

VINSON, ELKINS & WEEMS

ATTORNEYS AT LAW

NIELS ESPERSON BUILDING

HOUSTON 2, TEXAS

March 20, 1952

Hon. Roy J. Smith, President,
The First National Bank,
Killeen, Texas

Dear Roy:

Enclosed please find a certified copy of the order of the State Board of Water Engineers creating Bell County Water Control and Improvement District No. 1 and appointing five directors. This copy should be filed with the County Clerk of Bell County as provided by Article 7880-22, Vernon's Texas Civil Statutes.

We also enclose an original and six copies of the Minutes of Organization Meeting and Resolution Calling Confirmation Election. Please hold your organization meeting at your first convenience and fill in the blanks on each copy of the minutes and resolution. The date of the confirmation election should be fixed at such time that the notice can be published once a week for three consecutive weeks in your local paper, the first publication to be at least 23 (21 net) days prior to the date of the election. The first publication should not appear sooner than 35 days prior to the election. Publication only is required and it is not necessary to post a copy of the notice. The onionskin copy should be handed to the newspaper and request should be made for six affidavits of publication with a newspaper clipping attached to each. The original of the minutes and resolution should be placed in the Board's minutes and all copies, properly certified, should be returned to us.

Please advise whether or not you want us to have the ballots printed and, if so, how many and also whether or not you want us to obtain the necessary election supplies.

We have examined the bonds of the directors and find them in proper form and return them herewith to be filed with the County Clerk who should record them as provided in Article 7880-20, Vernon's Texas Civil Statutes. After they are recorded, they should be turned over to the Secretary of the Board of Directors.

March 20, 1952

In response to our discussion in Austin, I call your attention to the self-explanatory provisions of Article 7880-114, Vernon's Texas Civil Statutes, which reads as follows:

In the event the highest and best bidder as district depository should be a bank in which any member of the board of directors should be a stockholder or director, such bank may be selected as such depository if such interested director shall not vote upon the selection of same and the bonds given by the depository may be approved by the other directors. In such event, however, before such bank is selected as such depository or such bonds shall become effective the same shall be presented to the county judge of the county in which such district is situated and be approved by him, but in the event the county judge of said county shall for any reason fail to approve the selection of such bank as depository or fail to approve such bond, then new bids shall be called for and some other bank be selected.

In discussion with Nat Turner today, he and I agreed that we should soon take up the question of whether or not Army regulations might interfere with the Government contracting to buy water and sewer service from the district for a minimum of twenty years. It seems to us that this question should be settled as soon as possible and we would like to have your suggestions in regard to a possible contact with the Judge Advocate General's office in San Antonio.

If any question arises in regard to the enclosed, please call me at Fairfax 6301.

With kindest personal regards, I remain

Col. R. M. Springer

Yours very truly,


Victor W. Bouldin

52:2A
Encl.