

The Honorable Commissioners' Court reconvened in regular session on May 17, 1941, with the following members present:

Chas. Forse,	County Judge
D.B. Speights,	Commissioner, Precinct No. 1,
J.T. Ener,	Commissioner, Precinct No. 2,
G.B. Carter,	Commissioner, Precinct No. 4,
Geo. W. Russell,	Sheriff,
Mrs. Myrtle Arnold,	County Clerk.

On Motion duly had and carried the following order was passed by the Court:

"WHEREAS, Common School District No. 16, of Sabine County, Texas, has outstanding the following described bonds:

COMMON SCHOOL DISTRICT NO. 16 SCHOOLHOUSE BONDS, dated May 16, 1921, in the aggregate amount of \$1,250.00, Numbers 1 to 10, inclusive, in denomination of \$125.00 each, bearing 6% interest per annum, due 20 years from their date, but optional at any time after 10 years from their date; being all of an original issue of \$1,250.00; and

WHEREAS, the Commissioners Court of Sabine County now deems it advisable and to the best interest of said Common School District No. 16, that of said above described outstanding bonds, \$250.00 be paid off in cash, and that the remaining outstanding bonds in the aggregate amount of \$1,000.00 be refunded;

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

I.

That the bonds of Common School District No. 16 of Sabine County, Texas, to be called "COMMON SCHOOL DISTRICT NO. 16 REFUNDING BONDS", be issued under and by virtue of the Constitution and Laws of the State of Texas, to the amount of One Thousand (\$1,000.00) Dollars, for the purpose of refunding and canceling, and in lieu of a like amount of valid and subsisting outstanding indebtedness of Common School District No. 16, evidenced by Schoolhouse Bonds of said District, dated May 16, 1921.

II.

That said bonds shall be numbered consecutively from 1 to 20, both inclusive, in

598

denomination of Fifty (\$50.00) Dollars each, aggregating One Thousand (\$1,000.00) Dollars.

III.

That said bonds shall be dated May 16, 1941, and shall become due and payable serially as follows: \$50.00 on May 16th of each of the years 1942 to 1961, both inclusive.

IV.

That said bonds shall bear interest at the rate of three and three-fourths (3-3/4%) per cent per annum, payable annually on May 16th of each year, which interest shall be evidenced by coupons attached to each of said bonds.

V.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond or proper coupon at the Office of the Treasurer of the State of Texas, at Austin, Texas.

VI.

That each of said bonds shall be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of Sabine County, and the seal of the Commissioners Court shall be impressed upon each of them.

VII.

That the facsimile signatures of the County Judge and County Clerk of Sabine County may be lithographed upon the coupons attached to said bonds and shall have the same effect as if they had been signed by them.

VIII.

The form of said bonds shall be substantially as follows:

NO. _____

\$50.00

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF SABINE
COMMON SCHOOL DISTRICT NO. 16 REFUNDING
BOND

KNOW ALL MEN BY THESE PRESENTS: That the County of Sabine, in the State of Texas, for and on behalf of Common School District No.16, of said County, FOR VALUE RECEIVED, hereby promises to pay to the bearer hereof on the 16th day of May, 19__, the sum of Fifty (\$50.00) Dollars, in lawful money of the United States of America, together with interest thereon from date hereof at the rate of three and three-fourths (3-3/4%) per cent per annum, interest payable annually on May 16th of each year, principal and interest payable upon presentation and surrender of bond or proper coupon at the office of the Treasurer of the State of Texas, at Austin, Texas, and the said Common School District No.16 is hereby held and firmly bound, and its faith and credit and all real and personal property in said District, are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

This bond is one of a series of 20 bonds, numbered from 1 to 20, inclusive; of the denomination of Fifty (\$50.00) Dollars, each, aggregating One Thousand (\$1,000.00) Dollars, and is issued for the purpose of refunding and canceling, and in lieu of a like par amount of valid and subsisting indebtedness of Common School District No. 16 of Sabine County, evidenced by bonds known as Common School District No.16, Schoolhouse Bonds, dated May 16, 1921, which bonds shall be cancelled by the Comptroller of the State of Texas upon the registration of the Refunding Bonds of this series; and this bond is issued under and by virtue of the Constitution and Laws of the State of Texas and in pursuance of an order passed by the Commissioners Court of Sabine County, which order is duly recorded in the Minutes of said Court.

593

The date of this bond, in conformity with the above mentioned order, is the 16th day of May, 1941.

AND IT IS HEREBY CERTIFIED AND RECITED that the issuance of this bond, and the series of which it is a part, is duly authorized by law; that all acts, conditions and things required to be done precedent to and in the issuance of this series of bonds, and of this bond, have been properly done and performed and have happened in regular and due time, form and manner as required by law; and that the total indebtedness of said District, including the entire series of bonds of which this is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Sabine, by its Commissioners Court, has caused its corporate seal to be affixed hereto, and this bond to be signed by its County Judge, countersigned by its County Clerk and registered by its County Treasurer, and the interest coupons hereto attached to be executed by the lithographed facsimile signatures of the County Judge and County Clerk, as of the date last above written.

Chas. Lane
County Judge, Sabine County, Texas.

COUNTERSIGNED: _____
County Clerk, Sabine County, Texas.

REGISTERED: _____
County Treasurer, Sabine County, Texas.

IX.

The form of coupon shall be substantially as follows:

NO. _____ \$ _____

ON THE 16TH DAY OF MAY, 19____,

The County of Sabine, in the State of Texas, for and on behalf of and upon the faith and credit of Common School District No. 16, of said County, hereby promises to pay to bearer at the office of the Treasurer of the State of Texas, at Austin, Texas, the sum of _____ (\$ _____) Dollars, being twelve months' interest on Common School District No. 16 Refunding Bond No. _____, dated May 16, 1941.

County Judge, Sabine County, Texas.

County Clerk, Sabine County, Texas.

X.

The following certificate shall be printed on the back of each bond:

OFFICE OF COMPTROLLER #
STATE OF TEXAS # I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law and that he finds that it has been issued in conformity with the Constitution and Laws of the State of Texas, and that it is a valid and binding obligation upon said Common School District No. 16, of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS my hand and seal of office, at Austin, Texas, this the ____ day of _____, 1941.

Comptroller of Public Accounts of
The State of Texas.

594

XI.

The Comptroller shall not register said bonds except as and when there shall be surrendered to him a like amount of Common School District No. 16 Schoolhouse Bonds, dated May 16, 1921, and the holder or holders of said original indebtedness shall be entitled to the accrued interest of the refunding bonds as compensation for not drawing interest on the original bonds hereby refunded beyond the date said refunding bonds bear.

XII.

It is further ordered by the Commissioners Court of Sabine County that to pay the interest on said bonds and to create a sinking fund sufficient to discharge them at maturity, a tax of 42 cents on each \$100.00 valuation of all taxable property in Common School District No.16 shall be annually levied on said property, and annually assessed and collected until said bonds and interest thereon are paid, and said tax is hereby levied for the year 1941, and for each succeeding year while said bonds are outstanding, a tax for each year at a rate from year to year, as will be ample and sufficient to provide funds to pay the current interest on said bonds and to provide the necessary sinking fund shall be, and is hereby levied for each year, respectively, while said bonds, or any of them, are outstanding and unpaid, and said tax shall each year be assessed and collected and applied to the payment of the interest on, and principal of, said bonds.

XIII.

All monies in the sinking fund of the issue of bonds hereby refunded, and all taxes in process of collection for the benefit of the bonds hereby refunded, are hereby appropriated to the sinking fund of this issue of refunding bonds.

XIV.

It is further ordered that the County Judge of Sabine County shall be authorized to take and have charge of all necessary records pending investigation by the Attorney General and shall take and have charge and control of the bonds herein authorized pending the approval by the Attorney General. After the record and the bonds have been approved by the Attorney General, the bonds shall be left in the care and custody of the Comptroller of the State of Texas, and the State Comptroller is hereby authorized to accept from the holders, in installments or otherwise, the obligations hereby refunded, and after cancellation thereof, register a like amount of the bonds herein authorized and deliver same to said holders of the original bonds.

The above order being read, it was moved and seconded that same do pass. Thereupon, the question being called for, the following members of the Court voted AYE: _____; _____, _____, _____; and the following voted NO: NONE.

Chas. Forse,
County Judge.

D.B. Speights,
Commissioner Precinct No.1

J.T. Ener,
Commissioner Precinct No.2

G.B. Carter,
Commissioner Precinct No.3.

Commissioner Precinct No.4

There came on to be considered the motion of Commissioner Speights, seconded by Commissioner Carter, for the adoption by the Commissioners' Court of the following order for the issuance of Refunding Bonds of Sabine County Road District No. 1, and for the levy of a tax sufficient to pay the interest thereon and discharge and redeem said bonds at maturity, and

Which said order is as follows:

WHEREAS, by an order duly passed by the Commissioners' Court of Sabine County, Texas, on the 14th day of August, 1922, Road District No. 1, of Sabine County, Texas, was duly and legally authorized and empowered to issue its 5½% Road Bonds of Road District No. 1, of Sabine County, Texas, in the aggregate amount of Forty Thousand Dollars (\$40,000.00) all dated the 15th day of August, 1922, numbered from One (1) to Forty (40), both inclusive, in the denomination of One Thousand Dollars (\$1,000.00) each, due serially February 15, 1923, to February 15, 1952, inclusive; of which issue there are now outstanding bonds aggregating the principal sum of Twenty-five Thousand Dollars (\$25,000.00), numbered from 16 to 40, both inclusive, due serially February 15, 1934, to February 15, 1952; and

WHEREAS, the Commissioners' Court of said County considers it advisable and to the best interests of said Road District No. 1 that the outstanding bonds of the issue hereinabove described be refunded by the issuance of Refunding Bonds of said Road District in the principal sum of Twenty-five Thousand Dollars (\$25,000.00), bearing interest at the rate hereinafter prescribed, with principal to be payable fifteen (15) years from their date, as hereinafter set out; and,

WHEREAS, under Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and Section 52 of Article 3 of the Constitution of the State of Texas, there exists ample authority for the refunding of said bonds; and

WHEREAS, upon due investigation the Commissioners' Court has ascertained that none of the aforesaid bonds have been acquired or purchased as an investment for the sinking fund of said bond issue;

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

I.

That the findings and declarations made in the preamble of this order be and they are hereby entered as a part of this order and as a part of the judgment of the Commissioners' Court.

II.

That the bonds of said Road District No. 1, of Sabine County, Texas, in the aggregate amount of Twenty-five Thousand Dollars (\$25,000.00), to be called "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 1, REFUNDING BONDS, SERIES 1941", be issued on the faith and credit of said Road District No. 1, of Sabine County, Texas, under and by virtue of the Constitution and Laws of the State of Texas, including Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding, cancelling and in lieu of an equal amount of bonds outstanding against said Road District No. 1, as above described.

III.

That said bonds shall be dated April 1, 1941, and shall be in denomination of One Thousand Dollars (\$1,000.00) each.

