

November 24, 1942

Minutes of the Three Hundred and Twenty-Fifth Meeting (a Regular Meeting) of the Highway Commission held in the State Highway Building at Austin, Texas, with the following members present:

Brady Gentry	Chairman
Reuben Williams	Member
D. C. Greer	State Highway Engineer

19716 It is ordered by the Commission that a Regular Meeting of the State Highway Commission be opened at 9:30 A. M., November 24, 1942.

19717 It is ordered by the Commission that each of the following contracts having been examined by the Highway Commission and it being found that it complies with the order of award of the Commission is hereby approved in accordance with Section 12, Chapter 186, General Laws of Texas as passed by the 1925 Legislature, 39th Regular Session.

COUNTY	PROJECT NO.	LENGTH	DATE AWARDED	CONTRACTOR	AMOUNT
Dallas	SN-A-FAP 634-F (1)	7.097	10-14-42	Ernest Loyd	\$ 35,450.72
Bastrop	AW-FAP 488-B (1)	4.924	10-14-42	Ben Sira and Company	123,298.19
Webb	DAWR 44-A(1)	2.976	10-16-42	H. B. Zachry	68,500.96

19718 It is ordered by the Commission that the following lease agreements executed by the State Highway Engineer are hereby approved:

COUNTY	LOCATION	USE	CONSIDERATION	LEASED FROM	PERIOD
Karnes	At Hobson	Storage Site	\$12.00 a year	Southern Pacific Lines	3 years
Karnes	At Runge	Storage Site	12.00 a year	Southern Pacific Lines	3 years
Karnes	At Green	Storage Site	12.00 a year	Southern Pacific Lines	3 years
Karnes	At Karnes City	Asphalt Storage Tank Site	12.00 a year	Southern Pacific Lines	3 years
Karnes	At Kenedy	Storage Site	12.00 a year	Southern Pacific Lines	3 years
Runnels	At Ballinger	Roadside Park Site	1.00 a year	Estes M. Lynn	10 years

19719 In the following counties an appropriation of \$121,000.00 Defense Access and State funds is hereby made for the construction by day labor methods of the projects listed below under the authority as shown:

COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Webb	DAWR 53-A (1)	M.R.	15.686	Gr., Strs. & Roadbed Treatment	Laredo Army Gunnery School TO: And Along Army Gunnery Range	\$ 80,000.00
Tyler	L-213-6-5	190	7.223	Clearing & Grubbing	3.6 Mi. W. of Woodville TO: Polk Co. Line	41,000.00
					Total,	\$ 121,000.00
					A.F.E. 42-291	

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19720

In the following counties an appropriation of \$147,500.00 of State funds is hereby made in amounts shown opposite the project number for the construction by the Day Labor method under the authority as shown:

COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Collin	L-280-2-8	78	0.548	Reconst. of Timber Br.	Blue Ridge TO: Farmersville	\$ 56,500.00
Coleman	L-437-5-5	183	15.858	Flex.Base & Single Asph. Surf.	U.S. 84 & 206 N. of Coleman TO: Callahan Co. Line	87,000.00
Milam	L-262-1-6	190	-	Timber Structure	Walkers Creek))4,000.00
	L-262-1-5	190	-	Timber Structure	Balmenia Creek	
	L-262-2-4	190	-	Timber Structure	Branchville Creek)	
TOTAL,						\$ 147,500.00
<u>A.F.E. 42-292</u>						

19721

In the following Counties an appropriation of \$96,600.00 Defense Access and State funds is hereby made for the construction by day labor methods of the projects listed below under the authority as shown:

COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Brewster	DARM 58-A(1)	M.R.	14.00	Grading	Terlingua (Jct. Spur 121) TO: Presidio Co. Line	\$ 24,000.00
Presidio	DARM 58-A(1)	M.R.	3.50	Grading	Brewster Co. Line TO: Fresno Mine	6,000.00
Runnels	L-650-3-3	FM 70	9.0	Single Asphalt	5 Mi. W. of Winters TO: Wingate	5,000.00
Runnels	L-650-4-3	FM 70	7.5	Gr., Strs. & Single Asph.	5 Mi. E. of Winters TO: Crews	20,000.00
Cherokee	L-58-4-4	294	6.804	Clearing, Grubbing, & Small Structures	Neches River TO: Point 5 Mi. West of Alto	41,000.00
Lamar	DAWR 40-A(1)	M.R.	0.891	Grading, Culverts, & Concrete Pavement	US Hwy. No. 271 TO: U.S. Army Air Support Base	600.00
TOTAL,						\$ 96,600.00
<u>A.F.E. 42-293</u>						

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The following agreements supplemental to contracts previously approved and entered into, having been examined and the terms and conditions having been found satisfactory, and it appearing that an additional appropriation of funds will not be required, are hereby approved:

ERATH COUNTY, FAP 1048-B, Morgan Construction Company, Contractors, providing for the added items of flexible base in stock pile at 20¢ per cubic yard and aggregate in stock pile at \$3.00 per cubic yard, also for elimination of the items of dry rip rap type "A", common mortar rip rap, concrete curb and gutter and timber post guard fence.

