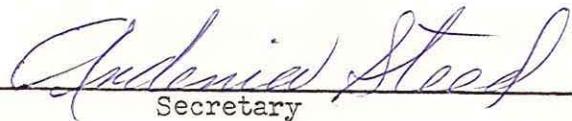
The purpose of this meeting was to discuss the present emergency now existing while the additions to the present filtering plant are being completed and it was moved by J. W. Barron Sr. that all residents South of Goshen Street may water lawns on even numbered calendar days and that all residents North of Goshen Street may water lawns on odd numbered calendar days and the secretary be instructed to notify all water customers by postal cards of this schedule. J. H. Reynolds seconded the motion and an unanimous vote was cast.

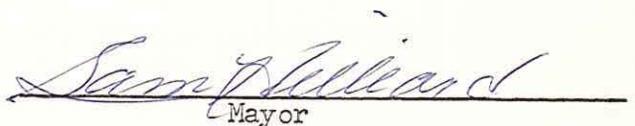
A motion was made by B. R. Mahaffey and seconded by Harvey Fincher that the original water line from Mill Creek be re-opened and that the necessary water lines for this connection to the filtering plant be completed. Motion carried.

Then came on the opening of bids for a tractor-loader. Two bids were received and opened as follows: Colman Implement Company - \$4053.41. Van Zandt County Tractor Company - \$3613.00. It was unanimously decided and agreed that the three-point hitch as bid would be omitted but that the 17 gallon pump would be required. With the difference in these two items the bids were: Coleman Implement Company - \$3786.27 and Van Zandt County Tractor Company - \$3754.00. With these bids being so close, Mr. Coleman excused himself and it was unanimously decided and agreed that the bid be awarded to Van Zandt County Tractor Company and that Coleman Implement Company be authorized to purchase a mower attachment for the used International tractor-loader now on hand.

A discussion followed concerning city affairs and a motion was made by J. W. Barron Sr. and seconded by Harvey Fincher to remove the now existing dog pound if it becomes necessary in order that the Martha Utts et al case can be closed as a condemnation suit. Motion carried unanimously.

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

  
Secretary

  
Mayor

Canton, Texas  
August 1, 1963

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, Travis Coleman, J. W. Barron Sr. and Harvey Fincher. Absent: B. R. Mahaffey.

The purpose of the meeting was the passing of a resolution amending the Grant Agreement with the Housing and Home Finance Agency for a Government Grant from \$114,000.00 to \$80,000.00. A motion was made by Travis Coleman and seconded by Harvey Fincher that the following Resolution be passed and approved and that Sam Hilliard, Mayor and Secretary, Ardenia Steed be authorized to execute same:

R E S O L U T I O N

WHEREAS, the City of Canton, Texas, has entered into a Grant Agreement with the United States of America, acting by and through the Regional Director of Community Facilities; and,

WHEREAS, it is necessary to amend the Agreement so as to change the amount of the grant; and,

WHEREAS, said Amendatory Grant Agreement has been fully considered in accordance with all pertinent rules of procedure and legal requirements, and made a part of the Applicant's public records;

NOW, THEREFORE, be it Resolved by the City Council of Canton, Texas, that said Amendatory Grant Agreement, a true and correct copy of which is attached hereto, be and the same is hereby accepted without reservation or qualification, and Sam Hilliard, Mayor, is hereby authorized to execute the same for and in behalf of the City of Canton, Texas.

AMENDATORY GRANT AGREEMENT

Project No. APW-Tex-17G  
City of Canton, Texas  
Water and Sewer Facilities  
Amendment No. 1

THIS AMENDATORY GRANT AGREEMENT, dated as of July 30, 1963, by and between the City of Canton, Texas (herein called the Applicant), and the United States of America (herein called the Government ). WITNESSETH:

WHEREAS, The Applicant and the Government have entered into a Grant Agreement consisting of the Government's offer to make a grant to aid in financing essential public works or facilities and the acceptance of said offer by the Applicant; and,

WHEREAS, the scope of the work included in the project has been reduced and construction bids have been received for an amount less than the estimated project costs, thereby reducing the amount of the grant needed to finance the project, and,

WHEREAS, the Applicant has requested a decrease in the amount of the grant; and,  
WHEREAS, the Government considers the Applicant's request proper;  
NOW, THEREFORE, the Grant Agreement is hereby amended in the following respects:

1. The maximum amount of the grant is reduced from "\$114,000" to "\$80,000."
2. The estimated project cost is reduced from "\$228,000." to "\$160,000."
3. The project description contained in the original Grant Agreement is

amended so as to read as follows:

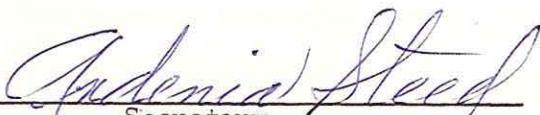
"Water system improvements and extensions consisting of storage facilities, pumps, distribution mains, fire hydrants and appurtenances, and improvements and extensions to existing sewerage system consisting of collection lines, manholes, cleanouts and appurtenances."

4. The Special Conditions attached hereto as Exhibit B are substituted for those attached to the Grant Agreement.

In all other respects, the aforesaid Grant Agreement remains in full force and effect.

IN WITNESS WHEREOF, this Amendatory Grant Agreement has been executed in the name of the Applicant, by its appropriate officials under its official seal, and in the name and on behalf of the United States of America, Housing and Home Finance Administrator, Community Facilities Commissioner, by the undersigned official.

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

  
Secretary

  
Mayor

\*\*\*\*\*

Canton, Texas  
August 13, 1963

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

Dean Brown, Alton Rasco, B. J. Peace and Felix Bass of the Fire Department met and discussed the need of another truck for fighting fires and the possibility of purchasing same through the Government Surplus Program. After some questions and further discussion it was unanimously agreed that action would be taken later on during the meeting.

Mr. J. D. Norton of Terrell and Tom Milford of Canton, representatives of the Texas Power & Light Company, met and discussed extending a franchise to July 1, 2013. A motion was made by Travis Coleman and seconded by B. R. Mahaffey to approve said ordinance granting this franchise. (Said Ordinance attached and to become part of

these minutes.) Attached also is an agreement to include a sum equal to 2% of gross revenues derived from the sale of electric energy from its industrial, governmental and municipal business in addition to the residential and commercial business beginning with a first payment to be made on July 1, 1964. Mr. Norton presented a check in the amount of \$144.52 representing 10/12 of retroactive payment of said 2% on said businesses. Mr. Norton also presented a new rate schedule which will lower all electric services approximately 2½% beginning with the September, 1963 billing date. (This rate schedule to be on file in the City Office.)