IV.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond and proper coupons at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS.

V.

That each of said bonds shall be signed by the County Judge, attested by the County Clerk and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

VI.

That the facsimile signatures of the County Judge and the County Clerk may be lithographed or printed upon the coupons attached to the said bonds and shall have the same effect as if said coupons had been signed by them.

VII.

That said bonds shall bear interest at the rate of FOUR PER CENT (4%) per annum, payable April 1, 1942, and annually thereafter on the first day of April of each year, such interest to be evidenced by proper coupons attached to each of said bonds.

VIII.

That said bonds shall be numbered consecutively from One (1) to Twenty-five (25), both inclusive, and shall become due and payable on April 1, 1956.

IX.

The District reserves the right to redeem any of said "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 1 REFUNDING BONDS, SERIES 1941", on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption, specifying the numbers of the bonds to be redeemed, is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and said bonds so called shall cease to bear interest from and after the redemption date.

X.

The form of said bonds shall be substantially as follows:

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF SABINE

NO. _____

\$1,000.00

SABINE COUNTY, TEXAS, ROAD DISTRICT NO.1
REFUNDING BOND

Sabine County Road District No.1, in Sabine County, Texas, FOR VALUE RECEIVED, hereby promises to pay to the bearer on the FIRST DAY OF APRIL, 1956, the sum of

ONE THOUSAND DOLLARS

(\$1,000.00), in lawful money of the United States of America, with interest thereon from date hereof at the rate of FOUR PER CENT (4%) per annum, payable April 1st, 1942, and annually thereafter on the first day of April of each year, as evidenced by the coupons hereto attached, until the principal sum is paid.

BOTH PRINCIPAL AND INTEREST of this bond are hereby made payable at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, upon presentation and surrender of this bond and the interest coupons hereto attached as they respectively mature, and Sabine County Road District No.1, Sabine County, Texas, is hereby held and firmly bound, and its faith and credit and all real and personal property in said District are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

ROAD DISTRICT NO. 1, OF SABINE COUNTY, TEXAS, hereby reserves the right to redeem this bond on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption is mailed to the State Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and this bond when so called shall cease to bear interest from and after such redemption date.

597

THIS BOND is one of a series of bonds of like date and tenor except as to number, aggregating Twenty-five Thousand Dollars (\$25,000.00), numbered from One (1) to Twenty-five (25), both inclusive, all in the denomination of One Thousand Dollars (\$1,000.00), issued under the Constitution and laws of the State of Texas, particularly Section 52 of Article 3 of the Constitution, and Chapter 74, of the General Laws passed by the 41st Legislature at its Second Called Session in 1929, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding an equal amount of outstanding indebtedness evidenced by the bonds of said District known as "ROAD BONDS OF ROAD DISTRICT NO. 1, OF SABINE COUNTY, TEXAS," dated August 15, 1922; heretofore issued in compliance with the Constitution and laws of the State of Texas, and this bond is issued in pursuance of an order duly passed by the Commissioners' Court of Sabine County, Texas, and of record in the minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said Sabine County Road District No. 1, Sabine County, Texas, have been done, happened and performed in regular and due form, as required by law; that the holder or holders of this bond, or the series of which it is a part, is and are subrogated to all the rights and privileges against said Road District No. 1, had and possessed by the holders of the original bonds; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said Road District No. 1, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, the Commissioners' Court of Sabine County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the lithographed facsimile signatures of said County Judge and County Clerk; the date of this bond, in conformity with the order of the Commissioners' Court above mentioned, is April 1, 1941.

County Judge, Sabine County, Texas.

Countersigned:

County Clerk, Sabine County, Texas.

REGISTERED:

County Treasurer, Sabine County, Texas.

XI.

The form of coupons for said bonds shall be substantially as follows:

NO. _____ ON THE FIRST DAY OF _____ \$ _____
APRIL, 19 _____

Sabine County Road District No. 1, of Sabine County, Texas, a body corporate and politic of the State of Texas, hereby promises to pay to bearer hereof at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, the sum of _____ DOLLARS

in lawful money of the United States of America, being one year's interest due that date on SABINE COUNTY ROAD DISTRICT NO. 1 REFUNDING BOND, dated April 1, 1941, No. _____.

County Clerk, Sabine County, Texas.

County Judge, Sabine County, Texas.

598

XII.

That substantially the following certificate shall be printed on the back of each of said bonds:

OFFICE OF THE COMPTROLLER
STATE OF TEXAS

REGISTER NO. _____

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of said Sabine County Road District No. 1, of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND and seal of my office at Austin, Texas, this the ____ day of _____, 1941.

Comptroller of Public Accounts of the
State of Texas.

XIII.

IT IS FURTHER ORDERED by the Court that said original indebtedness refunded hereby, be, and the same is hereby in all things validated and held and declared to be valid, binding, subsisting and unsatisfied obligations of said Sabine County Road District No. 1, Sabine County, Texas, and the acts of the County officials in the issuance of said bonds hereinabove described are hereby in all things ratified and confirmed.

XIV.

IT IS FURTHER ORDERED that in addition to all other rights, the holders of SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 1 REFUNDING BONDS, SERIES 1941, herein described, dated April 1, 1941, bearing interest at the rate of Four Per Cent (4%) per annum, shall be subrogated to all of the rights and privileges which the holders of the bonds funded thereby may have against said Sabine County Road District No. 1, Sabine County, Texas, until fully paid.

XV.

IT IS FURTHER ORDERED by the Court that a special fund, to be designated "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 1 REFUNDING BONDS, SERIES, 1941, FUND", shall be and same is hereby created, and all moneys collected or to be collected from taxes heretofore levied for the bonds to be refunded and the proceeds of all taxes hereafter levied for the Refunding Bonds herein authorized shall be transferred and credited to said fund. Prior to the maturity date of each annual installment of interest pertaining to said Refunding Bonds there shall be set aside each year such amount as is required to meet all matured interest coupons and all coupons maturing in that year. All surplus funds then remaining in the aforesaid interest and sinking fund account shall be applied first in discharging the obligation of the District for refunding fees and expenses, and next in discharging all matured interest coupons and interest accrued to April 1, 1941, now outstanding and pertaining to the bonds authorized to be refunded, at the rate of 50 cents on the \$1.00 face amount thereof. After said refunding expenses and matured interest pertaining to the bonds to be refunded have been fully paid and discharged in the order above provided, said interest and sinking fund shall be used and employed only in paying interest and providing a sinking fund for the redemption of said Refunding Bonds; provided, that during any calendar year any surplus available in the interest and sinking fund account, after allowing for the payment of all matured interest coupons pertaining to said Refunding Bonds, and after setting aside sufficient funds to pay all coupons maturing that year, the surplus funds in said account

shall be used for the purchase of the Refunding Bonds in the open market at the best prices obtainable at not more than par and accrued interest, and any of such bonds so purchased shall be cancelled. It shall be the duty of the Commissioners' Court to ascertain not later than April first of each year if any surplus shall be available for this purpose, and if so, shall designate a date at which time it will receive sealed tenders of bonds of this issue and act upon such offers in open session. A notice stating the amount of funds on hand available for the purpose and advising that on a day certain, which shall not be less than fifteen (15) nor more than twenty (20) days from the date of the mailing or publication of the notice, the Commissioners' Court will receive offers and will purchase so many bonds as the then excess funds on hand will permit at the lowest price or prices offered at less than par and accrued interest, shall be mailed to The Dunne-Israel Company, Wichita, Kansas, and shall be published if said Commissioners' Court deems publication advisable. At the time and place specified in such notice the offers made shall be publicly considered, and the Commissioners' Court may accept so many of the bonds offered at the lowest price or prices as the excess funds on hand available for the purpose will permit. All bonds and appurtenant coupons so purchased shall be forthwith cancelled and retired. If the Commissioners' Court shall reject all offers it shall then proceed to call and cancel a sufficient amount of bonds to absorb such surplus funds at par and accrued interest, as hereinabove provided.

XVI.

IT IS FURTHER ORDERED by the Court that a tax of and at such rate as is necessary, requisite and sufficient in amount to fully make, raise and produce the annual interest and sinking fund requirements of Sabine County, Texas, Road District No. 1 Refunding Bonds, Series 1941, shall be annually levied on each \$100.00 valuation of taxable property in said Road District No. 1 of Sabine County, Texas, and shall be annually assessed and collected and placed in the interest and sinking fund account for said Refunding Bonds. That in the year 1941 and in each succeeding year while any of said bonds or interest thereon are outstanding and unpaid, and at the time other County taxes are levied, a tax rate based upon the latest approved tax rolls of the District shall be calculated, and said rate, requisite and sufficient to fully make, raise and produce in each of said years a sum of money necessary to pay the interest and to create the necessary sinking fund for the redemption of said bonds at maturity, shall be levied, assessed and collected, and said tax so found to be necessary is hereby ordered to be levied and is hereby levied, and shall be assessed and collected and applied to the purposes named; provided, however, that said tax shall never be less than \$2.25 on each \$100.00 valuation of taxable property within said District so long as any of said bonds or interest thereon is outstanding and unpaid.

XVII.

Because of the proceedings now pending in the United States District Court for the Eastern District of Texas, Beaumont Division, in the case of "W.J. Meredith et al. vs. Road District No. 1, of Sabine County, Texas, et al., No. 558 in Equity," it is hereby determined to be advisable and to the best interests of the District that the moneys on hand in the interest and sinking fund of said District, together with all additional funds which may come into or belong in said interest and sinking fund from the collection of current or delinquent taxes heretofore levied for the bonds authorized to be refunded, shall be held intact subject to the directions of said Court.

XVIII.

IT IS FURTHER ORDERED that the County Judge of Sabine County, Texas, be authorized to take and have charge of all necessary records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein author-

ized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts of the State of Texas.

The above order having been read, the County Judge put the motion of Commissioner Speights to a vote, and such motion carried by the following vote: Commissioners Speights, Ener, Carter, Arnold voting "AYE"; and None voting "No".

PASSED AND APPROVED, this the 17 day of May, 1941.

Chas. Forse,
COUNTY JUDGE, SABINE COUNTY, TEXAS.

D.B. SPEIGHTS,
COMMISSIONER OF PRECINCT NO.1.

J.T. Ener,
COMMISSIONER OF PRECINCT NO.2

G.B. Carter,
COMMISSIONER OF PRECINCT NO. 3

T.L. Arnold,
COMMISSIONER OF PRECINCT NO. 4.

(seal)

Attest:

Mrs. Myrtle Arnold,
COUNTY CLERK.