GONZALES COUNTY, SN-FAP 68 & 68-B, Purvis & Bertram, Contractors, providing for omission of bridge name plates and culvert markers with reduction in unit price on bridge railing from \$4.25 to \$4.233 per lin. ft.; estimated decrease in cost \$59.21.

BEXAR COUNTY, DAWR 3-B, Holland Page, Contractor, providing for the added items of flexible base at 73¢ per cu. yd., grouted rip rap, type "A", at \$6.00 per cu. yd., and concrete curb and gutter at \$1.70 per lin. ft.; no increase in cost as these items were originally included in contract with Dean Word.

BROWN COUNTY, DAWR 5-A, Harry Campbell, Contractor, providing for the substitution of cast iron for cast steel bearing plates and for the substitution of built-up girder for one of the I-beams in overpass structure, with reduction in unit price on structural steel from 12¢ to 11.15¢ per pound; estimated decrease in cost \$366.94.

19723

In CHAMBERS COUNTY on STATE HIGHWAY 61, it is ordered by the Commission that an appropriation of \$2,542.67 be and is hereby made to supplement funds previously appropriated for Project M-242-3-13 which extends from 2.315 miles north of the junction of 73-T and State 61 to 3.104 miles west of the junction, a distance of 4.823 miles.

A.F.E. 42-294

19724

In DALLAS COUNTY, on Control L-524-1-3, STATE HIGHWAY 246, the cost of grading, structures and concrete pavement will exceed the original appropriation of funds due to the increases in quantities and prices and an additional appropriation of \$24,000.00 is hereby made to permit the project to be satisfactorily completed.

A.F.E. 42-295

19725

In EL PASO COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access for Fort Bliss and in the furtherance of Highway Department cooperation with the war effort, it is ordered that a War Highway be designated extending from U. S. Highway 54 to the New Mexico State Line, a distance of 9.2 miles. This designation is made with the understanding that expenditures that may have been made by the County between the highway termini herein assumed for State maintenance prior to construction of the road facility that is herein assumed for maintenance whether such County expenditures were made by cash, bonds, or warrants, are not expected to be assumed by the State and paid in any manner from revenues derived from State Gasoline Tax, all based upon the purpose of this designation for State maintenance which is in the form of State cooperation with the war effort to maintain the recently constructed military access road facility and does not include State maintenance of any road facility that may have been constructed prior thereto. An appropriation of \$1,300.00 is hereby made for maintenance

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of this War Highway for the remainder of the fiscal year. This designation and assumption of maintenance shall become effective the date of this Commission Order and shall extend for the duration of the war and six months thereafter, resulting in an automatic cancellation of the designation and ending of State Highway Department maintenance at the expiration of such period unless cancelled prior to such date or extended beyond such date by official action of the Highway Commission based upon conditions that may arise in the future.

A.F.E. 42-296

19726

In GRAYSON COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access for Camp Perrin and in the furtherance of Highway Department cooperation with the war effort, it is ordered that a War Highway be designated extending from Camp Perrin east to U. S. Highway 75, a distance of approximately 5.4 miles. This designation is made with the understanding that expenditures that may have been made by the County between the highway termini herein assumed for State maintenance prior to construction of the road facility that is herein assumed for maintenance, whether such County expenditures were made by cash, bonds, or warrants, are not expected to be assumed by the State and paid in any manner from revenues derived from State Gasoline Tax, all based upon the purpose of this designation for State maintenance which is in the form of State cooperation with the war effort to maintain the recently constructed military access road facility and does not include State maintenance of any road facility that may have been constructed prior thereto. An appropriation of \$1,250.00 is hereby made for maintenance of this War Highway for the remainder of the fiscal year. This designation and assumption of maintenance shall become effective the date of this Commission Order and shall extend for the duration of the war and six months thereafter, resulting in an automatic cancellation of the designation and ending of State Highway Department maintenance at the expiration of such period unless cancelled prior to such date or extended beyond such date by official action of the Highway Commission based upon conditions that may arise in the future.