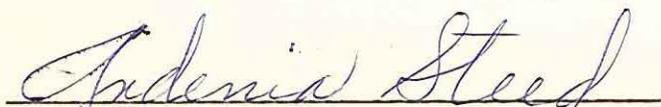
A motion was made by B. R. Mahaffey and seconded by Harvey Fincher that a 1½ inch temporary plastic water line be layed to the January Addition on Red Hill in order to relieve their water shortage and that meters be placed at each residence or business when the \$25.00 water tapping fee is paid and then each be given water service. Motion carried unanimously.

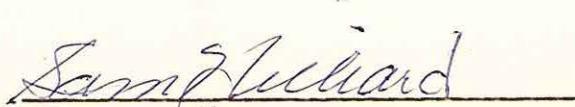
A motion was then made by B. R. Mahaffey and seconded by J. W. Barron Sr. that Mr. Clyde Elliott Jr. be authorized to purchase five (5) acres of the Scates land so that division of property for dump grounds be narrowed and that payment be made to him when the City acquires possession of same. Motion carried unanimously.

Then came on the discussion concerning the purchase of a truck for the Fire Department. A motion was made by J. W. Barron Sr. and seconded by Harvey Fincher that the Canton Fire Department be authorized to contact Mr. Norris Birdwell to purchase a six by six truck and that the City reimburse the school the cost of the truck. When the truck is received it is to have installed a one thousand gallon water tank with booster pump and hose and a removable utility pump for filling the truck tank. All work and purchase on said truck shall be approved by B. R. Mahaffey. After the truck is equiped and ready for fire fighting the Number 2 fire truck is not to be driven outside of the City Limits and any fireman so doing shall lose his status as a fireman, and the secretary was instructed to notify Mr. Dean Brown of their action on this matter. Motion carried unanimously.

Mr. E. B. Miller and Brother R. L. Dickey are planning on building new homes just outside of the city limits but the city water and sewer lines are available and they asked for permission to hook on to these. It was agreed by the city council that they be allowed to do so when the required tapping fees were paid and that their minimum water bill be \$3.40 per month with .50¢ for each thousand gallons thereafter and that the sewer monthly fee be \$2.50 per month. Motion carried unani

There being no further business a motion was made by J. H. Reynolds and seconded by J. W. Barron Sr. to adjourn. Motion carried.

  
Secretary

  
Mayor

EXCERPT OF MINUTES OF REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF CANTON, TEXAS

The City Council of the City of Canton, Texas, met in regular session on August 13, 1963, at 8 p.m., at their regular meeting place.

Those present were: Mayor Sam Hilliard  
Councilmen J. H. Reynolds  
J. W. Barron, Sr.  
Travis Coleman  
Harvey Fincher  
B. R. Mahaffey, constituting a quorum

Ardenia Steed, City Secretary, acted as secretary of the meeting.

Mayor Hilliard presided over the meeting and stated that among other business to be considered was the granting of a franchise to Texas Power & Light Company.

Thereupon an ordinance entitled, "AN ORDINANCE GRANTING TO TEXAS POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, AND REPEALING ALL PREVIOUS ORDINANCES OF THE CITY OF CANTON, TEXAS, GRANTING A FRANCHISE FOR SUCH PURPOSE," was introduced and read in full by Mayor Sam Hilliard. Motion was made by Councilman Travis Coleman that franchise ordinance be approved as read. Motion was seconded by Councilman B. R. Mahaffey. Said ordinance was passed and adopted, the vote thereon being unanimous in favor of said ordinance.

Mayor Hilliard signed and approved said ordinance and it was ordered that same be recorded and the same is recorded in words and figures as follows:

"AN ORDINANCE GRANTING TO TEXAS POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, AND REPEALING ALL PREVIOUS ORDINANCES OF THE CITY OF CANTON, TEXAS, GRANTING A FRANCHISE FOR SUCH PURPOSE

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

Section 1: That there is hereby granted to Texas Power & Light Company, its successors and assigns (herein called the "Grantee"), the right, privilege and franchise until August 1, 2013, to construct, maintain and operate in the present and future streets, alleys, and public places of the City of Canton, Texas, and its successors, electric light and power lines, with all necessary or desirable appurtenances (including underground conduits, poles, wires, transmission lines and other structures and telephone wires for its own use), for the purpose of supplying electricity to the said City, the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and other purposes.

Section 2: Poles, structures and other appurtenances shall be so erected and maintained as not to interfere unreasonably with traffic over streets and alleys. The location of all poles, conduits and other structures shall be fixed under the supervision of the street and alley committee of the City of Canton, or the successors to the duties of that committee, but not so as to interfere unreasonably with the proper operation of said lines.

Section 3: The service furnished hereunder to said City and its inhabitants shall be first class in all respects considering all circumstances, and shall be subject to such reasonable rules and regulations as the Grantee may make from time to time. The Grantee may require reasonable security for the payment of its bills.

Section 4: The Grantee shall hold the City harmless from all expense or liability for any act or neglect of the Grantee hereunder.

Section 5: That on the 1st day of July, 1964, and annually thereafter on July 1 of each succeeding year for the life of this franchise, Texas Power & Light Company, its successors and assigns, shall pay to the City of Canton a sum equal to two percent (2%) of its gross revenue received from the sale of electric power and energy by said Company within the corporate limits of said City for the preceding twelve months ending March 31, in full payment for the privilege of using and occupying the streets, highways, easements, alleys, parks, and other public places in the City of Canton, whether as rental, supervision and inspection charges, or otherwise, for twelve months immediately preceding the date on which said payment is due to be made. This payment shall be in lieu of any other tax or increased rate of tax or other imposition, assessment, or charges, except ad valorem taxes.

Section 6: The Grantee shall file its written acceptance of this franchise within sixty (60) days after its passage and approval.

Section 7: This franchise is not exclusive, and nothing herein contained shall be construed so as to prevent the City from granting other like or similar rights and privileges to any other person, firm or corporation.

Section 8: When this franchise ordinance shall have become effective, all previous ordinances of the City of Canton, Texas, granting a franchise to Texas Power & Light Company for electric light, heat and power purposes, shall be automatically canceled and annulled, and the same, together with any existing street rental agreement between the City and Grantee, shall be of no further force and effect.

PASSED AND APPROVED this 13th day of August, 1963.

ATTEST:

/s/ Sam Hilliard  
Mayor

/s/ Ardenia Steed  
City Secretary

(CITY SEAL)

"

Other business was then transacted.