There came on to be considered the motion of Commissioner Speights, seconded by Commissioner Carter, for the adoption by the Commissioners' Court of the following order for the issuance of Refunding Bonds of Sabine County Road District No.4, and for the levy of a tax sufficient to pay the interest thereon and discharge and redeem said bonds at maturity, and which said order is as follows:

WHEREAS, by an order duly passed by the Commissioners' Court of Sabine County, Texas, on the 14th day of August, 1922, Road District No.4 of Sabine County, Texas, was duly and legally authorized and empowered to issue its 5-1/2% "Road Bonds of Road District No.4, of Sabine County, Texas," in the aggregate amount of Seventy Thousand Dollars (\$70,000.00), all dated the 15th day of August, 1922, numbered from One (1) to Seventy (70), both inclusive, in the denomination of One Thousand Dollars (\$1,000.00) each, due serially February 15, 1923, to February 15, 1952, inclusive; of which issue there are now outstanding bonds aggregating the principal sum of Thirty-four Thousand Dollars (\$34,000.00), numbered from Thirty-five (35) to Sixty-eight (68), both inclusive, due serially, February 15, 1937, to February 15, 1952; and,

WHEREAS, the Commissioners' Court of said County considers it advisable and to the best interests of said Road District No.4 that the outstanding bonds of the issue hereinabove described be refunded by the issuance of Refunding Bonds of said Road District in the principal sum of Thirty-four Thousand Dollars (\$34,000.00), bearing interest at the rate hereinafter prescribed, with principal to be payable fifteen (15) years from their date, as hereinafter set out; and

WHEREAS, under Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and Section 52 of Article 3 of the Constitution of the State of Texas, there exists ample authority for the refunding of said bonds; and

WHEREAS, upon due investigation the Commissioners' Court has ascertained that none of the aforesaid bonds have been acquired or purchased as an investment for the sinking fund of said bond issue;

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

601

I.

That the findings and declarations made in the preamble of this order be and they are hereby entered as a part of this order and as a part of the judgment of the Commissioners' Court.

II.

That the bonds of said Road District No. 4, of Sabine County, Texas, in the aggregate amount of Thirty-four Thousand Dollars (\$34,000.00), to be called "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 4 REFUNDING BONDS, SERIES 1941", be issued on the faith and credit of said Road District No. 4, of Sabine County, Texas, under and by virtue of the Constitution and Laws of the State of Texas, including Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding, cancelling and in lieu of an equal amount of bonds outstanding against said Road District No. 4, as above described.

III.

That said bonds shall be dated April 1, 1941, and shall be in denomination of One Thousand Dollars (\$1,000.00) each.

IV.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond and proper coupons at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS.

V.

That each of said bonds shall be signed by the County Judge, attested by the County Clerk and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

VI.

That the facsimile signatures of the County Judge and the County Clerk may be lithographed or printed upon the coupons attached to the said bonds and shall have the same effect as if said coupons had been signed by them.

VII.

That said bonds shall bear interest at the rate of FOUR PER CENT (4%) per annum, payable April 1, 1942, and annually thereafter on the first day of April of each year, such interest to be evidenced by proper coupons attached to each of said bonds.

VIII.

That said bonds shall be numbered consecutively from One (1) to Thirty-four (34), both inclusive, and shall become due and payable on April 1, 1956.

IX.

The District reserves the right to redeem any of said "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 4 REFUNDING BONDS, SERIES 1941", on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption, specifying the numbers of the bonds to be redeemed, is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and said bonds so called shall cease to bear interest from and after the redemption date.

X.

The form of said bonds shall be substantially as follows:

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF SABINE

\$1,000.00

NO. _____

602

SABINE COUNTY, TEXAS, ROAD DISTRICT NO.4

REFUNDING BOND

Sabine County Road District No.4, in Sabine County, Texas, FOR VALUE RECEIVED, hereby promises to pay to the bearer on the FIRST DAY OF APRIL, 1956, the sum of

ONE THOUSAND DOLLARS

(\$1,000.00), in lawful money of the United States of America, with interest thereon from date hereof at the rate of FOUR PER CENT (4%) per annum, payable April 1st 1942, and annually thereafter on the first day of April of each year, as evidenced by the coupons hereto attached, until the principal sum is paid.

BOTH PRINCIPAL AND INTEREST of this bond are hereby made payable at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, upon presentation and surrender of this bond and the interest coupons hereto attached as they respectively mature, and Sabine County, Road District No.4, Sabine County, Texas, is hereby held and firmly bound, and its faith and credit and all real and personal property in said District are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

ROAD DISTRICT NO. 4, OF SABINE COUNTY, TEXAS, hereby reserves the right to redeem this bond on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and this bond when so called shall cease to bear interest from and after such redemption date.

THIS BOND is one of a series of bonds of like date and tenor except as to number, aggregating Thirty-four Thousand Dollars (\$34,000.00), numbered from One (1) to Thirty-four (34), both inclusive, all in the denomination of One Thousand Dollars (\$1,000.00), issued under the Constitution and laws of the State of Texas, particularly Section 52 of Article 3 of the Constitution, and Chapter 74, of the General Laws passed by the 41st Legislature at its Second Called Session in 1929, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding an equal amount of outstanding indebtedness evidenced by the bonds of said District known as "ROAD BONDS OF ROAD DISTRICT NO.4, OF SABINE COUNTY, TEXAS", dated August 15, 1922, heretofore issued in compliance with the Constitution and laws of the State of Texas, and this bond is issued in pursuance of an order duly passed by the Commissioners' Court of Sabine County, Texas, and of record in the minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said Sabine County Road District No.4, Sabine County, Texas, have been done, happened and performed in regular and due form, as required by law; that the holder or holders of this bond, or the series of which it is a part, is and are subrogated to all the rights and privileges against said Road District No.4, had and possessed by the holders of the original bonds; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said Road District No.4, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, the Commissioners' Court of Sabine County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the lithographed facsimile signatures of said

County Judge and County Clerk; the date of this bond, in conformity with the order of the Commissioners' Court above mentioned, is April 1, 1941.

County Judge, Sabine County, Texas.

Countersigned:

County Clerk, Sabine County, Texas.

REGISTERED:

County Treasurer, Sabine County, Texas.

XI.

The form of coupons for said bonds shall be substantially as follows:

NO. _____ ON THE FIRST DAY OF _____ \$ _____
APRIL, 19____

Sabine County Road District No. 4, of Sabine County, Texas, a body corporate and politic of the State of Texas, hereby promises to pay to bearer hereof at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, the sum of

_____ DOLLARS

in lawful money of the United States of America, being one year's interest due that date on SABINE COUNTY ROAD DISTRICT NO. 4 REFUNDING BOND, dated April 1, 1941, NO. _____.

County Judge, Sabine County, Texas.

County Clerk, Sabine County, Texas.

XII.

That substantially the following certificate shall be printed on the back of each of said bonds:

OFFICE OF THE COMPTROLLER) REGISTER NO. _____
STATE OF TEXAS)

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of said Sabine County Road District No. 4, of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF MY OFFICE at Austin, Texas, this the _____ day of _____, 1941.

Comptroller of Public Accounts of the State of Texas.

XIII.

IT IS FURTHER ORDERED by the Court that said original indebtedness refunded hereby be, and the same is hereby in all things validated and held and declared to be valid, binding, subsisting and unsatisfied obligations of said Sabine County Road District No. 4, Sabine County, Texas, and the acts of the County officials in the issuance of said bonds hereinabove described are hereby in all things ratified and confirmed.

XIV.

IT IS FURTHER ORDERED that in addition to all other rights, the holders of SABINE

COUNTY, TEXAS, ROAD DISTRICT NO.4 REFUNDING BONDS, SERIES 1941, herein described, dated April 1, 1941, bearing interest at the rate of Four Per Cent (4%) per annum, shall be subrogated to all of the rights and privileges which the holders of the bonds funded thereby may have against said Sabine County Road District No.4, Sabine County, Texas, until fully paid.

XV.

IT IS FURTHER ORDERED by the Court that a special fund, to be designated "SABINE COUNTY, TEXAS, ROAD DISTRICT NO.4, REFUNDING BONDS, SERIES 1941, FUND", shall be and same is hereby created, and all moneys collected or to be collected from taxes heretofore levied for the bonds to be refunded and the proceeds of all taxes hereafter levied for the Refunding Bonds herein authorized shall be transferred and credited to said fund. Prior to the maturity date of each annual installment of interest pertaining to said Refunding Bonds there shall be set aside each year such amount as is required to meet all matured interest coupons and all coupons maturing in that year. All surplus funds then remaining in the aforesaid interest and sinking fund account shall be applied first in discharging the obligation of the District for refunding fees and expenses, and next in discharging all matured interest coupons and interest accrued to April 1, 1941, now outstanding and pertaining to the bonds authorized to be refunded, at the rate of 50 cents on the \$1.00 face amount thereof. After said refunding expenses and matured interest pertaining to the bonds to be refunded have been fully paid and discharged in the order above provided, said interest and sinking fund shall be used and employed only in paying interest and providing a sinking fund for the redemption of said Refunding Bonds; provided, that during any calendar year any surplus available in the interest and sinking fund account, after allowing for the matured interest coupons pertaining to said Refunding Bonds, and after setting aside sufficient funds to pay all coupons maturing that year, the surplus funds in said account shall be used for the purchase of the Refunding Bonds in the open market at the best prices obtainable at not more than par and accrued interest, and any of such bonds so purchased shall be cancelled. It shall be the duty of the Commissioners' Court to ascertain not later than April 1st of each year if any surplus shall be available for this purpose, and if so, shall designate a date at which time it will receive sealed tenders of bonds of this issue and act upon such offers in open session. A Notice stating the amount of funds on hand available for the purpose and advising that on a day certain, which shall not be less than fifteen (15) nor more than twenty (20) days from the date of the mailing or publication of the notice, the Commissioners' Court will receive offers and will purchase so many bonds as the then excess funds on hand will permit at the lowest price or prices offered at less than par and accrued interest, shall be mailed to The Dunne-Israel Company, Wichita, Kansas, and shall be published if said Commissioners' Court deems publication advisable. At the time and place specified in such notice the offers made shall be publicly considered, and the Commissioners' Court may accept so many of the bonds offered at the lowest price or prices as the excess funds on hand available for the purpose will permit. All bonds and appurtenant coupons so purchased shall be forthwith cancelled and retired. If the Commissioners' Court shall reject all offers it shall then proceed to call and cancel a sufficient amount of bonds to absorb such surplus funds at par and accrued interest, as hereinabove provided.

XVI.

IT IS FURTHER ORDERED by the Court that a tax of and at such rate as is necessary, requisite and sufficient in amount to fully make, raise and produce the annual interest and sinking fund requirements of Sabine County, Texas, Road District No.4 Refunding Bonds, Series 1941 shall be annually levied on each \$100.00 valuation of taxable property in said Road District No.4 of Sabine County, Texas, and shall be annually assessed and collected and placed in the interest and sinking fund account for said Refunding Bonds. That in the year 1941 and in each

605

succeeding year while any of said bonds or interest thereon is outstanding and unpaid, and at the time other County taxes are levied, a tax rate based upon the latest approved tax rolls of the District shall be calculated, and said rate, requisite and sufficient to fully make, raise and produce in each of said years a sum of money necessary to pay interest and to create the necessary sinking fund for the redemption of said bonds at maturity, shall be levied, assessed and collected, and said tax so found to be necessary is hereby ordered to be levied and is hereby levied, and shall be assessed and collected and applied to the purposes named; provided, however, that said tax shall never be less than \$1.50 on each \$100.00 valuation of taxable property within said District so long as any of said bonds or interest thereon are outstanding and unpaid.

