

THE STATE OF TEXAS #

COUNTY OF SABINE #

On this the 16 day of December, 1940, the Commissioners' Court of Sabine County, Texas, convened in _____ meeting at a _____ Term thereof, at the Courthouse in the City of Hemphill, Texas, with the following members of the Court, present, to-wit:

O. A. Beauchamp, County Judge,
D. B. Speights, Commissioner Precinct No. 1.
J. T. Ener, Commissioner Precinct No. 2.
G. B. Carter, Commissioner Precinct No. 3.
A. L. Harvill, Commissioner Precinct No. 4.
J. O. Wright, County Clerk and Ex-Officio Clerk, Commissioner's Court.

with the following absent, to-wit: None, constituting the entire Court, at which time the following proceedings were had;

Commissioner Speights introduced a proposed order and made a motion that it be passed. The motion was seconded by Commissioner Harvill. The motion carried by the following vote:

AYES: Commissioner Speights, Ener, Carter and Harvill.

NOES: None.

The Judge announced that the order had been passed. The order as passed is as follows,

to-wit:

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AN ORDER AMENDING AN ORDER ENTITLED:

"AN ORDER AUTHORIZING THE ISSUANCE OF ROAD DISTRICT NUMBER 9 OF SABINE COUNTY, TEXAS, REFUNDING BONDS, SERIES 1940, IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS, BEARING FOUR AND ONE-HALF (4½%) PER CENT INTEREST, LEVYING A TAX TO PAY THE PRINCIPAL AND INTEREST, AS THEY MATURE, PRESCRIBING THE DUTIES OF THE VARIOUS COUNTY OFFICIALS AND THE STATE OFFICIALS IN REFERENCE THERETO, AND REPEALING ALL ORDERS OR PARTS OF ORDERS IN CONFLICT HEREWITH".

WHEREAS, heretofore on the 4th day of December, 1940, the Commissioners' Court of Sabine County, Texas, passed an order authorizing the issuance of Seven Thousand Five Hundred (\$7,500.00) Dollars Road District No. 9 of Sabine County, Texas, Refunding Bonds, Series 1940, dated September 1, 1940, bearing Four and onehalf (4½%) per cent interest and maturing September 1, 1955, which order is duly of record in the minutes of said Court in Volume N, at page 552, et seq; and

WHEREAS, it is necessary to amend said order so as to set out the form of coupon to be attached to said bonds; and

WHEREAS, it is also the desire of the district to make said bonds optional after one year from date;

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

1. That immediately after the bond form a paragraph be inserted as follows:

"The form of coupons shall be substantially as follows:

NO. _____

ON THE 1st DAY OF _____

19 _____

Road District No. 9 of Sabine County, Texas, promises to pay to bearer at the office of the State Treasurer, Austin, Texas, or at the First National Bank, San Augustine, Texas; at the option of the holder, the sum of _____ (\$ _____) Dollars, in lawful money of the United States of America, being _____ months' interest on Road District No. 9 of Sabine County, Texas, Refunding Bond, Series 1940, dated September 1, 1940, NO. _____.

County Clerk.

County Judge."

2. That a new paragraph be inserted in said order immediately following paragraph 4 as follows:

"4a. In each of said bonds the district shall reserve the option of calling said bond for redemption at par plus accrued interest on any interest payment date on and after September 1, 1941, by giving thirty days' notice in writing to the places of payment prior to the date so fixed for redemption. If any such bond is called for redemption in said manner and if funds sufficient to pay the principal and accrued interest thereon shall have been placed in the bank of payment, and it shall not be presented for payment, it shall not thereafter bear interest."

3. That a new paragraph be inserted in the bond form contained in paragraph 7 of said original order, as follows:

"The district reserves the right to redeem this bond prior to maturity on any interest payment date while it is outstanding, on and after September 1, 1941, at its par value plus accrued interest, provided notice of intention to redeem said bond is given in the following manner; by the giving of thirty days notice in writing to the places of payment prior to the date so fixed for redemption; and provided at the time said call is made funds are placed in the place of payment sufficient to pay this bond and accrued interest thereon to the date fixed for payment. If, upon the happening of the above conditions, this bond is not presented for redemption it shall not thereafter bear interest."

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PASSED AND APPROVED this the 16 day of December, 1940.

ATTEST: J. O. Wright, County Clerk, and
Ex-Officio Clerk, Commissioners' Court,
Sabine County, Texas.

O. A. Beauchamp, County Judge,
Sabine County, Texas.

SIGNATURE IDENTIFICATION AND NON-LITIGATION CERTIFICATE

STATE OF TEXAS #

SS.

COUNTY OF SABINE #

WE HEREBY CERTIFY, that we did officially sign the \$7,500.00 of Sabine County, Texas, Road District No. 9 drawing 4 1/2 per cent interest, Refunding Bonds, Series 1940 payable semi-annually and delivered herewith, said bonds being dated September 1, 1940, being of \$500.00 denomination, numbered 1 to 15 both inclusive, maturing September 1, 1944.

We, the undersigned, being at the date of such signature and now the duly chosen, qualified and acting officers indicated therein and authorized to execute same

WE DO FURTHER CERTIFY that no litigation of any nature is now pending or threatened restraining or enjoining the issuance and delivery of said bonds; or the levy and collection of taxes to pay the interest and principal, or in any manner questioning the proceedings or authority by which same is made, or affecting the bonds thereunder; and

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

WE FURTHER CERTIFY that we are acquainted with the official seal of said Commissioners' Court and that an impression of said official seal is affixed to each of said bonds and that a correct impression of the same also appears upon this certificate.

That the fac-simile signatures of the County Judge and County Clerk appear upon the coupons attached to said bonds/

Executed and delivered at Hemphill, Texas, this.....day of December, 1940.

O. A. Beauchamp County Judge
J. O. Wright County Clerk
A. W. Peyton County Treasurer.

Official Seal.

I DO HEREBY CERTIFY that the signatures of the officers subscribed above are true and genuine.

, Cashier

, Bank

(Bank Seal here)

Dated at Hemphill, Texas, this day of December, 1940.

CERTIFICATE OF THE DISTRICT CLERK

THE STATE OF TEXAS #

COUNTY OF SABINE #

I, The undersigned, Clerk of the District Court in and for Sabine County, Texas, do hereby certify:

That no suits have been filed and no suits are now pending in this Court affecting the following described issue of bonds:

Road bonds of Road District No. 9 of Sabine County, Texas, dated March 1, 1933, \$15,000.00 5%.

I further certify that there have not been any suits of any kind filed in this Court in any way affecting either the election at which said bonds were authorized; the issuance of said bonds or the tax levied to pay the principal and interest thereof.

I further certify that since the order was passed by the Commissioners' Court of Sabine County, Texas, authorizing the issuance of Road District No. 9, of Sabine County, Texas; Refunding Bonds, Series 1940, \$7,500.00, 4 1/2%, there have been no suits filed, and there are now no suits pending affecting either the order authorizing the issuance of the Refunding Bonds or the original

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Bonds.

And I further certify that there is no litigation pending and that so far as I am informed, none is threatened that in any way affects the titles of the County Judge, County Clerk and County Treasurer to their respective offices.

WITNESS MY HAND and seal of office at Memphis, Texas, this the 16 day of December, 1940.

(Seal)

Charlie Gooch, District Clerk in and for Sabine County, Texas.

This being all the business, Court adjourned.

J. D. Wright
Clerk of the Court.

County Judge
Chas. Gooch
Com'r. Pre. 1.
Com'r. Pre. 2.
Com'r. Pre. 3.
Com'r. Pre. 4.