(CITY SEAL)

  
City Secretary, City of  
Canton, Texas

**TEXAS POWER & LIGHT COMPANY**

EXECUTIVE DEPARTMENT

**DALLAS, TEXAS**

August 16, 1963

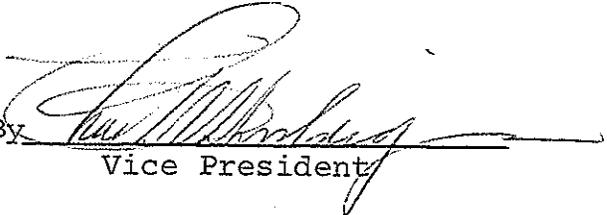
TO THE MAYOR AND CITY COUNCIL  
OF THE CITY OF CANTON, TEXAS

Gentlemen:

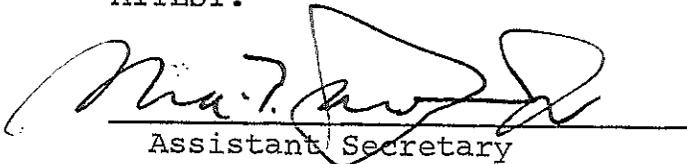
The undersigned hereby accepts the terms of that certain franchise passed and adopted by the City Council of the City of Canton, Texas, by ordinance duly approved by the Mayor and attested by the City Secretary on August 13, 1963, same being, "AN ORDINANCE GRANTING TO TEXAS POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, AND REPEALING ALL PREVIOUS ORDINANCES OF THE CITY OF CANTON, TEXAS, GRANTING A FRANCHISE FOR SUCH PURPOSE," and files herewith its acceptance of such franchise as required by the terms of such franchise ordinance.

IN TESTIMONY WHEREOF, witness the corporate signature and seal of Texas Power & Light Company by its duly authorized officers, this the 16th day of August, 1963.

TEXAS POWER & LIGHT COMPANY

By   
Vice President

ATTEST:

  
Assistant Secretary

Draft  
August 13, 1963

Council  
The Honorable Mayor and ~~Commissioners~~  
of the City of Canton, Texas

Gentlemen:

Council  
By the terms of a franchise ordinance passed by the Canton City Commission on this date, Texas Power & Light Company will pay annually to the City of Canton a sum equal to 2% of its gross revenues derived from the sale of electric energy from its industrial, governmental and municipal business, as well as its residential and commercial business conducted within the corporate limits of the City, beginning with a first payment to be made on the 1st day of July, 1964, and computed on revenues received during the twelve month period ending March 31, 1964.

Texas Power & Light Company is willing also to pay immediately to the City of Canton a sum equal to 2% of its gross revenues derived from the sale of electric energy from its industrial, governmental and municipal business for the 10 month period beginning with September, 1963. Such payment, which represents 10/12 of annual payment computed on applicable revenues received during the twelve month period ending March 31, 1963, amounts to \$144,52.

If the foregoing is acceptable to you, please so indicate in the space provided below.

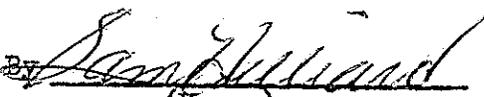
Very truly yours,

TEXAS POWER & LIGHT COMPANY

By 

Accepted:

CITY OF CANTON

By   
(Mayor)

Canton, Texas  
September 10, 1963

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

Norris Birdwell, Supt. of Canton Schools, Reverend Don Brown, Mr. Alf Foster, Paul Daniel and E. B. Jones were present.

Minutes of meetings held on July 9, July 22, July 26, August 1, and August 13 were read and approved as read with a motion made by J. W. Barron Sr. and seconded by Travis Coleman.

A motion was made by Harvey Fincher and seconded by B. R. Mahaffey that the secretary issue a check in the amount of \$1000.00 to Clyde Elliott Jr. for five (5) acres of land that was purchased for additional dump grounds when the partition of lands is made and the court order is signed. Motion carried.

Mr. Birdwell asked the city to erect a traffic signal light at the intersection of Buffalo and Elm Streets for the safety of school children and school buses.

A motion was made by J. H. Reynolds and seconded by Travis Coleman that the city furnish the traffic light and control that they have on hand and that the city share on a 50-50 basis the cost of erecting and installing the traffic light. It was agreed that the light would be used on a red and green pattern when the school deemed it necessary and that the controls would be operated from the school office. The city also agrees to assume the cost of electric power to operate the light. Motion carried unanimously.

With the problems of First Monday growing and the need of a person or persons to control the crowds and the bartering of wares on Sundays and the blocking of private driveways and roadways, a motion was made by Travis Coleman and seconded by J. H. Reynolds that the Mayor try to secure someone to police this area on Sunday and First Monday of each month. Motion carried unanimously.

Mr. E. B. Jones met and discussed the building of a nursing home that is to be constructed on four lots out of Folded Hills-North subdivision. He also presented a plat and dedication of Folded-Hills-North subdivision. J. W. Barron Sr. moved and J. H. Reynolds seconded a motion to accept this plat and dedication and that the water and sewer lines would be constructed for the nursing home when construction use was needed. It was also agreed that when the nursing home was under construction and for and in consideration for the lots used for this home, the city will extend to this sub-division the water and sewer services. Motion carried. (Dedication and plat are attached and are a part of these minutes.)

A request for the installation of a street light was read from Mrs. W. W. White and Mrs. Eunice Travis on the south end of Tower Street and it was unanimously agreed that when such street is opened as a through street, sufficient lights will be installed.

J. W. Barron Sr. moved and B. R. Mahaffey seconded a motion to purchase a Graphotype Machine at the price of \$485.00 plus freight for the office. Motion carried.

A motion was made by Travis Coleman and seconded by Harvey Fincher that should it become necessary to borrow money to carry on the project under APW-Tex-17G that the Mayor and secretary be authorized to sign such papers as necessary. Motion carried.

There being no other business to come before the council, a motion was made by Harvey Fincher and seconded by Mayor Hilliard to adjourn.

Adenia Steed  
Secretary

Sam Hilliard  
Mayor

\$40,000.00

THE STATE OF TEXAS     §  
                                  §  
COUNTY OF VAN ZANDT   §

WHEREAS, on the 10th day of September, 1963, the City Council of the City of Canton, Texas, convened with the following members present, to-wit:

Sam Hilliard, Mayor  
J. H. Reynolds, Alderman  
Harvey Fincher,         "  
B. R. Mahaffey,         "  
J. W. Barron, Sr.,     "  
Travis Coleman,         "

at which time came on to be considered the following:

An agreement was entered into by the City of Canton, Texas, and the United States of America, acting by and through the Regional Director of Community Facilities, Housing and Home Finance Agency, for Federal assistance under the Public Works Acceleration Act, Public Law 87-658, dated March 29, 1963, for aid in financing the construction of essential public works or facilities consisting of water system improvements, and extensions consisting of storage facilities, pumps, distribution mains, fire hydrants and appurtenances, and improvements and extensions to existing sewerage system consisting of collection lines, manholes, cleanouts and appurtenances, at an estimated project cost of \$160,000.00. Of this amount the City of Canton placed from the sale of its Tax Bonds the sum of \$80,000.00, its share, to the CONSTRUCTION ACCOUNT - APW-TEX 176 and the Federal Government's share is to be requisitioned against the Grant as construction progresses which delays receiving funds when needed to meet Estimates of the contractors and engineers.