XVII.

Because of the proceedings now pending in the United States District Court for the Eastern District of Texas, Beaumont Division, in the case of "W.J. Meredith et al. vs. Road District No. 4, of Sabine County, Texas, et. al., No. 559 in Equity", it is hereby determined to be advisable and to the best interests of the District that the moneys on hand in the interest and sinking fund of said District, together with all additional funds which may come into or belong in said interest and sinking fund from the collection of current or delinquent taxes heretofore levied for the bonds authorized to be refunded, shall be held intact subject to the directions of said Court.

XVIII.

IT IS FURTHER ORDERED that the County Judge of Sabine County, Texas, be authorized to take and have charge of all necessary records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts of the State of Texas.

The above order having been read, the County Judge put the motion of Commissioner Speights to a vote, and such motion carried by the following vote: Commissioners Speights, Ener, Carter and Arnold voting "AYE"; and None voting "No."

PASSED AND APPROVED, this the 17 day of May, 1941.

Chas. Forse,
COUNTY JUDGE, SABINE COUNTY, TEXAS.

D.B. Speights,
COMMISSIONER OF PRECINCT NO. 1.

J.T. Ener,
COMMISSIONER OF PRECINCT NO. 2

G.B. Carter,
COMMISSIONER OF PRECINCT NO. 3

Attest:

Mrs. Myrtle Arnold, (seal)
COUNTY CLERK.

T.L. ARNOLD,
COMMISSIONER OF PRECINCT NO. 4

There came on to be considered the motion of Commissioner Speights, seconded by Commissioner Carter, for the adoption by the Commissioners' Court of the following order for the issuance of Refunding Bonds of Sabine County Road District No. 5, and for the levy of a tax sufficient to pay the interest thereon and discharge and redeem said bonds at maturity, and which said order is as follows:

WHEREAS, by an order duly passed by the Commissioners' Court of Sabine County, Texas, on the 14th day of August, 1922, Road District No. 5, of Sabine County, Texas, was duly and

606

legally authorized and empowered to issue its 5½% Road Bonds of Road District No.2, of Sabine County, Texas, in the aggregate principal amount of Sixty Thousand Dollars (\$60,000.00), all dated the 15th day of August, 1922, numbered from One (1) to Sixty (60), both inclusive, in the denomination of One Thousand Dollars (\$1,000.00) each, due serially, February 15, 1923, to February 15, 1952, inclusive; of which issue there are now outstanding bonds aggregating the principal sum of Eleven Thousand Dollars (\$11,000.00), numbered from Thirty-one (31) to Forty-one (41), both inclusive, due serially, February 15, 1938, to February 15, 1943, inclusive; and

WHEREAS, the Commissioners' Court of said County considers it advisable and to the best interests of said Road District No.5 that the outstanding bonds of the issue hereinabove described be refunded by the issuance of Refunding Bonds of said Road District in the principal sum of Eleven Thousand Dollars (\$11,000.00), bearing interest at the rate hereinafter prescribed, with principal to be payable fifteen (15) years from their date, as hereinafter set out; and

WHEREAS, under Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and Section 52 of Article 3, of the Constitution of the State of Texas, there exists ample authority for the refunding of said bonds; and

WHEREAS, upon due investigation the Commissioners' Court has ascertained that none of the aforesaid bonds have been acquired or purchased as an investment for the sinking fund of said bond issue;

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

I.

That the findings and declarations made in the preamble of this order be and they are hereby entered as a part of this order and as a part of the judgment of the Commissioners' Court.

II.

That the bonds of said Road District No.5, of Sabine County, Texas, in the aggregate amount of Eleven Thousand Dollars (\$11,000.00), to be called "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 5 REFUNDING BONDS, SERIES 1941", be issued on the faith and credit of said Road District No.5, of Sabine County, Texas; under and by virtue of the Constitution and Laws of the State of Texas, including Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding, cancelling and in lieu of an equal amount of bonds outstanding against said Road District No.5, as above described.

III.

That said bonds shall be dated April 1, 1941, and shall be in denomination of One Thousand Dollars (\$1,000.00) each.

IV.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond and proper coupons at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS.

V.

That each of said bonds shall be signed by the County Judge, attested by the County Clerk and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

VI.

That the facsimile signatures of the County Judge and the County Clerk may be lithographed or printed upon the coupons attached to the said bonds and shall have the same effect as if said coupons had been signed by them.

VII.

That said bonds shall bear interest at the rate of FOUR PER CENT (4%) per annum, payable April 1, 1942, and annually thereafter on the first day of April of each year, such interest to be evidenced by proper coupons attached to each of said bonds.

VIII.

That said bonds shall be numbered consecutively from One (1) to Eleven (11), both inclusive, and shall become due and payable on April 1, 1956,

IX.

The District reserves the right to redeem any of said "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 5 REFUNDING BONDS, SERIES 1941", or any interest payment date by paying the principal and interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption, specifying the numbers of the Bonds to be redeemed, is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and said bonds so called shall cease to bear interest from and after the redemption date.

X.

The form of said bonds shall be substantially as follows:

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF SABINE

NO. _____ \$1,000.00

SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 5
REFUNDING BOND

Sabine County Road District No. 5, in Sabine County, Texas, FOR VALUE RECEIVED, hereby promises to pay to the bearer on the FIRST DAY OF APRIL, 1956, the sum of ONE THOUSAND DOLLARS

(\$1,000.00), in lawful money of the United States of America, with interest thereon from date hereof at the rate of FOUR PER CENT (4%) per annum, payable April 1st 1942, and annually thereafter on the first day of April of each year, as evidenced by the coupons hereto attached, until the principal sum is paid.

BOTH PRINCIPAL AND INTEREST OF THIS BOND are hereby made payable at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, upon presentation and surrender of this bond and the interest coupons hereto attached as they respectively mature, and Sabine County Road District No. 5, Sabine County, Texas, is hereby held and firmly bound, and its faith and credit and all real and personal property in said District are hereby pledged for the prompt payment of the principal of this bonds and the interest thereon at maturity.

ROAD DISTRICT NO. 5, OF SABINE COUNTY, TEXAS, hereby reserves the right to redeem this bond on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and this bond when so called shall cease to bear interest from and after such redemption date.

THIS BOND is one of a series of bonds of like date and tenor except as to number, aggregating Eleven Thousand Dollars (\$11,000.00), numbered from One (1) to Eleven (11), both inclusive, all in the denomination of the One Thousand Dollars (\$1,000.00), issued under the Constitution and laws of the State of Texas, particularly Section 52 of Article 3, of the Constitution, and Chapter 74, of the General Laws passed by the 41st Legislature at its Second Called Session in 1929, and all acts amendatory, complementary and supplemental thereto, for

the purpose of refunding an equal amount of outstanding indebtedness evidenced by the bonds of said District known as "ROAD BONDS OF ROAD DISTRICT NO. 5, OF SABINE COUNTY, TEXAS", dated August 15, 1922, heretofore issued in compliance with the Constitution and laws of the State of Texas, and this bond is issued in pursuance of an order duly passed by the Commissioners' Court of Sabine County, Texas, and of record in the minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said Sabine County Road District No. 5, Sabine County, Texas, have been done, happened and performed in regular and due form, as required by law; that the holder or holders of this bond, or the series of which it is a part, is and are subrogated to all the rights and privileges against said Road District No. 5, had and possessed by the holders of the original bonds; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said Road District No. 5, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, the Commissioners' Court of Sabine County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the lithographed facsimile signature of said County Judge and County Clerk; the date of this bond, in conformity with the order of the Commissioners' Court above mentioned, is April 1, 1941.

County Judge, Sabine County, Texas.

Countersigned:

County Clerk, Sabine County, Texas.

REGISTERED:

County Treasurer, Sabine County, Texas.

XI.

The form of coupons for said bonds shall be substantially as follows:

NO. _____ ON THE FIRST DAY OF _____ \$ _____
APRIL, 19 _____

Sabine County Road District No. 5, of Sabine County, Texas, a body corporate and politic of the State of Texas, hereby promises to pay to bearer hereof at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, the sum of _____ DOLLARS

in lawful money of the United States of America, being one year's interest due that date on SABINE COUNTY ROAD DISTRICT NO. 5 REFUNDING BOND, dated April 1, 1941, NO. _____

County Judge, Sabine County, Texas.

County Clerk, Sabine County, Texas.

XII.

That substantially the following certificate shall be printed on the back of each of said bonds:

609

OFFICE OF THE COMPTROLLER

STATE OF TEXAS

REGISTER NO. _____

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of said Sabine County Road District No. 5 of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF OFFICE, at Austin, Texas, this the _____ day of _____, 1941.

Comptroller of Public Accounts of the
State of Texas

XIII.

IT IS FURTHER ORDERED by the Court that said original indebtedness refunded hereby be, and the same is hereby in all things validated and held and declared to be valid, binding, subsisting and unsatisfied obligations of said Sabine County Road District No. 5, Sabine County, Texas, and the acts of the County Officials in the issuance of said bonds hereinabove described are hereby in all things ratified and confirmed.

XIV.

IT IS FURTHER ORDERED that in addition to all other rights, the holders of SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 5 REFUNDING BONDS, SERIES 1941, herein described, dated April 1, 1941, bearing interest at the rate of Four Per cent (4%) per annum, shall be subrogated to all of the rights and privileges which the holders of the bonds funded thereby may have against said Sabine County Road District No. 5, Sabine County, Texas, until fully paid.

XV.