A.F.E. 42-297

19727

In HOPKINS COUNTY, since appropriate action as required by Highway Commission Minute No. 19707, has been taken by the authorized officials of Hopkins County, as evidenced by the certified copy of resolution attached to the original copy of this Minute, on file with the records of the Highway Commission at Austin, it is ordered that the provisions of said Highway Commission Minute No. 19707, relating to the designation, etc. of a Farm Highway, extending from State Highway 154 near Birthright, to Sulphur Bluff, a distance of approximately 12.5 miles, be and are hereby made operative. It is further ordered that the provisions of Highway Commission Minute No. 19707, relating to a project authorization and appropriation of funds, be and are hereby made operative, and that an appropriation of \$3,750.00 be and is hereby made providing for the maintenance of this section of highway for the remainder of the fiscal year. State maintenance shall become effective the date of this Commission order.

A.F.E. 42-298

19728

In JEFFERSON COUNTY on SPUR 136 from the intersection of the Port Arthur-Nederland Road to Port Neches, a distance of 3.162 miles designated under Minute 19442 dated May 20, 1942, it is ordered by the Commission that the actual official date of State assumption of maintenance was October 1, 1942.

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19729

In JEFFERSON COUNTY on STATE HIGHWAY 87, it is ordered by the Commission that an appropriation of \$18,476.56 be and is hereby made to supplement funds previously appropriated by Minute 19370 dated April 29, 1942 for base repairs on sections, additional flexible base and double asphalt surface treatment from the east city limits of Port Arthur to the Neches River bridge, a distance of 5.239 miles. This work is to be performed by the day labor method through the Maintenance Division.

A.F.E. 42-299

19730

In JEFFERSON COUNTY on U. S. HIGHWAY 96, it is ordered by the Commission that an appropriation of \$4,150.00 be and is hereby made for the purpose of constructing a concrete culvert 0.5 mile north of Port Arthur. This work is to be performed by the day labor method through the Maintenance Division.

A.F.E. 42-300

19731

In LAVACA COUNTY on Control LWR 346-6-3, STATE HIGHWAY 111, the cost of clearing and grubbing and drainage structures is increased by necessity for changing design for structures and adding stock passes, and an increased appropriation of \$2,620.61 is hereby made to permit satisfactory completion of the project.

A.F.E. 42-301

19732

In LAVACA COUNTY on Control L-346-6-4, STATE HIGHWAY 111, an initial appropriation of \$13,022.00 was set up by Minute 18378 to partially finance the cost of 10.3 miles of grading, and it appearing that additional funds are now required to permit this desirable work to proceed, an increased appropriation of \$34,000.00 is hereby made.

A.F.E. 42-302

19733

In LIBERTY COUNTY on U. S. HIGHWAY 90, it is ordered that an appropriation of \$5,904.00 be and is hereby made to supplement funds previously appropriated by Minute 18969 dated January 29, 1942 for leveling rough concrete pavement with mud jack from Liberty to Devers (sections), a distance of 12.3 miles. This work is to be performed by the day labor method through the Maintenance Division.

A.F.E. 42-303

19734

In MATAGORDA COUNTY on DAWR 48-A(1), Control L-604-1-2, Military Road, an increased appropriation of \$15,000.00 Federal Funds is hereby made to finance the cost of necessary additional work, which is due principally to storm damage.

A.F.E. 42-304

19735

In McLENNAN COUNTY, whereas Highway Commission Minute 18696 of October 8, 1941, determined and fixed the maximum, reasonable and prudent speed on the following county roads in McLennan County:

- (a) Extension of South 3rd Street beginning at a point 500' East of Gurley School to Cotton Wood Creek as 45 MPH.
- (b) The Old Dallas Road beginning at the North City Limits of Waco and extending to the North edge of Lake View as 40 MPH.

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19735 Continued --

A subsequent engineering and traffic investigation has been made in conjunction with county authorities to determine a maximum, reasonable and prudent speed under the National Speed Restrictions established by the Office of Defense Transportation and adopted by the State Highway Department.

Accordingly, the Commissioners' Court of McLennan County, State of Texas, did pass, on November 16th, 1942, a Resolution establishing speed zones on the following county roads in McLennan County:

- (1) Extension of South 3rd Street beginning at a point 500' East of Gurley School to Cotton Wood Creek as 35 MPH.
- (2) The Old Dallas Road beginning at the North City Limits of Waco, extending to the North edge of Lake View as 35 MPH.