WHEREUPON motion was made by Travis Coleman and seconded by Harvey Fincher that the City Mayor and the City Secretary be authorized to borrow necessary funds from the First National Bank, Canton, Texas, for payment of such contractors and engineers estimates until such time as the Federal Grant monies is received and execute such evidence of indebtedness as may be necessary to bind and obligate the City of Canton, Texas, for payment of such indebtedness and for such period of time as they may deem necessary, at an interest rate not to exceed three (3%) per cent, per annum, which motion carried. Said order now appearing of record in the Minutes of the City of Canton, Texas, a certified copy of which is attached hereto and made a part hereof, and

WHEREAS, such Estimates of the contractors and engineers are based on the amount of completed contract construction and materials purchased; and

WHEREAS, the City of Canton, Texas, has insufficient funds to take care of said estimates promptly; and

WHEREAS, pursuant to order above described and by authority thereof, the City of Canton, Texas, acting by and through Sam Hilliard, Mayor, Ardenia Steed, City Secretary, and First National Bank, Canton, Texas, has this 11th day of October, 1963, entered in the following agreement:

First National Bank of Canton, Texas, has agreed to loan the City of Canton, Texas, the sum of \$40,000.00 at the rate of three (3%) per cent, per annum, for a period of six (6) months. The date is April 12, 1964, when the whole principal sum together with interest is paid; and it being further agreed that the above \$40,000.00 is to be deposited to the Construction account - APW-TEX 176 of the City of Canton, Texas.

Dated at Canton, Texas, this 12th day of October, 1963.

SIGNED: Sam Hilliard  
Mayor, City of Canton, Texas

SIGNED: Ardenia Steed  
Secretary, City of Canton, Texas

ACCEPTED:  
FIRST NATIONAL BANK, CANTON, TEXAS

BY: Roy Cooper Jr. V.P.

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF VAN ZANDT   §

BE IT REMEMBERED, the City Council of the City of Canton, Texas, meeting at its regular meeting place thereof at Canton, Texas, on the 10th day of September, 1963, with the following members present:

Sam Hilliard, Mayor  
J. E. Reynolds, Alderman  
Harvey Fincher,   "  
E. R. Mahaffey,   "  
J. W. Barron, Sr., "  
Travis Coleman,   "

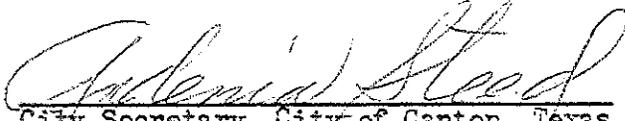
At which time came on to be considered needed funds to meet the Estimates of the contractors and engineers under Project APW-Tex-17G of which the Federal Grant of an estimated sum of \$80,000.00 is delayed.

A motion was made by Travis Coleman and seconded by Harvey Fincher that the City Mayor and the City Secretary be authorized to borrow necessary funds from the First National Bank, Canton, Texas, for payment of such contractors and engineers estimates until such time as the Federal Grant monies is received and execute such evidence of indebtedness as may be necessary to bind and obligate the City of Canton, Texas, for payment of such indebtedness and for such period of time as they may deem necessary, at an interest rate not to exceed three (3%) per cent, per annum, which motion carried.

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF VAN ZANDT   §

I, Ardenia Steed, Secretary of the City of Canton, Texas, hereby certify that the above and foregoing to be a true and correct copy of original order as same appears of record in Volume 3 page 2 of the Minutes of the City of Canton, Texas.

Witness my hand and official seal of office, at Canton, Texas, this the 11th day of October, 1963.

  
City Secretary, City of Canton, Texas

(SEAL)

DEDICATION OF STREETS TO THE CITY OF CANTON

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF VAN ZANDT   §

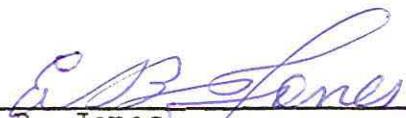
KNOW ALL MEN BY THESE PRESENTS:

That I, 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, Texas, ~~North~~ 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. We, the said E. B. Jones, and wife, Ruby E. Jones, do hereby reserve to themselves the right to cross the streets and alleys shown thereon and to run on said streets or alleys shown on said plan with water pipes, gutters and other public facilities.

~~North~~

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

Signed at Canton, Texas, this 10th day of September, 1963.

  
\_\_\_\_\_  
E. B. 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 10th day of September, A. D. 1963.

  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
VAN ZANDT COUNTY, TEXAS



Canton, Texas  
September 23, 1963

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

A discussion of the laying of the 8" water main from the lake into the city and connecting to the 8" main around the square under the Federal Grant Project No. APW-Tex 17G was discussed at length. No easement had been received from Noble Hurley to lay the line direct so a motion was made by J. H. Reynolds and seconded by B. R. Mahaffey that the line would have to be layed under an easment from Mrs. Jessie Nolan dated July 12, 1951, with permission be granted by the present owners, Baptist Foundation. The Mayor had contacted the Baptist Foundation which gave their approval with the exception that the pasture land was leased to Jimmy Beard. The motion carried with the stipulation that the Mayor settle with Jimmy Beard for damages.

Then came on the discussion of laying water and sewer lines to the nursing home now being constructed in the Folded Hills Addition and a motion was made by Travis Coleman and seconded by J. H. Reynolds that an easement be secured from George Wise and that the lines be layed through his property for the price of \$100.00 to be paid to Mr. Wise by the City for a water and sewer tapping fee. Motion carried.

The 1963 Tax Roll was presented to the Council and a motion was made by J. H. Reynolds and seconded by Travis Coleman that it be accepted for the value of \$2,102,800.00 with a \$1.00 tax rate. Motion carried.

A motion was made by B. R. Mahaffey and seconded by Travis Coleman that the monies derived from the collection of taxes be apportioned to deposit .50¢ to the General Sinking Fund and .50¢ to the General Tax Fund. Motion carried.

A motion was made by J. H. Reynolds and seconded by B. R. Mahaffey that Mr. Forest Sides be hired as City Police at \$15.00 per day to work on Fridays, Saturdays and Sundays of each month and on First Monday, with this employment to be on a tempory basis. Motion carried unanimously.