IT IS FURTHER ORDERED, by the Court that a special fund, to be designated "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 5 REFUNDING BONDS, SERIES 1941, FUND", shall be and same is hereby created, and all moneys collected or to be collected from taxes heretofore levied for the bonds to be refunded and the proceeds of all taxes hereafter levied for the Refunding Bonds herein authorized shall be transferred and credited to said fund. Prior to the maturity date of each annual installment of interest pertaining to said Refunding Bonds there shall be set aside each year such amount as is required to meet all matured interest coupons and all coupons maturing in that year. All surplus funds then remaining in the aforesaid interest and sinking fund account shall be applied first in discharging the obligation of the District for refunding fees and expenses, and next in discharging all matured interest coupons and interest accrued to April 1, 1941, now outstanding and pertaining to the bonds authorized to be refunded, at the rate of 50 cents on the \$1.00 face amount thereof. After said refunding expenses and matured interest pertaining to the bonds to be refunded have been fully paid and discharged in the order above provided, said interest and sinking fund shall be used and employed only in paying interest and providing a sinking fund for the redemption of said Refunding Bonds; provided, that during any calendar year any surplus available in the interest and sinking fund account, after allowing for the matured interest coupons pertaining to said Refunding Bonds, and after setting aside sufficient funds to pay all coupons maturing that year, the surplus funds in said account shall be used for the purchase of the Refunding Bonds in the open market at the best prices obtainable at not more than par and accrued interest, and any of such bonds so purchased shall be cancelled. It shall be the duty of the Commissioners' Court to ascertain not later than April 1st of each year if any surplus shall be available for this purpose, and if so, shall

610

designate a date at which time it will receive sealed tenders of bonds of this issue and act upon such offers in open session. A notice stating the amount of funds on hand available for the purpose and advising that on a day certain, which shall not be less than fifteen (15) nor more than twenty (20) days from the date of the mailing or publication of the notice, the Commissioners' Court will receive offers and will purchase so many bonds as the then excess funds on hand will permit at the lowest price or prices offered at less than par and accrued interest, shall be mailed to The Dunne-Israel Company, Wichita, Kansas, and shall be published if said Commissioners' Court deems publication advisable. At the time and place specified in such notice the offers made shall be publicly considered, and the Commissioners' Court may accept so many of the bonds offered at the lowest price or prices as the excess funds on hand available for the purpose will permit. All bonds and appurtenant coupons so purchased shall be forthwith cancelled and retired. If the Commissioners' Court shall reject all offers it shall then proceed to call and cancel a sufficient amount of bonds to absorb such surplus funds at par and accrued interest, as hereinabove provided.

XVI.

IT IS FURTHER ORDERED by the Court that a tax of and at such rate as is necessary, requisite and sufficient in amount to fully make, raise and produce the annual interest and sinking fund requirements of Sabine County, Texas, Road District No. 5 Refunding Bonds, Series 1941, shall be annually levied on each \$100.00 valuation of taxable property in said Road District No. 5, of Sabine County, Texas, and shall be annually assessed and collected and placed in the interest and sinking fund account for said Refunding Bonds. That in the year 1941 and in each succeeding year while any of said bonds or interest thereon is outstanding and unpaid, and at the time other County taxes are levied, a tax rate based upon the latest approved tax rolls of the District shall be calculated, and said rate, requisite and sufficient to fully make, raise and produce in each of said years a sum of money necessary to pay interest and to create the necessary sinking fund for the redemption of said bonds at maturity, shall be levied, assessed and collected, and said tax so found to be necessary is hereby ordered to be levied and is hereby levied, and shall be assessed and collected and applied to the purposes named; provided, however, that said tax shall be less than \$2.25 on each \$100.00 valuation of taxable property within said District so long as any of said bonds or interest thereon are outstanding and unpaid.

XVII.

IT IS FURTHER ORDERED that the County Judge of Sabine County, Texas, be authorized to take and have charge of all necessary records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts of the State of Texas.

The above order having been read, the County Judge put the motion of Commissioner Speights to a vote, and such motion carried by the following vote: Commissioners Speights, Ener, Carter and Arnold voting "AYE"; and None voting "NO".

PASSED AND APPROVED, this the 17th day of May, 1941.

(seal)

Chas. Forse,
COUNTY JUDGE, SABINE COUNTY, TEXAS

D.B. Speights,
COMMISSIONER OF PRECINCT NO. 1

J.T. Ener,
COMMISSIONER OF PRECINCT NO. 2

G.B. Carter,
COMMISSIONER OF PRECINCT NO. 3

T.L. Arnold,
COMMISSIONER OF PRECINCT NO. 4

Attest:

Mrs. Myrtle Arnold,
COUNTY CLERK

There came on to be considered the motion of Commissioner Speights, seconded by Commissioner Carter, for adoption by the Commissioners' Court of the following order for the issuance of Refunding Bonds of Sabine County Road District No.6, and for the levy of a tax sufficient to pay the interest thereon and discharge and redeem said bonds at maturity, and which said order is as follows:

WHEREAS, by an order duly passed by the Commissioners' Court of Sabine County, Texas, on the 14th day of August, 1922, Road District No.6, of Sabine County, Texas, was duly and legally authorized and empowered to issue its 5-1/2% Road Bonds of Road District No.6, of Sabine County, Texas, in the aggregate principal amount of Thirty Thousand Dollars (\$30,000.00), all dated the 15th day of August, 1922, numbered from One (1) to Thirty (30), both inclusive, in the denomination of One Thousand Dollars (\$1,000.00) each, due serially, February 15, 1923, to February 15, 1952, inclusive; of which issue there are now outstanding bonds aggregating the principal sum of Ten Thousand Dollars (\$10,000.00), numbered Thirteen (13), Fourteen (14), Sixteen (16), and Eighteen (18) to Twenty-four (24), inclusive, due serially, February 15, 1935, to February 15, 1946, inclusive; and

WHEREAS, the Commissioners' Court of said County considers it advisable and to the best interests of said Road District No.6 that the outstanding bonds of the issue hereinabove described be refunded by the issuance of Refunding Bonds of said Road District in the principal sum of Ten Thousand Dollars (\$10,000.00), bearing interest at the rate hereinafter prescribed, with principal to be payable fifteen (15) years from their date, as hereinafter set out; and

WHEREAS, under Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and Section 52 of Article 3, of the Constitution of the State of Texas, there exists ample authority for the refunding of said bonds; and

WHEREAS, upon due investigation the Commissioners' Court has ascertained that none of the aforesaid bonds have been acquired or purchased as an investment for the sinking fund of said bond issue;

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

1.

That the findings and declarations made in the preamble of this order be and they are hereby entered as a part of this order and as a part of the judgment of the Commissioners' Court.

11.

That the bonds of said Road District No.6, of Sabine County, Texas, in the aggregate amount of Ten Thousand Dollars (\$10,000.00), to be called "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 6 REFUNDING BONDS, SERIES 1941", be issued on the faith and credit of said Road District No.6, of Sabine County, Texas, under and by virtue of the Constitution and laws of the State of Texas, including Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding, canceling and in lieu of an equal amount of bonds outstanding against said Road District No.6, as above described.

6612

III.

That said bonds shall be dated April 1, 1941, and shall be in denomination of One Thousand Dollars (\$1,000.00) each.

IV.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond and proper coupons at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS.

V.

That each of said bonds shall be signed by the County Judge, attested by the County Clerk and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

VI.

That the facsimile signatures of the County Judge and the County Clerk may be lithographed or printed upon the coupons attached to the said bonds and shall have the same effect as if said coupons had been signed by them.

VII.

That said bonds shall bear interest at the rate of FOUR PER CENT (4%) per annum, payable April 1, 1942, and annually thereafter on the first day of April of each year, such interest to be evidenced by proper coupons attached to each of said bonds.

VIII.

That said bonds shall be numbered consecutively from One (1) to Ten (10), both inclusive, and shall become due and payable on April 1, 1956.

IX.

The District reserves the right to redeem any of said "SABINE COUNTY, TEXAS, ROAD DISTRICT NO.6 REFUNDING BONDS, SERIES 1941", on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption, specifying the numbers of the bonds to be redeemed, is mailed to the said Treasurer of the State of Texas, not less than thirty (30) days prior to the date so fixed for redemption, and said bonds so called shall cease to bear interest from and after the redemption date.

X.

The form of said bonds shall be substantially as follows:

	UNITED STATES OF AMERICA	
	STATE OF TEXAS	
NO. _____	COUNTY OF SABINE	\$1,000.00
	SABINE COUNTY, TEXAS, ROAD DISTRICT NO.6	
	REFUNDING BOND	

Sabine County Road District No.6, in Sabine County, Texas, FOR VALUE RECEIVED, hereby promises to pay to the bearer on the FIRST DAY OF APRIL, 1956, the sum of

ONE THOUSAND DOLLARS

(\$1,000.00), in lawful money of the United States of America, with interest thereon from date hereof at the rate of FOUR PER CENT (4%) per annum, payable April 1st 1942, and annually thereafter on the first day of April of each year, as evidenced by the coupons hereto attached, until the principal sum is paid.

BOTH PRINCIPAL AND INTEREST of this bond are hereby made payable at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, upon presentation and surrender of this bond and the interest coupons hereto attached as they respectively mature, and Sabine County Road District

No.6, Sabine County, Texas, is hereby held and firmly bound, and its faith and credit and all real and personal property in said District are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

ROAD DISTRICT NO. 6, OF SABINE COUNTY, TEXAS, hereby reserves the right to redeem this bond on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and this bond when so called shall cease to bear interest from and after such redemption date.

THIS BOND is one of a series of bonds of like date and tenor except as to number, aggregating Ten Thousand Dollars (\$10,000.00), numbered from One (1) to Ten (10), both inclusive, all in the denomination of One Thousand Dollars (\$1,000.00), issued under the Constitution and laws of the State of Texas, particularly Section 52 of Article 3 of the Constitution, and Chapter 74, of the General Laws passed by the 41st Legislature at its Second Called Session in 1929, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding an equal amount of outstanding indebtedness evidenced by the bonds of said District known as "ROAD BONDS OF ROAD DISTRICT NO.6, OF SABINE COUNTY, TEXAS," dated August 15, 1922, heretofore issued in compliance with the Constitution and laws of the State of Texas, and this bond is issued in pursuance of an order duly passed by the Commissioners' Court of Sabine County, Texas, and of record in the minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said Sabine County Road District No.6, Sabine County, Texas, have been done, happened and performed in regular and due form, as required by law; that the holder or holders of this bond, or the series of which it is a part, is and are subrogated to all rights and privileges against said Road District No.6, had and possessed by the holders of the original bonds; that due provisions has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said Road District No.6, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, the Commissioners' Court of Sabine County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the lithographed facsimile signatures of said County Judge and County Clerk; the date of this bond, in conformity with the order of the Commissioners' Court above mentioned, is April 1, 1941.

County Judge, Sabine County, Texas.

Countersigned:

County Clerk, Sabine County, Texas.

REGISTERED:

County Treasurer, Sabine County, Texas.

XI.

The form of coupons for said bonds shall be substantially as follows:

614

NO. _____

ON THE FIRST DAY OF

APRIL, 19__

Sabine County Road District No.6, of Sabine County, Texas, a body corporate and politic of the State of Texas, hereby promises to pay to bearer hereof at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, the sum of

_____ DOLLARS

in lawful money of the United States of America, being one year's interest due that date on SABINE COUNTY ROAD DISTRICT NO. 6 REFUNDING BOND; dated April 1, 1941, NO. _____.

County Judge, Sabine County, Texas.

County Clerk, Sabine County, Texas.

XII.

That substantially the following certificate shall be printed on the back of each of said bonds:

OFFICE OF THE COMPTROLLER
STATE OF TEXAS

REGISTER NO. _____

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of said Sabine County Road District No.6, of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF MY OFFICE at Austin, Texas, this the ____ day of _____, 1941.

Comptroller of Public Accounts of the State of Texas.

XIII.

