

NOTICE OF CALL MEETING.

TO THE MEMBERS OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, CITY MANAGER AND CITY SECRETARY.

I hereby call a meeting of the City Commission of the City of Lufkin, Texas, to be held at the Municipal Office of said City on the 17th day of January, A.D.1920 at 1:30 o'clock P.M. for the purpose of taking up and considering and passage on its second reading an ordinance accepting a proposition made by the Lufkin Sanitary Sewer Corporation of Lufkin, Texas, dated September, 19th, 1919, which said proposition is as follows in substance:-

"That for a consideration of \$36,500.00, cash paid, to this Company by the City of Lufkin, we each hereby specially agree for himself that we will sell and deliver to said City of Lufkin the entire assets of the Lufkin Sanitary Sewer Corporation, real, personal and mixed of every kind, nature and character which it now owns or may own at the time of making the sale, provided, that, as a further part of said consideration, the said City of Lufkin, is to assume and pay off and discharge at their own expense and cost all outstanding liabilities and legal claims of every kind, nature and character outstanding, or existing against said Lufkin Sanitary Sewer Corporation up to the time of the delivery of the assets and books of said Sewer Company to the City of Lufkin, after which time said Sewer Company is to be no further responsible for same and said City of Lufkin is to protect and save said Lufkin Sanitary Sewer Corporation forever harmless from same. And the special mention of certain liabilities of the Lufkin Sanitary Sewer Corporation shall not exclude all other liabilities, but all of them, whether named or not, are to be assumed and discharged by said City of Lufkin, and the Lufkin Sanitary Sewer Corporation held forever harmless. The Lufkin Sanitary Sewer Corporation is to retain and assume all liability for the Hunter law suit now pending against it, except the amount now shown to be due him on the books of said Company, which is to be assumed and paid by the City of Lufkin, when demanded to do so by the President of the Lufkin Sanitary Sewer Corporation", and to do and perform such other things and matters as may properly come before the body.

Given under my hand this the 14th day of January A. D. 1920.

G. A. Kelley,
Mayor, City of Lufkin, Texas.

RETURN OF CITY MARSHALL.

Came to hand the 14th day of January, A.D.1920, and executed on the 14th day of January, A.D.1920, by reading the above notice to each of the following Commissioners of the City of Lufkin, Texas, to-wit: S. R. Parker, E. E. Woods, C. B. Edwards, and W. B. Treadwell and L. Mitchell, City Manager and T. L. Dunn, City Secretary.

D. F. Costner,
City Marshall.

Pursuant to the above notice the City Commission met on this the 17th day of January, A. D. 1920, at the Municipal office of said City of Lufkin, Texas; the following members thereof being present:- G. A. Kelley, Mayor, S. R. Parker, E. E. Woods, Commissioner, C. B. Edwards, and W. B. Treadwell, Commissioners, and L. Mitchell, City Manager, and T. L. Dunn, City Secretary, when the following proceedings were had to-wit:-

AN ORDINANCE ACCEPTING THE PROPOSITION OF THE STOCKHOLDERS OF THE LUFKIN SANITARY SEWER CORPORATION FOR THE SALE TO THE CITY OF LUFKIN OF THE ENTIRE ASSETS AND PROPERTIES OF THE LUFKIN SANITARY SEWER CORPORATION AND THE ASSUMPTION BY THE SAID CITY OF ALL LIABILITIES AND LEGAL CLAIMS OF SAID CORPORATION, SAVE AND EXCEPT THE HUNTER LAW SUIT IN AN AMOUNT IN EXCESS OF THAT SHOWN TO BE DUE ON THE BOOKS OF SAID CORPORATION TO THE SAID C. P. HUNTER.

WHEREAS, all the stockholders of the Lufkin Sanitary Sewer Corporation have submitted in writing to the City of Lufkin, the following proposition with reference to the sale of its entire assets and properties to said City, wo-wit:

"That for a consideration of \$36,500.00, cash paid, to this Company by the City of Lufkin, we each hereby specially agree for himself that we will sell and deliver to said City of Lufkin the entire assets of the Lufkin Sanitary Sewer Corporation, real, personal and mixed of every kind, nature and character which it now owns or may own at the time of making the sale, provided, that, as a further part of said consideration, the said City of Lufkin is to assume and pay off and discharge at their own expense and cost all outstanding liabilities and legal claims of every kind, nature and character outstanding, or existing against said Lufkin Sanitary Sewer Corporation up to the time of the delivery of the assets and books of said Sewer Company to the City of Lufkin, after which time said Sewer Company is to be no further responsible for same and said City of Lufkin is to protect and save said Lufkin Sanitary Sewer Corporation forever harmless from same. And the special mention of certain liabilities of the Lufkin Sanitary Sewer Corporation shall not exclude all other liabilities, but all of them, whether named or not, are to be assumed and discharged by said City of Lufkin, and the Lufkin Sanitary Sewer Corporation held forever harmless. The Lufkin Sanitary Sewer Corporation is to retain and assume all liabilities for the Hunter law suit now pending against it. except the amount now shown to be due him on the books of said Company, which is to be assumed and paid by the City of Lufkin, when demanded to do soby the President of the Lufkin Sanitary Sewer Corporation."