A motion was mad by B. R. Mahaffey and seconded by Travis Coleman that Mrs. Steed be authorized to receive monies and issue receipts to all persons who wish to post cash or security bonds for fines received from the City Polieman. Motion carried.

There being no further business a motion was made by J. H. Reynolds and seconded by B. R. Mahaffey to adjourn.

Ardenia Steed  
Secretary

Sam Hilliard  
Mayor

Canton, Texas  
October 8, 1963

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

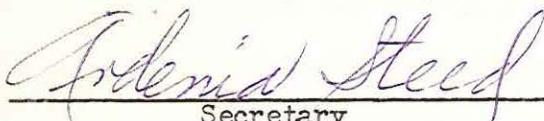
Minutes of the previous meeting were read and approved as read by a motion made by Harvey Fincher and seconded by J. W. Barron Sr.

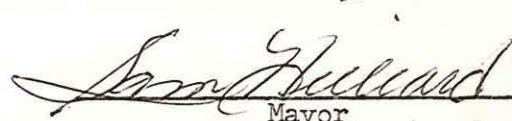
B. R. Mahaffey made a motion that was seconded by J. W. Barron Sr. that the city make the water and sewer taps and place the required size water meter for the Nursing Home in Folded Hills Addition when the deposit of \$15.00 is made. Motion carried unanimously.

Mr. Joe Wallace met and discussed the appointment as City Judge of the Corporation Court. A motion was made by Travis Coleman and seconded by J. W. Barron Sr. that Mr. Wallace maintain for the present time his office at his home and that a fee of \$4.00 be paid to him for each fine assessed. Motion carried.

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that Hugh Robertson, Contractor be paid \$7,359.05 and that Henry C. McDonald Co. be paid \$39,370.94 for Estimates #2 under APW-Tex 17G. Motion carried.

Other city affairs were discussed but no action taken. A motion was made by Harvey Fincher and seconded by B. R. Mahaffey to adjourn.

  
Secretary

  
Mayor

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Canton, Texas  
November 12, 1963

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

Minutes of a special meeting were read and approved as read with a motion by Harvey Fincher and seconded by J. W. Barron Sr.

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

A motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that Estimate #3 in the amount of \$8,961.63 for Henry C. McDonald Co. and Engineering Fees in the amounts of \$6,790.56 and \$3,026.95 for Wisenbaker, Fix & Associates under APW-Tex 17G be paid. Motion carried.

Christmas Lighting was discussed and a motion was made by J. W. Barron Sr. and seconded by J. H. Reynolds that the City give \$100.00 for this cause. Motion carried.

Rev. Don Brown and Rev. L. E. Hardin met and discussed a proposed curfew for the city in order to eliminate the confusion during the night hours. After a lengthy discussion it was unanimously decided to pass up this business at this time.

An Ordinance amending the Arson Reward Ordinance enacted by the City Council on May 13, 1952 was read and a motion was made by J. H. Reynolds and seconded by B. R. Mahaffey that it be passed and approved and that the Mayor issue a proclamation declaring this arson reward. The secretary was instructed to obtain placards eight inches by twelve inches in size showing this award and placed in wooden frames under glass in at least six different public buildings within the city. (The Ordinance is as follows with proclamation.)

AN ORDINANCE PROVIDING FOR THE REWARDING OF A PERSON OR PERSONS WHO ARE INSTRUMENTAL IN BRINGING ABOUT THE ARREST AND CONVICTION OF A PERSON OR PERSONS GUILTY OF THE CRIME OF ARSON.

BE IT ORDAINED BY THE CITY OF CANTON, TEXAS:

SECTION 1. The Mayor of the City of Canton is hereby required, authorized and empowered to offer a reward of not less than TWO HUNDRED AND FIFTY DOLLARS (\$250.00) payable to the person or persons who shall be responsible for the arrest and conviction of any person committing in said City the crime of arson as the same is now defined by the Penal Code of the State of Texas.

SECTION 2. Whenever the Mayor shall be informed that any fire occurring in said City was of an incendiary origin, he shall call for a report on the same by the City Fire Marshal, and if said Marshal shall report that such fire was caused by the commission of the said crime of arson, it shall become the duty of said Mayor to offer the reward above prescribed, which reward shall be in the form of a proclamation duly issued by said Mayor under his official signature and attested by the seal of the City, and which shall be posted up in conspicuous places, one of which shall be at the City Hall of said City in accordance with the regulations of the State Fire Insurance Department. Upon information being given by any person or persons who shall cause the arrest and conviction of such person or persons so guilty of a specific crime of arson for which said reward shall be offered, and after the final conviction of such person or persons, the person or persons so giving such information shall be entitled to receive from said City the said reward.

PASSED AND APPROVED THIS the 12th day of November, 1963.

*Sam Hilliard*  
\_\_\_\_\_  
Mayor

ATTEST:  
*Audenia Steed*  
\_\_\_\_\_  
City Secretary

PROCLAMATION OF ARSON REWARD

The City of Canton, Texas, hereby offers a reward of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) for the arrest and conviction of any person or persons found guilty of committing the crime of ARSON within the corporate limits of said

6  
City of Canton, Texas. This reward is a standing offer, and shall be paid out of the City Tax Fund of the City of Canton, Texas.

Sam Hilliard  
Mayor

ATTEST:

Judenia Steed  
City Secretary

Delinquent water accounts were discussed and some were found to be from four to six months past due. A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that a policy be adopted to limit all delinquent water accounts to only two months and that the water superintendent disconnect such services immediately.

Motion carried.

A motion was made by Harvey Fincher and scnded by J. W. Barron Sr. that the following minimum fines be adopted for use by the City Police and City Judge and that maximum fines not exceed \$200.00:

Speeding ---\$10.00 plus \$1.00 per mile over	Double Parking	\$5.00
Running Stop Sign	Peddling without Permit	\$25.00
Excessive Noise	Passing in No Passing Zone	\$10.00
Disturbing Peace	Driving in Unsafe Manner	\$10.00
Disorderly Conduct	Public Drunkness	\$10.00
Resisting Arrest	Tamping with Water, Fire Plugs	\$25.00
Abusive Language	Or water meters	\$25.00
Parking in Fire Lane	Destroying Public Property	\$25.00
Parking within 10 feet of Fire Plug	Illegal Parking	\$5.00

All other traffic violations governed under State Laws to be a minimum of \$10.00. Motion carried unanimously.

There being no further business a motion was made by Harvey Fincher and seconded by J. H. Reynolds to adjourn. Motion carried.

Judenia Steed  
City Secretary

Sam Hilliard  
Mayor

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Canton, Texas  
December 10, 1963

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

Minutes were read and approved as read with a motion made by B. R. Mahaffey and seconded by Travis Coleman.