IT IS FURTHER ORDERED by the Court that said original indebtedness refunded hereby be, and the same is hereby in all things validated and held and declared to be valid, binding, subsisting and unsatisfied obligations of said Sabine County Road District No.6, Sabine County, Texas, and the acts of the County Officials in the issuance of said bonds hereinabove described are hereby in all things ratified and confirmed.

XIV.

IT IS FURTHER ORDERED THAT in addition to all other rights, the holders of SABINE COUNTY, TEXAS, ROAD DISTRICT NO.6 REFUNDING BONDS, SERIES 1941, herein described, dated April 1, 1941, bearing interest at the rate of Four Per Cent (4%) per annum, shall be subrogated to all of the rights and privileges which the holders of the bonds funded thereby may have against said Sabine County Road District No.7, Sabine County, Texas, until fully paid.

XV.

IT IS FURTHER ORDERED by the Court that a special fund, to be designated "SABINE COUNTY, TEXAS, ROAD DISTRICT NO.6 REFUNDING BONDS, SERIES 1941, FUND", shall be and same is hereby Created, and all moneys collected or to be collected from taxes heretofore levied for the bonds to be refunded and the proceeds of all taxes hereafter levied for the Refunding Bonds herein authorized shall be transferred and credited to said fund. Prior to the maturity date of each annual installment of interest pertaining to said Refunding Bonds there shall be set aside each year such amount as is required to meet all matured interest coupons and all coupons.

maturing in that year. All surplus funds then remaining in the aforesaid interest and sinking fund account shall be applied first in discharging the obligation of the District for refunding fees and expenses, and next in discharging all matured interest coupons and interest accrued to April 1, 1941, now outstanding and pertaining to the bonds authorized to be refunded, at the rate of 50 cents on the \$1.00 face amount thereof. After said refunding expenses and matured interest pertaining to the bonds to be refunded have been fully paid and discharged in the order above provided, said interest and sinking fund shall be used and employed only in paying interest and providing a sinking fund for the redemption of said Refunding Bonds; provided, that during any calendar year any surplus available in the interest and sinking fund account, after allowing for the matured interest coupons pertaining to said Refunding Bonds, and after setting aside sufficient funds to pay all coupons maturing that year, the surplus funds in said account shall be used for the purchase of the Refunding Bonds in the open market at the best prices obtainable at not more than par and accrued interest, and any of such bonds so purchased shall be cancelled. It shall be the duty of the Commissioners' Court to ascertain not later than April 1st of each year if any surplus shall be available for this purpose, and if so, shall designate a date at which time it will receive sealed tenders of bonds of this issue and act upon such offers in open session. A notice stating the amount on hand available for the purpose and advising that on a day certain, which shall not be less than fifteen (15) nor more than twenty (20) days from the date of the mailing or publication of the notice, the Commissioners' Court will receive offers and will purchase so many bonds as the then excess funds on hand will permit at the lowest price or prices offered at less than par and accrued interest, shall be mailed to The Dunne-Israel Company, Wichita, Kansas, and shall be published if said Commissioners' Court deems publication advisable. At the time and place specified in such notice the offers made shall be publicly considered, and the Commissioners' Court may accept so many of the bonds offered at the lowest price or prices as the excess funds on hand available for the purpose will permit. All bonds and appurtenant coupons so purchased shall be forthwith cancelled and retired. If the Commissioners' Court shall reject all offers it shall then proceed to call and cancel a sufficient amount of bonds to absorb such surplus funds at par and accrued interest, as hereinabove provided.

XVI.

IT IS FURTHER ORDERED by the Court that a tax of and at such rate as is necessary, requisite and sufficient in amount to fully make, raise and produce the annual interest and sinking fund requirements of Sabine County, Texas, Road District No. 6 Refunding Bonds, Series 1941, shall be annually levied on each \$100.00 valuation of taxable property in said Road District No. 6, of Sabine County, Texas, and shall be annually assessed and collected and placed in the interest and sinking fund account for said Refunding Bonds. That in the year 1941 and in each succeeding year while any of said bonds or interest thereon is outstanding and unpaid, and at the time other County taxes are levied, a tax rate based upon the latest approved tax rolls of the District shall be calculated, and said rate, requisite and sufficient to fully make, raise and produce in each of said years a sum of money necessary to pay interest and to create the necessary sinking fund for the redemption of said bonds at maturity, shall be levied, assessed and collected, and said tax so found to be necessary is hereby ordered to be levied and is hereby levied, and shall be assessed and collected and applied to the purposes named; provided, however, that said tax shall never be less than \$1.50 on each \$100.00 valuation of taxable property within said District so long as any of said bonds or interest thereon are outstanding and unpaid.

XVII.

IT IS FURTHER ORDERED that the County Judge of Sabine County, Texas, be authorized

to take and have charge of all necessary records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts of the State of Texas.

The above order having been read, the County Judge put the motion of Commissioner Speights to a vote, and such motion carried by the following vote: Commissioners Speights, Ener, Carter and Arnold voting "AYE"; and None voting "NO".

PASSED AND APPROVED, this the 17 day of May, 1941.

(seal)

Chas. Forse,
COUNTY JUDGE, SABINE COUNTY, TEXAS

D.B. Speights,
COMMISSIONER OF PRECINCT NO. 1

J.T. Ener,
COMMISSIONER OF PRECINCT NO. 2

G.B. Carter,
COMMISSIONER OF PRECINCT NO. 3

T.L. Arnold,
COMMISSIONER OF PRECINCT NO. 4.

Attest:

Mrs. Myrtle Arnold,
COUNTY CLERK.

There came on to be considered the motion of Commissioner Speights, seconded by Commissioner Carter, for the adoption by the Commissioners' Court of the following order for the issuance of Refunding Bonds, of Sabine County Road District No. 7, and for the levy of a tax sufficient to pay the interest thereon and discharge and redeem said bonds at maturity, and which said order is as follows:

WHEREAS, by an order duly passed by the Commissioners' Court of Sabine County, Texas, on or about the 1st day of March, 1923, Road District No. 7, of Sabine County, Texas, was duly and legally authorized and empowered to issue its 5-1/2% Road Bonds of Road District No. 7, of Sabine County, Texas, in the aggregate principal amount of Ten Thousand Dollars (\$10,000.00), all dated the 1st day of March, 1923, numbered from One (1) to Twenty (20), both inclusive, in the denomination of Five Hundred Dollars (\$500.00) each, due serially, March 1, 1924, to March 1, 1943, inclusive; of which issue there are now outstanding bonds aggregating the principal sum of Four Thousand Five Hundred Dollars (\$4,500.00), numbered from Twelve (12) to Twenty (20), inclusive, due serially, March 1, 1935, to March 1, 1943, inclusive; and

WHEREAS, the Commissioners' Court of said County considers it advisable and to the best interests of said Road District No. 7 that the outstanding bonds of the issue hereinabove described be refunded by the issuance of Refunding Bonds of said Road District in the principal sum of Four Thousand Five Hundred (\$4,500.00) Dollars, bearing interest at the rate hereinafter prescribed, with principal to be payable fifteen (15) years from their date, as hereinafter set out; and,

WHEREAS, under Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and Section 52 of Article 3, of the Constitution of the State of Texas, there exists ample authority for the refunding of said bonds; and

WHEREAS, upon due investigation the Commissioners' Court has ascertained that none of the aforesaid bonds have been acquired or purchased as an investment for the sinking fund of said bond issue;

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

I.

That the findings and declarations made in the preamble of this order be and they are hereby entered as a part of this order and as a part of the judgment of the Commissioners' Court.

II.

That the bonds of said Road District No.7, of Sabine County, Texas, in the aggregate amount of Four Thousand Five Hundred Dollars (\$4,500.00), to be called "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 7 REFUNDING BONDS, SERIES 1941", be issued on the faith and credit of said Road District No.7, of Sabine County, Texas, under and by virtue of the Constitution and Laws of the State of Texas, including Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding, cancelling and in lieu of an equal amount of bonds outstanding against said Road District No.7, as above described.

III.

That said bonds shall be dated April 1, 1941, and shall be in denomination of Five Hundred Dollars (\$500.00) each.

IV.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bond and proper coupons at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS.

V.

That each of said bonds shall be signed by the County Judge, attested by the County Clerk and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

VI.

That the facsimile signatures of the County Judge and the County Clerk may be lithographed or printed upon the coupons attached to the said Bonds and shall have the same effect as if said coupons had been signed by them.

VII.

That said bonds shall bear interest at the rate of FOUR PER CENT (4%) per annum, payable April 1, 1942, and annually thereafter on the first day of April of each year, such interest to be evidenced by proper coupons attached to each of said bonds.

VIII.

That said bonds shall be numbered consecutively from One (1) to Nine (9), both inclusive, and shall become due and payable on April 1, 1956.

IX.

The District reserves the right to redeem any of said "SABINE COUNTY, TEXAS, ROAD DISTRICT NO.7 REFUNDING BONDS, SERIES 1941", on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption, specifying the numbers of the bonds to be redeemed, is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and said bonds so called shall cease to bear interest from and after the redemption date.

X.

The form of said bonds shall be substantially as follows:

UNITED STATES OF AMERICA

STATE OF TEXAS

COUNTY OF SABINE

NO. _____

\$500.00

618

SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 7

REFUNDING BOND

Sabine County Road District No. 7, in Sabine County, Texas, FOR VALUE RECEIVED, hereby promises to pay to the bearer on the FIRST DAY OF APRIL, 1956, the sum of

FIVE HUNDRED DOLLARS

(\$500.00), in lawful money of the United States of America, with interest thereon from date hereof at the rate of FOUR PER CENT (4%) per annum, payable April 1st, 1942, and annually thereafter on the first day of April of each year, as evidenced by the coupons hereto attached, until the principal sum is paid.

BOTH PRINCIPAL AND INTEREST of this bond are hereby made payable at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, upon presentation and surrender of this bond and the interest coupons hereto attached as they respectively mature, and Sabine County Road District No. 7, Sabine County, Texas, is hereby held and firmly bound, and its faith and credit and all real and personal property in said District are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

ROAD DISTRICT NO. 7, OF SABINE COUNTY, TEXAS, hereby reserves the right to redeem this bond on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and this bond when so called shall cease to bear interest from and after such redemption date.

THIS BOND is one of a series of bonds of like date and tenor except as to number, aggregating Four Thousand Five Hundred Dollars (\$4,500.00), numbered from One (1) to Nine (9), both inclusive, all in the denomination of Five Hundred Dollars (\$500.00), issued under the Constitution and laws of the State of Texas, particularly Section 52 of Article 3, of the Constitution, and Chapter 74, of the General Laws passed by the 41st Legislature at its Second Called Session in 1929, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding an equal amount of outstanding indebtedness evidenced by the bonds of said District known as "ROAD BONDS OF ROAD DISTRICT NO. 7, OF SABINE COUNTY, TEXAS", dated March 1, 1923, heretofore issued in compliance with the Constitution and laws of the State of Texas, and this bond is issued in pursuance of an order duly passed by the Commissioner's Court of Sabine County, Texas, and of record in the minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said Sabine County Road District No. 7, Sabine County, Texas, have been done, happened and performed in regular and due form, as required by law; that the holder or holders of this bond, or the series of which it is a part, is and are subrogated to all the rights and privileges against said Road District No. 7, had and possessed by the holders of the original bonds; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said Road District No. 7, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, the Commissioners' Court of Sabine County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the lithographed facsimile signatures of said County Judge and County Clerk; the date of this bond, in conformity with the order of the Commissioners' Court above mentioned, is April 1, 1941.