Whereas, the qualified voters of the City of Lufkin, by an election duly and legally held, voted to issue \$50,000.00 in bonds of said City to purchase said sewer system of the Lufkin Sanitary Sewer Corporation, and said bonds have been approved by the Attorney General of the State of Texas.

AND, WHEREAS, the City Commission of the City of Lufkin deems it advisable to accept the above and foregoing proposition made by all the stockholders of said Lufkin Sanitary Sewer Corporation.

THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS:

FIRST.

That the above and foregoing proposition of all the stockholders of the Lufkin Sanitary Sewer Corporation to seel to said city all the assets and properties of said Lufkin Sanitary Sewer Corporation for the cash sum of \$36,500.00, the City of Lufkin to assume and pay off and discharge all outstanding liabilities and legal claims of every kind, nature and character against the said Lufkin Sanitary Sewer Corporation up to the time of the delivery of the assets and books of said Lufkin Sanitary Sewer Corporation to the City of Lufkin, including the amount now shown by the books of said Corporation to be due one C. P. Hunter, be accepted by the City Commission and the City of Lufkin, Texas, provided, however, that the LufkinSanitary Sewer Corporation retain and assume all liability in and for the suit now pending in the District Court of Angelina County, Texas, where in C.P.Hunter is plaintiff and Lufkin Sanitary Sewer Corporation is Defendant, and shall pay off and discharge any judgment that may be rendered against said Lufkin Sanitary Sewer Corporation over and above the amount now shown to be due said C.P. Hunter on the books of said corporation, which shall be paid said Hunter by the City when called upon to do so by the President of said Corporation, and the Lufkin Sanitary Sewer Corpora-

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tion is and shall save harmless the City of Lufkin and the properties and assets of said Corporation of and from said suit as hereinabove set out and protect the said city in all things and respects connected with or growing out of said suit, as above mentioned and excepted, and shall defend said suit in its own name and at its own cost and expense.

SECOND.

That as soon as the proper and legal instruments of conveyance be executed and acknowledged in accordance with law by the Lufkin Sanitary Sewer Corporation and approved by the attorney for the City of Lufkin and delivered to said city, the sum of money determined to be due said Lufkin Sanitary Sewer Corporation by the said corporation and said city in accordance with said above mentioned proposition shall be paid to said Lufkin Sanitary Sewer Corporation, and the Mayor is hereby authorized to issue and executed a warrant for said sum, countersigned by the City Secretary and approved by the City Manager, payable to the Lufkin Sanitary Sewer Corporation.

Passed and approved on second reading this the 17th day of January, A. D. 1920.

Attest:- J. L. Gunn
City Secretary, Lufkin, Texas.

G. A. Kelley
Mayor, City of Lufkin, Texas.

The ordinance was placed upon its second reading to the Commissioners. Commissioner E. E. Woods made a motion that the above and foregoing ordinance be passed and approved on its first reading which said motion was seconded by Commissioner, C. B. Edwards, after which G. A. Kelley, Mayor, put the motion as above mentioned and requested all of those members of the City Commission favoring the passage of the said ordinance to vote "Aye", and all those members of the City Commission opposed to the passage of the said ordinance to vote "No".

The following members of the City Commission voted "Aye", S. R. Parker, E. E. Woods, C. B. Edwards and W. B. Treadwell.

The following members of the City Commission voted "No"- None.

The Mayor declared the motion unanimously carried and the ordinance passed and approved on its second reading.

J. H. Hendrix, a resident property tax payer in the City of Lufkin, Texas, appeared before the Commission, and asked that an order be passed reducing the value of certain property rendered against him for the year 1919, for the reason that a value was placed upon same by the Board of Equalization as if same was improved property on the first day of January A. D. 1919, when in fact it was unimproved. After hearing and considering the proposition it was moved by Woods and seconded by Parker, that the value of \$750.00, as shown on the 1919 Tax Rolls of the City, be reduced to \$375.00, and the City Secretary and Tax Collector be authorized to make said correction, and collect taxes on said property at a value of \$375.00. By a vote of the Commission, said motion unanimously carried.

W. D. Bynum, a resident property tax payer of the City, appeared in behalf of his son, Eli Bynum, and represented to the Commission that the Tax rolls of the City for the years 1918 and 1919, showed an erroneous assessment against the said Eli Bynum, in this; that a portion of the real property of the said Eli Bynum was on the J. L. Quinalty league and that a portion of same was on the J. A. Bonton league, and a portion of same was not within the corporate limits of said city; that the rolls as aforesaid placed all of said property in said city limits, and asked that an order be passed empowering some one to make a survey of said property with a view of ascertain the true facts in the case. By move and second duly made and carried, L. Mitchell, City Manager was ordered and directed to perform such duty.

There being no other business to come before the meeting, adjournment was taken.

Read and approved this the 3 day of Febraury, A. D. 1920

ATTEST J. L. Gunn
City Secretary, Lufkin, Texas.

G. A. Kelley
Mayor City of Lufkin, Texas.