A motion was made by B. R. Mahaffey and seconded by J. W. Barron Sr. that the city continue to lease the truck under general conditions for one year from Glenn Norman for a monthly payment of Thirty (\$30.00) Dollars. Motion carried.

The final decree confirming the partition of the Scates land was thoroughly discussed and was unanimously agreed that this decree be recorded and adopted as part of these minutes; to-wit:

NO. 11,004

CITY OF CANTON, ET AL

§  
§  
§  
§  
§

IN THE DISTRICT COURT

VS

OF

MINNIE SCATES, ET AL

VAN ZANDT COUNTY, TEXAS

FINAL DECREE CONFIRMING PARTITION

On this, the 27th day of November, 1963, all the parties in the above entitled and numbered cause, wherein the City of Canton, Clayton Bolt, Eunice Travis, or plaintiffs, and Minnie Scates, as defendant, having made due appearance, came on to be heard the amended report, filed herein on the 22nd day of November, 1963, of the commissioners appointed by the court to partition and distribute the property involved in the above entitled and numbered cause among the said parties, plaintiffs and defendant, which said amended report, made in obedience to the order of this court of September 20, 1963, reads as follows:

"Comes now the commissioners appointed by the court in the above styled and numbered cause to partition the surface estate to the hereinafter described land and would show unto the court that through error or mistake said commissioners inadvertently failed to give Tract No. 4 a roadway permitting ingress and egress to such tract and inadvertently allowed the City of Canton 15 acres when in fact such City of Canton owns 13.3 acres, and after securing leave of the court files this their amended report correcting the aforesaid matters, and in obedience to a decree and a writ of partition issued from said court in the above entitled and numbered cause, requiring us to partition, in accordance with said decree and the law among the joint owners, the City of Canton, Clayton Bolt, Eunice Travis and Minnie Scates, the surface estate to the following described land situated in Van Zandt County, to-wit:

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 Q. C. NUGENT SURVEY, Abstract No. 618, and more fully described as follows, to-Wit:

Being the Sam Scates lands out of said Nugent Survey,

BEGINNING at a fence corner post set at the occupied North corner of said Scates lands, same being in the occupied North West line of said Nugent Survey;

THENCE South 45 deg. East, with fence, 3542 feet to fence corner in Northwest line of the Groves tract;

THENCE South 45 deg. West, with fence along said Groves line and with abandoned roadway, 792 feet to fence corner in same;

THENCE South 51 deg. West, with fence along said Groves line and with said abandoned roadway, 290 feet to stake for corner in same;

THENCE South 10 deg. East, with said abandoned roadway, 197 feet to stake for corner;

THENCE North 86 deg. West, with fence, 533 feet to fence corner;

THENCE North 44 deg. West, with fence, 917 feet to fence corner;

THENCE South 45 deg. West, with fence, 201 feet to fence corner;

THENCE North 45 deg. West with fence 523 feet to fence corner;

THENCE South 47 deg. West, with fence 240 feet to fence corner;

THENCE North 45 deg. West, with fence 1820 feet to fence corner in said occupied Northwest line of Nugent Survey, same being the occupied West corner of said Scates lands;

THENCE North 45 deg. East, with fence along said occupied Northwest line of Nugent Survey, 1961 feet to the place of beginning, containing 144.782 acres of land.

We, the undersigned commissioner, having notified the parties of the date and time upon which we would act, proceeded on the 21 st day of October, 1963, with the assistance of J. E. Gibbard, surveyor, to execute said writ of partition as therein required and as required by law, and, having found, upon survey, that said tract of land was in the form as shown by the attached plat with the dimensions shown on the attached plat of survey and field notes which are incorporated within this report and having found evidence before us that said tract could be partitioned into four convenient parcels, we caused the same to be so surveyed and each of said four parcels we designate and do now designate a share and each is so designated on the accompanying plat.

And having designated each share by number, and having described each share separately and independently by metes and bounds in such manner that Share No. 1 is the same as the following described Tract No. 1, and that Share No. 2 is described as Tract No. 2, in the following set of field notes and so on in such manner that the share number equals the tract number. Such four parcels of land are described as follows:

TRACT NO. 1:

Being all that certain lot, tract, or parcel of land, lying and being situated in the County of Van Zandt, State of Texas, a part of the Q. C. NUGENT SURVEY, Abstract No. 618, and more fully described as follows, to-wit:

Being a part of the Sam Scates 144.782 acre tract out of said Nugent Survey;

BEGINNING at a stake set for corner in fence at a point that is 51 feet North 10 deg. West from the most Southerly Southeast corner of said Scates tract;

THENCE North 86 deg. West, 550 feet to stake for corner;

THENCE North 44 deg. West 850 feet to stake for corner;

THENCE North 45 deg. East 608.3 feet to stake for corner;

THENCE South 45 deg. East 1172 feet to stake for corner in fence on abandoned roadway;

THENCE South 51 deg. West, with said fence along abandoned roadway center line, 220 feet to stake for corner in same;

THENCE South 10 deg. East, with abandoned roadway, 146 feet to the place of beginning, containing 13 acres of land.

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 Q. C. NUGENT SURVEY, Abstract No. 618, and more fully described as follows, to-wit:

Being a part of the Sam Scates 144.782 acre tract out of said Nugent Survey;

BEGINNING at the East corner of a certain tract of 13 acres this date set apart to Minnie Scates, same being in fence in abandoned roadway;

THENCE North 45 deg. West, with Northeast line of said tract set apart to Minnie Scates 1172 feet to stake for corner, same being the North corner of said tract set apart to Minnie Scates;

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THENCE North 45 deg. East 371 feet to stake for corner;

THENCE South 45 deg. East 1180.5 feet to stake for corner in fence along said abandoned roadway;

THENCE South 45 deg. West, with said fence along abandoned roadway, 301.3 feet to fence corner;

THENCE South 51 deg. West, with said fence along abandoned roadway, 70 feet to the place of beginning, containing 10 acres of land.

TRACT NO. 3:

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 Q. C. Nugent Survey, Abstract No. 618, and more fully described as follows, to-wit:

Being a part of the Sam Scates 144.782 acre tract out of said Nugent Survey;

BEGINNING at a fence corner post set at the occupied East corner of said East corner of said Scates tract;

THENCE South 45 deg. West, with fence along Northwest line of Groves tract and with abandoned roadway, 490.7 feet to stake for corner in same;

THENCE North 45 deg. West, with Northeast line of a certain 10 acre tract this date set apart to Mrs. Eunice Travis, 1180.5 feet to stake for corner, same being the North corner of said tract set apart to Mrs. Travis;

THENCE North 45 deg. East 490.7 feet to stake for corner in fence along Northeast line of said Scates tract;

THENCE South 45 deg. East, with said fence along Northeast line of Scates tract, 1180.5 feet to the place of beginning, containing 13.3 acres of land.