County Judge, Sabine County, Texas;

Countersigned:

County Clerk, Sabine County, Texas.

6619

REGISTERED:

County Treasurer, Sabine County, Texas.

XI.

The form of coupons for said bonds shall be substantially as follows:

NO. _____ ON THE FIRST DAY OF _____ \$ _____
APRIL, 19 _____

Sabine County Road District No. 7, of Sabine County, Texas, a body corporate and politic of the State of Texas, hereby promises to pay to bearer hereof at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, the sum of _____ DOLLARS

in lawful money of the United States of America, being one year's interest due that date on SABINE COUNTY ROAD DISTRICT NO. 7 REFUNDING BOND, dated April, 1941, NO. _____.

County Judge, Sabine County, Texas.

County Clerk, Sabine County, Texas.

XII.

That substantially the following certificate shall be printed on the back of each of said bonds:

OFFICE OF THE COMPTROLLER #
STATE OF TEXAS #

REGISTER NO. _____

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of said Sabine County Road District No. 7, of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF MY OFFICE at Austin, Texas, this the _____ day of _____, 1941.

Comptroller of Public Accounts of the State of Texas.

XIII.

IT IS FURTHER ORDERED by the Court that said original indebtedness refunded hereby be, and the same is hereby in all things validated and held and declared to be valid, binding, subsisting and unsatisfied obligations of said Sabine County Road District No. 7, Sabine County, Texas, and the acts of the County Officials in the issuance of said bonds hereinabove described are hereby in all things ratified and confirmed.

XIV.

IT IS FURTHER ORDERED that in addition to all other rights, the holders of SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 7 REFUNDING BONDS, SERIES 1941, herein described, dated April 1, 1941, bearing interest at the rate of Four Per Cent (4%) per annum, shall be subrogated to all of the rights and privileges which the holders of the bonds funded thereby may have against said Sabine County Road District No. 7, Sabine County, Texas, until fully paid.

XV.

IT IS FURTHER ORDERED by the Court that a special fund, to be designated "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 7, REFUNDING BONDS, SERIES 1941, FUND", shall be and same is hereby created, and all moneys collected or to be collected from taxes heretofore levied for the bonds to be refunded and the proceeds of all taxes hereafter levied for the Refunding Bonds herein authorized shall be transferred and credited to said fund. Prior to the maturity date of each annual installment of interest pertaining to said Refunding Bonds there shall be set aside each year such amount as is required to meet all matured interest coupons and all coupons maturing in that year. All surplus funds then remaining in the aforesaid interest and sinking fund account shall be applied first in discharging

620

the obligation of the District for refunding fees and expenses, and next in discharging all matured interest coupons and interest accrued to April 1, 1941, now outstanding and pertaining to the bonds authorized to be refunded, at the rate of 50 cents on the \$1.00 face amount thereof. After said refunding expenses and matured interest pertaining to the bonds to be refunded have been fully paid and discharges in the order above provided, said interest and sinking fund shall be used and employed only in paying interest and providing a sinking fund for the redemption of said Refunding Bonds; provided, that during any calendar year any surplus available in the interest and sinking fund account, after allowing for the matured interest coupons pertaining to said Refunding Bonds, and after setting aside sufficient funds to pay all coupons maturing that year, the surplus funds in said account shall be used for the purchase of the Refunding Bonds in the open market at the best prices obtainable at not more than par and accrued interest, and any of such bonds so purchased shall be cancelled. It shall be the duty of the Commissioners' Court to ascertain not later than April 1st of each year if any surplus shall be available for this purpose, and if so, shall designate a date at which time it will receive sealed tenders of bonds of this issue and act upon such offers in open session. A notice stating the amount of funds onhand available for the purpose and advising that on a day certain, which shall not be less than fifteen (15) nor more than twenty (20) days from the date of the mailing or publication of the notice, the Commissioners' Court will receive offers and will purchase so many bonds as the then excess funds on hand will permit at the lowest price or prices offered at less than par and accrued interest, shall be mailed to The Dunne-Israel Company, Wichita, Kansas, and shall be published if said Commissioners' Court deems publication advisable. At the time and place specified in such notice the offers made shall be publicly considered, and the Commissioners' Court may accept so many of the bonds offered at the lowest price or prices as the excess funds on hand available for the purpose will permit. All bonds and appurtenant coupons so purchases shall be forthwith cancelled and retired. If the Commissioners' Court shall reject all offers it shall then proceed to call and cancel a sufficient amount of bonds to absorb such surplus funds at par and accrued interest, as hereinabove provided.

XVI.

IT IS FURTHER ORDERED by the Court that a tax of and at such rate as is necessary, requisite and sufficient in amount to fully make, raise and produce the annual interest and sinking fund requirements of Sabine County, Texas, Road District No. 7 Refunding Bonds, Series 1941, shall be annually levied on each \$100.00 valuation of taxable property in said Road District No. 7 of Sabine County, Texas, and shall be annually assessed and collected and placed in the interest and sinking fund account for said Refunding Bonds. That in the year 1941 and in each succeeding year while any of said bonds or interest thereon is outstanding and unpaid, and at the time other County Taxes are levied, a tax rate based upon the latest approved tax rolls of the District shall be calculated, and said rate, requisite and sufficient to fully make, raise and produce in each of said years a sum of money necessary to pay interest and to create the necessary sinking fund for the redemption of said bonds at maturity, shall be levied, assessed and collected, and said tax so found to be necessary is hereby ordered to be levied and is hereby levied, and shall be assessed and collected and applied to the purposes named; provided, however, that said tax shall never be less than \$2.25 on each \$100.00 valuation of taxable property within said District so long as any of said bonds or interest thereon are outstanding and unpaid.

XVII.

IT IS FURTHER ORDERED that the County Judge of Sabine County, Texas, be authorized to take and have charge of all necessary records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts of the State of Texas.

The above order having been read, the County Judge put the motion of Commissioner Speights to a vote, and such motion carried by the following vote: Commissioners Speights, Ener, Carter, and Arnold voting "AYE", and none voting "NO".

PASSED AND APPROVED, this the 17 day of May, 1941:

(Seal)

Chas. Forse
COUNTY JUDGE, SABINE COUNTY, TEXAS

D. B. Speights
COMMISSIONER OF PRECINCT NO. 1

J. T. Ener
COMMISSIONER OF PRECINCT NO. 2

G. B. Carter
COMMISSIONER OF PRECINCT NO. 3

T. L. Arnold
COMMISSIONER OF PRECINCT NO. 4

Attest:

Mrs. Myrtle Arnold
COUNTY CLERK

There came on to be considered the motion of Commissioner Speights, seconded by Commissioner Carter, for the adoption by the Commissioners' Court of the following order for the issuance of Refunding Bonds of Sabine County Road District No. 12, and for the levy of a tax sufficient to pay the interest thereon and discharge and redeem said bonds at maturity, and which said order is as follows:

WHEREAS, by an order duly passed by the Commissioners' Court of Sabine County, Texas, on or about the 14th day of April, 1924, Road District No. 12, of Sabine County, Texas, was duly and legally authorized and empowered to issue its 5-1/2% Road Bonds of Road District No. 12, of Sabine County, Texas, in the aggregate principal amount of Fifteen Thousand Dollars (\$15,000.00), all dated the 14th day of April, 1924, numbered from One (1) to Thirty (30), both inclusive, in the denomination of Five Hundred Dollars (\$500.00) each, due serially, April 14, 1925 to April 14, 1954, inclusive; of which issue there are now outstanding bonds aggregating the principal sum of Nine Thousand Five Hundred Dollars (\$9,500.00), numbered from Eleven (11) to Sixteen (16), inclusive, and Eighteen (18) to Thirty (30), inclusive, due serially, April 14, 1935, to April 14, 1954, inclusive; and

WHEREAS, the Commissioners' Court of said County considers it advisable and to the best interest of said Road District No. 12 that the outstanding bonds of the issue hereinabove described be refunded by the issuance of Refunding Bonds of said Road District in the principal sum of Nine Thousand Five Hundred Dollars (\$9,500.00), bearing interest at the rate hereinafter prescribed, with principal to be payable fifteen (15) years from their date, as hereinafter set out; and

WHEREAS, under Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and Section 52 of Article 3, of the Constitution of the State of Texas, there exists ample authority for the refunding of said bonds; and

WHEREAS, upon due investigation the Commissioners' Court has ascertained that none of the aforesaid bonds have been acquired or purchased as an investment for the sinking fund of said bond issue;

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

I.

That the findings and declarations made in the preamble of this order be and they are hereby entered as a part of this order and as a part of the judgment of the Commissioners' Court.

II.

That the bonds of said Road District No. 12, of Sabine County, Texas, in the aggregate amount of Nine Thousand Five Hundred Dollars (\$9,500.00), to be called "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 12 REFUNDING BONDS, SERIES 1941", be issued on the faith and credit of said Road District No. 12, of Sabine County, Texas, under and by virtue of the Constitution and Laws of the State of Texas, including Chapter 74, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding, cancelling and in lieu of an equal amount of bonds outstanding against said Road District No. 12, as above described.

III.

That said bonds shall be dated April 1, 1941, and shall be in denomination of Five Hundred Dollars (\$500.00) each.

628

IV.

That the principal and interest on said bonds shall be payable in lawful money of the United States of America upon presentation and surrender of bonds and proper coupons at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS.

V.

That each of said bonds shall be signed by the County Judge, attested by the County Clerk and registered by the County Treasurer, and the corporate seal of the Commissioners' Court shall be impressed upon each of them.

VI.

That the facsimile signatures of the County Judge and the County Clerk may be lithographed or printed upon the coupons attached to the said bonds and shall have the same effect as if said coupons had been signed by them.

VII.

That said bonds shall bear interest at the rate of FOUR PER CENT (4%) per annum, payable April 1, 1942, and annually thereafter on the first day of April of each year, such interest to be evidenced by proper coupons attached to each of said bonds.

VIII.

That said bonds shall be numbered consecutively from One (1) to Nineteen (19), both inclusive, and shall become due and payable on April 1, 1956.

IX.

The District reserves the right to redeem any of said "SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 12 REFUNDING BONDS, SERIES 1941", on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption, specifying the numbers of the bonds to be redeemed, is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and said bonds so called shall cease to bear interest from and after the redemption date.

X.