TRACT NO. 4:

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 Q. C. NUGENT SURVEY, Abstract No. 618, and more fully described as follows, to-wit:

Being a part of the Sam Scates 144.782 acre tract out of said Nugent Survey;

BEGINNING at a fence corner post set at the occupied North corner of said Scates tract;

THENCE South 45 deg. East, with fence along occupied Northeast line of Scates tract, 2361.5 feet to stake for corner in same, which is the North corner of a certain 13.3 acre tract this date set apart to the City of Canton;

THENCE South 45 deg. West, with Northwest line of said City of Canton tract, at 490.7 feet passing its West corner and North corner of a certain 10 acre tract this date set apart to Mrs. Eunice Travis, continuing South 45 deg. West at 861.7 feet passing its West corner and North corner of a certain 13 acre tract this date set apart to Minnie Scates, continuing South 45 deg. West to a total distance of 1470 feet to stake for corner, same being the West corner of said tract set apart to Minnie Scates;

THENCE South 45 deg. East, with a Southwest line of said tract set apart to Minnie Scates, 850 feet to stake for corner;

THENCE South 86 deg. East, with a Southwest line of said tract set apart to Minnie Scates, 550 feet to stake for corner, same being the most Southerly Southeast corner of said tract set apart to Minnie Scates;

THENCE South 10 deg. East, with abandoned roadway, 51 feet to the most Southerly Southeast corner of said Scates tract of 144.782 acres, same being in the North end of an existing County road;

10  
THENCE North 86 deg. West, with fence, 533 feet to fence corner;

THENCE North 44 deg. West, with fence, 917 feet to fence corner;

THENCE South 45 deg. West, with fence, 201 feet to fence corner;

THENCE North 45 deg. West, with fence, 523 feet to fence corner;

THENCE South 47 deg. West with fence 240 feet to fence corner;

THENCE North 45 deg. West, with fence, 1820 feet to fence corner in occupied Northwest line of Nugent Survey;

THENCE North 45 deg. East, with fence along said occupied Northwest line of Nugent Survey, 1961 feet to the place of beginning, containing 108.482 acres of land.

That insofar as Tracts No. 1 and 2 above, we hereby set aside out of such tracts the following described roadway to be used by Minnie Scates, Eunice Travis and the City of Canton in gaining access to and from the tracts herein awarded, to-wit:

Being all that certain lot, tract or parcel of land, lying and being situated in the County of Van Zandt, State of Texas, a part of the Q. C. NUGENT SURVEY, Abstract No. 618, and more fully described as follows, to-wit:

Being a part of the Sam Scates 144.782 acre tract out of said Nugent Survey, and being a roadway leading from the County Road to the 15 acres this date set apart to the City of Canton out of the East corner of said Scates tract;

BEGINNING at the most Southerly Southeast corner of said Scates tract, same being in the North end of an existing County Road;

THENCE North 10 deg. West, with an East line of said Scates tract, 197 feet to stake for corner;

THENCE North 51 deg. East, with fence, 290 feet to fence corner;

THENCE North 45 deg. East, with fence, 238.6 feet to stake for corner, same being the South corner of said 15 acre tract;

THENCE North 45 deg. West 25 feet to stake for corner;

THENCE South 45 deg. West 238.6 feet to stake for corner;

THENCE South 51 deg. West 315 feet to stake for corner;

THENCE South 10 deg. East 200 feet to stake for corner in said North end of road;

THENCE South 86 deg. East 25 feet to the place of beginning.

We thereupon made a division upon such shares as follows:

To Minnie Scates, Share, or Tract No. 1;

To Eunice Travis, Share, or Tract No. 2;

TO THE City of Canton, Share, or Tract No. 3; and

To Clayton Bolt, Share, or Tract No. 4.

We judge the aforesaid partition to be fair and equal between the said parties and in proportionate to the respective interest to which each of said parties are respectively entitled as determined by such decree. Our services occupied four days during which time J. E. Gibbard acted as surveyor and platter, as well as commissioner, for whom we recommend a fee of \$160.

Witness our hands this 19th day of November, 1963.

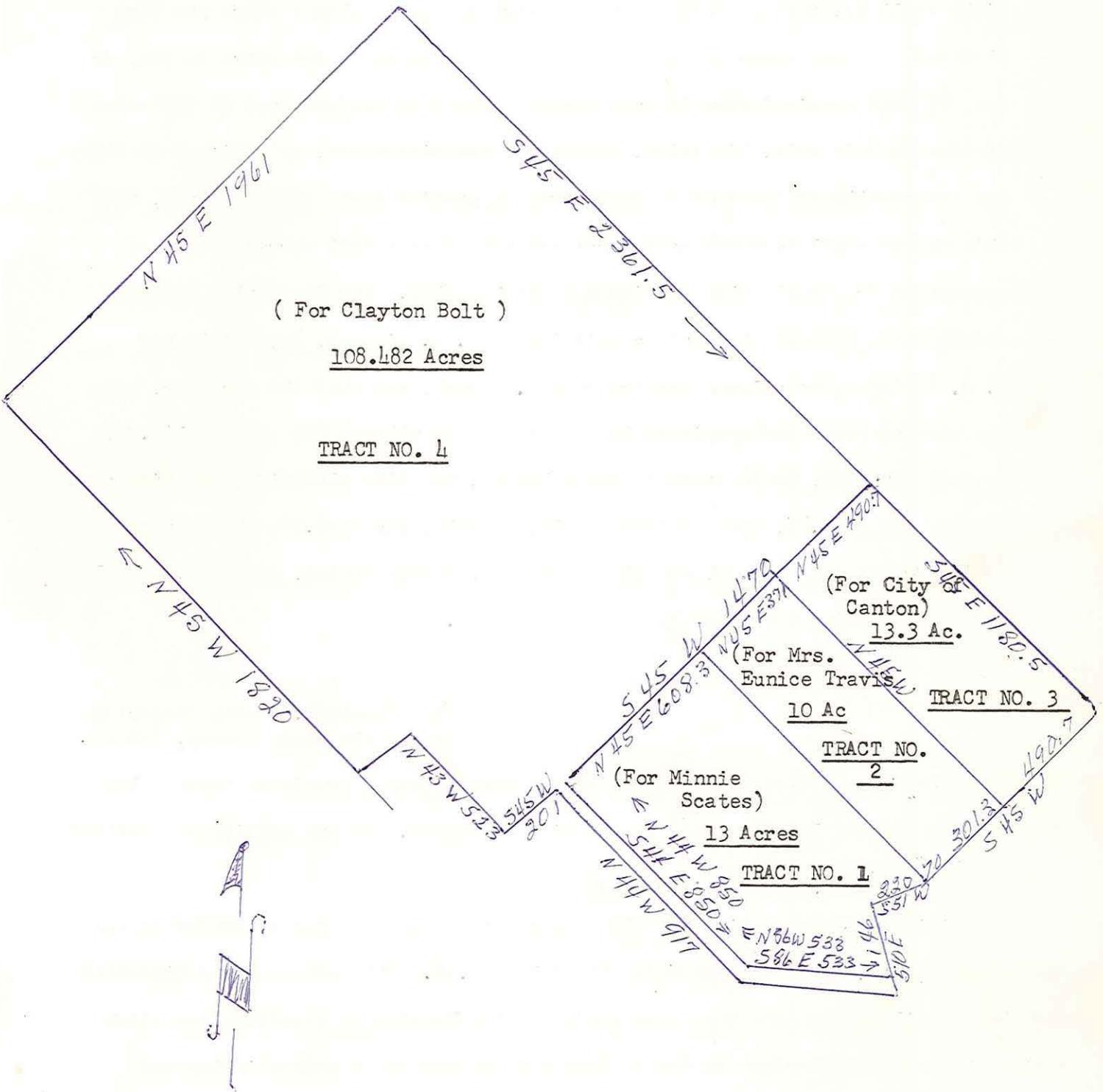
/s/ J. E. Gibbard  
/s/ Irby Mills  
/s/ R. J. Stringer

Sworn to and subscribed by J. E. Gibbard, Irby Mills and R. J. Stringer, this 19th day of November, 1963, to certify which witness my hand and seal of office.

/s/ Jackie Westmoreland  
 NOTARY PUBLIC IN AND FOR  
 VAN ZANDT COUNTY, TEXAS

(SEAL)

PLAT SHOWING PROPOSED SUBDIVISION OF SAM SCATES ESTATE TRACT OF 144.782 ACRES, OUT OF Q. C. NUGENT SURVEY, A-NO. 618, VAN ZANDT COUNTY, TEXAS.  
Surveyed For District Court of Van Zandt County, Texas, In Cause Numbered 11,004.  
On-The-Ground Survey Completed Nov. 19, 1963.



SCALE: 1 INCH = 500 FEET

DISTANCES IN FEET.

\*\*\*\*\*  
 J.E.Gibbard

Wills Point, Texas

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And it appearing to the court, after having examined said amended report carefully, and having heard all the exceptions and objections urged thereto, and having heard evidence in favor and against the same, that said partition has been made fairly and according to law, and that no valid exceptions have been taken thereto.

It is therefore ORDERED, ADJUDGED AND DECREED by the court that the said amended report of partition be, and the same is hereby now in all respects approved and confirmed by the court.

It is further ORDERED, ADJUDGED AND DECREED by the court that the title shall be, and is hereby vested in each party, to whom a share has been allotted, to such share or portion of such property as is set apart to him, or her, by said commissioners in said amended report as against each of the other parties to this suit, his heirs, executors, administrators, or assigns, as fully and effectually as the deed of such party or parties could vest the same, and this decree shall have the same force and effect as a full warranty deed of conveyance from such other parties and each of them. And it is also ORDERED, ADJUDGED AND DECREED that said commissioners J. E. Gibbard, Irby Mills and R. J. Stringer, be allowed the sum of \$50.00 each, and that the surveyor, who has been approved and appointed by this court, be allowed the sum of \$160.00, as fees due them, to be taxed as costs herein, and that plaintiff, the City of Canton, pay \$136.45, that plaintiff, Clayton Bolt, pay \$136.45, that plaintiff Eunice Travis, pay \$20.35, and that defendant, Minnie Scates, pay None, of all the costs herein; for which let execution issue.

/s/ Thomas H. Crofts, District  
Judge, Van Zandt County, Texas

Then came on a thorough discussion of an offer by Angus Travis to trade a lot owned by him for the lot now owned by the City of Canton. It was unanimously decided that the city reject this offer.

A petition was read asking the City Council to pass some type of curfew to keep the young people off the streets after 11 o'clock P. M. This petition was discussed and the council recommended that more study and information be obtained from other cities who have such curfews to see if they are worthwhile in accomplishing the purposes for which they were adopted.

A motion was made by B. R. Mahaffey and seconded by Harvey Fincher that the City continue its membership in the Texas Municipal League and that their membership dues of \$70.00 be paid. Motion carried.

A motion was made by J. W. Barron Sr. and seconded by Travis Coleman that Wisenbaker, Fix & Associates be paid the sum of \$1,104.69 for engineering fees under Project APW-Tex-17G. Motion carried.

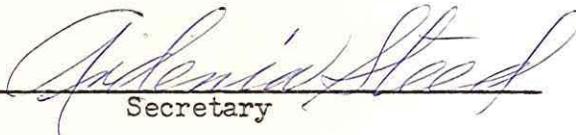
A motion was made by B. R. Mahaffey and seconded by Harvey Fincher that Clyde Elliott Jr. be paid attorney fees in the sum of \$310.00 under Project: APW-Tex-17G. Motion carried.

A Motion was made and seconded with a unanimous vote that the employees, W. O. Carpenter, C. W. Janes, F. H. Stegall and Truman Easley be paid a Xmas bonus of \$25.00 each.

Discussion of dump ground usage followed and a motion was made by J. W. Barron Sr. and seconded by Harvey Fincher that B. R. Mahaffey be designated to open the road to the dump ground immediately. Motion carried.

A motion was made by Harvey Fincher and seconded by Travis Coleman that Hayden B. Wilburn be hired to build a fence around the dump grounds with a five strand heavy duty wire and 4 inch crosote posts. Motion carried.

There being no further business a motion was made by J. W. Barron Sr. and seconded by Travis Coleman to adjourn. Motion carried.

  
Secretary

  
Mayor

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CANTON, TEXAS  
January 14, 1964

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, Travis Coleman, J. W. Barron Sr., J. H. Reynolds and Harvey Fincher. Absent: None.

A motion was made by Travis Coleman and seconded by J. W. Barron Sr. that the minutes be approved as read. Motion carried.

The study of passing a curfew ordinance was discussed and it was unanimously agreed to defer any action until a later date.

A discussion of the renewal of truck rental from Glenn Norman followed and it was unanimously agreed that Mr. Norman be notified to meet with the council at its next meeting date.

A discussion of the dumping grounds were discussed but no action was taken on these matters at this time and would be taken up at next meeting date.