The form of said bonds shall be substantially as follows:

	UNITED STATES OF AMERICA	
	STATE OF TEXAS	
NO. _____	COUNTY OF SABINE	\$500.00

SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 12
REFUNDING BOND

Sabine County Road District No. 12, in Sabine County, Texas, FOR VALUE RECEIVED, hereby promises to pay to the bearer on the FIRST DAY OF APRIL, 1956, the sum of

FIVE HUNDRED DOLLARS

(\$500.00), in lawful money of the United States of America, with interest thereon from date hereof at the rate of FOUR PER CENT (4%) per annum, payable April 1st, 1942, and annually thereafter on the first day of April of each year, as evidenced by the coupons hereto attached, until the principal sum is paid.

BOTH PRINCIPAL AND INTEREST of this bond are hereby made payable at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, upon presentation and surrender of this bond and the interest coupons hereto attached as they respectively mature, and Sabine County Road District No. 12, Sabine County, Texas, is hereby held and firmly bound, and its faith and credit and all real and personal property in said District are hereby pledged for the prompt payment of the principal of this bond and the interest thereon at maturity.

ROAD DISTRICT NO. 12, OF SABINE COUNTY, TEXAS, hereby reserves the right to redeem this bond on any interest payment date by paying the principal and accrued interest thereon, provided sufficient funds are placed with the State Treasurer of the State of Texas for that purpose and notice in writing of such redemption is mailed to the said Treasurer of the State of Texas not less than thirty (30) days prior to the date so fixed for redemption, and this bond when so called shall cease to bear interest from and after such redemption date.

623

THIS BOND is one of a series of bonds of like date and tenor except as to number, aggregating Nine Thousand Five Hundred Dollars (\$9,500.00), numbered from One (1) to Nineteen (19), both inclusive, all in the denomination of Five Hundred Dollars (\$500.00), issued under the Constitution and laws of the State of Texas, particularly Section 52 of Article 3 of the Constitution, and Chapter 74, of the General Laws passed by the 41st Legislature at its Second Called Session in 1929, and all acts amendatory, complementary and supplemental thereto, for the purpose of refunding an equal amount of outstanding indebtedness evidenced by the bonds of said District known as "ROAD BONDS OF ROAD DISTRICT NO. 12, OF SABINE COUNTY, TEXAS", dated April 14, 1924, heretofore issued in compliance with the Constitution and laws of the State of Texas, and this bond is issued in pursuance of an order duly passed by the Commissioners' Court of Sabine County, Texas, and of record in the minutes of said Court.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all acts, conditions and things necessary to be done precedent to and in the issuance of this bond, and the series of which it is a part, in order to make them legal, valid and binding obligations of said Sabine County Road District No. 12, Sabine County, Texas, have been done, happened and performed in regular and due form, as required by law; that the holder or holders of this bond, or the series of which it is a part, is and are subrogated to all the rights and privileges against said Road District No. 12, had and possessed by the holders of the original bonds; that due provision has been made for levying and collecting annually by taxation an amount sufficient to pay the interest on this series of bonds as it falls due, and to provide a sinking fund for the final redemption of said bonds at maturity; and that the issue of bonds of which this is one, together with all other indebtedness of said Road District No. 12, is within every debt and other limit prescribed by the Constitution and laws of said State.

IN WITNESS WHEREOF, the Commissioners' Court of Sabine County, Texas, has caused the seal of said Court to be affixed hereto, and this bond to be signed by the County Judge, countersigned by the County Clerk and registered by the County Treasurer of said County, and the interest coupons hereto attached to be executed by the lithographed facsimile signatures of said County Judge and County Clerk; the date of this bond, in conformity with the order of the Commissioners' Court above mentioned, is April 1, 1941.

County Judge, Sabine County, Texas.

Countersigned:

County Clerk, Sabine County, Texas.

REGISTERED:

County Treasurer, Sabine County, Texas.

XI.

The form of coupons for said bonds shall be substantially as follows:

No. _____ ON THE FIRST DAY OF _____ \$ _____
APRIL, 19 _____

Sabine County Road District No. 12, of Sabine County, Texas, a body corporate and politic of the State of Texas, hereby promises to pay to bearer hereof at the OFFICE OF THE STATE TREASURER IN THE CITY OF AUSTIN, TEXAS, the sum of

_____ DOLLARS

in lawful money of the United States of America, being one year's interest due that date on SABINE COUNTY ROAD DISTRICT NO. 12 REFUNDING BOND, dated April 1, 1941, NO. _____.

County Judge, Sabine County, Texas.

County Clerk, Sabine County, Texas.

XII.

That substantially the following certificate shall be printed on the back of each of said bonds:

624

OFFICE OF THE COMPTROLLER #

STATE OF TEXAS #

REGISTER NO. _____

I HEREBY CERTIFY that there is on file and of record in my office a certificate of the Attorney General of the State of Texas, to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and laws of the State of Texas, and that it is a valid and binding obligation of said Sabine County Road District No. 12, of Sabine County, Texas, and said bond has this day been registered by me.

WITNESS MY HAND AND SEAL OF OFFICE at Austin, Texas, this the _____ day of _____, 1941.

Comptroller of Public Accounts of the State of Texas.

XIII.

IT IS FURTHER ORDERED by the Court that said original indebtedness refunded be, and the same is hereby in all things validated and held and declared to be valid, binding, subsisting and unsatisfied obligations of said Sabine County Road District No. 12, Sabine County, Texas, and the acts of the County officials in the issuance of said bonds hereinabove described are hereby in all things ratified and confirmed.

XIV.

IT IS FURTHER ORDERED that in addition to all other rights, the holders of SABINE COUNTY, TEXAS, ROAD DISTRICT NO. 12 REFUNDING BONDS, SERIES 1941, herein described, dated April 1, 1941, bearing interest at the rate of Four Per Cent (4%) per annum, shall be subrogated to all of the rights and privileges which the holders of the bonds funded thereby may have against said Sabine County Road District No. 12, Sabine County, Texas, until fully paid.

XV.

IT IS FURTHER ORDERED by the Court that a special fund, to be designated "SABINE COUNTY, TEXAS; ROAD DISTRICT NO. 12 REFUNDING BONDS, SERIES 1941, FUND", shall be and same is hereby created, and all moneys collected or to be collected from taxes heretofore levied for the bonds to be refunded and the proceeds of all taxes hereafter levied for the Refunding Bonds herein authorized shall be transferred and credited to said fund. Prior to the maturity date of each annual installment of interest pertaining to said Refunding Bonds there shall be set aside each year such amount as is required to meet all matured interest coupons and all coupons maturing in that year. All surplus funds then remaining in the aforesaid interest and sinking fund account shall be applied first in discharging the obligation of the District for refunding fees and expenses, and next discharging all matured interest coupons and interest accrued to April 1, 1941, now outstanding and pertaining to the bonds authorized to be refunded, at the rate of 50 cents on the \$1.00 face amount thereof. After said refunding expenses and matured interest pertaining to the bonds to be refunded have been fully paid and discharged in the order above provided, said interest and sinking fund shall be used and employed only in paying interest and providing a sinking fund for the redemption of said Refunding Bonds; provided, that during any calendar year any surplus available in the interest and sinking fund account; after allowing for the matured interest coupons pertaining to said Refunding Bonds, and after setting aside sufficient funds to pay all coupons maturing that year, the surplus funds in said account shall be used for the purchase of the Refunding Bonds in the open market at the best prices obtainable at not more than par and accrued interest, and any of such bonds so purchased shall be cancelled. It shall be the duty of the Commissioners' Court to ascertain not later than April 1st of each year if any surplus shall be available for this purpose, and if so, shall designate a date at which time it will receive sealed tenders of bonds of this issue and act upon such offers in open session. A Notice stating the amount of funds on hand available for the purpose and advising that on a day certain, which shall not be less than fifteen (15) nor more than twenty (20) days from the date of the mailing or publication of the notice, the Commissioners' Court will receive offers and will purchase so many bonds as the then excess funds on hand will permit at the lowest price or prices offered at less than par and accrued interest, shall be mailed to The Dunne-Israel Company, Wichita, Kansas, and shall be published if said Commissioners' Court deems publication advisable. At the time and place specified in such notice the offers made shall be publicly considered, and the Commissioners' Court may accept so many of the bonds offered at the lowest price or prices as the excess

funds on hand available for the purpose will permit. All bonds and appurtenant coupons so purchased shall be forthwith cancelled and retired. If the Commissioners' Court shall reject all offers it shall then proceed to call and cancel a sufficient amount of bonds to absorb such surplus funds at par and accrued interest, as hereinabove provided.

XVI.

IT IS FURTHER ORDERED by the Court that a tax of and at such rate as is necessary, requisite and sufficient in amount to fully make, raise and produce the annual interest and sinking fund requirements of Sabine County, Texas, Road District No. 12 Refunding Bonds, Series 1941, shall be annually levied on each \$100.00 valuation of taxable property in said Road District No. 12 of Sabine County, Texas, and shall be annually assessed and collected and placed in the interest and sinking fund account for said Refunding Bonds. That in the year 1941 and in each succeeding year while any of said bonds or interest thereon is outstanding and unpaid, and at the time other County taxes are levied, a tax rate based upon the latest approved tax rolls of the District shall be calculated, and said rate, requisite and sufficient to fully make, raise and produce in each of said years a sum of money necessary to pay interest and to create the necessary sinking fund for the redemption of said bonds at maturity, shall be levied, assessed and collected, and said tax so found to be necessary is hereby ordered to be levied and is hereby levied, and shall be assessed and collected and applied to the purposes named; provided, however, that said tax shall never be less than Seventy-five Cents (\$.75) on each \$100.00 valuation of taxable property within said District so long as any of said bonds or interest thereon are outstanding and unpaid.

XVII.

IT IS FURTHER ORDERED that the County Judge of Sabine County, Texas, be authorized to take and have charge of all necessary records pending investigation by the Attorney General of the State of Texas, and shall take and have charge and control of the bonds herein authorized pending their approval by the Attorney General and registration by the Comptroller of Public Accounts of the State of Texas.

The above order having been read, the County Judge put the motion of Commissioner Speights to a vote, and such motion carried by the following vote: Commissioners Speights, Ener, Carter, and Arnold voting "AYE", and none voting "NO".

PASSED AND APPROVED, this the 17 day of May, 1941.

(Seal)

Chas. Forse
COUNTY JUDGE, SABINE COUNTY, TEXAS

D. B. Speights
COMMISSIONER OF PRECINCT NO. 1.

J. T. Ener
COMMISSIONER OF PRECINCT NO. 2

G. B. Carter
COMMISSIONER OF PRECINCT NO. 3

T. L. Arnold
COMMISSIONER OF PRECINCT NO. 4

Attest:

Mrs. Myrtle Arnold
COUNTY CLERK

This being all the business, Court adjourned.

Chas. Forse
County Judge

Commissioner of Precinct No. 1

Commissioner of Precinct No. 2

Commissioner of Precinct No. 3

Commissioner of Precinct No. 4

Attest:

Mrs. Myrtle Arnold
Clerk of Court