It is ordered by the Highway Commission that the Resolution of the Commissioners' Court of McLennan County heretofore referred to establishing the 35 MPH speed zones on the specifically mentioned county roads, is approved and adopted, and that any part of Commission Minute 18696 of October 28, 1941 in conflict therewith, is abrogated and superseded.

19736

In NEWTON COUNTY on STATE HIGHWAY 87, it is ordered by the Commission that an appropriation of \$25,511.70 be and is hereby made for the purpose of improving this highway from Wiergate north to the Sabine County line, a distance of 12.6 miles, and from Bleakwood south for a distance of 13.3 miles. This work is to be performed on the day labor basis through the Maintenance Division.

A.F.E. 42-305

19737

In SCURRY COUNTY, on STATE HIGHWAY 15, it is ordered that a project be authorized and an appropriation of \$38,000.00 be and is hereby made providing for the construction of a bridge across Deep Creek in Snyder, and also providing for the construction of approximately 700 feet of pavement within Snyder, and the State Highway Engineer is directed to proceed with this construction in the most economical and feasible manner.

A.F.E. 42-306

19738

In SHACKELFORD COUNTY on Control L 11-5-12, U. S. HIGHWAY 80-A from Albany to junction with U. S. Highway 380, the cost of widening culverts will exceed the authorized funds by reason of advances in prices of labor, materials and equipment rentals and an increased appropriation of \$2,500.00 is hereby made to permit this desirable work to be carried to completion.

A.F.E. 42-307

19739

In SHACKELFORD COUNTY on Control L 11-4-6, U. S. HIGHWAY 80-A, from junction with U. S. Highway 380 to the Jones County Line, the cost of widening culverts will exceed the authorized funds by reason of advances in prices of labor, materials and equipment rentals and an increased appropriation of \$5,700.00 is hereby made to permit this desirable work to be carried to completion.

A.F.E. 42-308

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In TAYLOR COUNTY on Control L 11-1-7, U. S. HIGHWAY 80-A, from Abilene to the Callahan County Line, the cost of widening culverts will exceed the authorized funds by reason of advances in prices of labor, materials and equipment rentals and an increased appropriation of \$1,600.00 is hereby made to permit this desirable work to be carried to completion.

A.F.E. 42-309

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19741

In ANGELINA AND POLK COUNTIES, on bids received November 17, 1942, contract for construction of Concrete Pavement from the North End of Piney Creek Bridge to a point 0.46 mile North of Neches River, a distance of 5.919 miles, on U. S. HIGHWAY 59, Control 176-4-19 State, and 176-3&4-18&16, SN-FAP 271-BCD(2) & 134-C(4), is awarded to Harrison Engr. & Constr. Corporation, Kansas City, Missouri for \$177,446.20, which is the lowest and best bid, subject to the concurrence of the Public Roads Administration.

19742

In DALLAS COUNTY, on bids received November 17, 1942, contract for construction of Grading and Pipe Culverts, from 2.3 miles Southwest of U. S. 77 to the Tarrant County Line, a distance of 7.069 miles on HIGHWAY NO. 183, Control 94-3-3, SN A FAP 634-F(1), is awarded to Harry Campbell, Fort Worth, Texas, for \$105,112.20, which is the lowest and best bid, subject to the concurrence of the Public Roads Administration.

19743

WHEREAS, Captain Thomas W. Bailey, of Del Rio, who, for more than fifteen years, has served the State Highway Department with distinction as Division and District Engineer at Corpus Christi and Del Rio, departed this life on November 18th, and

WHEREAS, Captain Bailey was ever faithful to the trusts and duties imposed upon him, serving his State and the State Highway Department in an eminently satisfactory manner, and

WHEREAS, the State Highway Commission desires to record its sincere appreciation of the splendid services rendered the Department and the State of Texas by this faithful and loyal employee, and to express its sincere sympathy to his family and relatives,

NOW, THEREFORE, BE IT RESOLVED that this resolution be placed in the Official Minutes of the State Highway Commission and a copy be sent to Mrs. Bailey and family.

19744

It is hereby ordered that Mr. U. A. Young, District Maintenance Engineer, who is absent from duty because of illness, be carried on the payroll for the months of December, 1942, and January, 1943, or as much thereof as may be required.

Mr. Young has been employed by the Department approximately 16 years and this action is taken in recognition of his satisfactory work during that period.

19745

It is ordered that Miss Betty Logan, General File Clerk in the Austin Office, be carried on the payroll for the period November 22 to 30, inclusive, and the month of December, or as much thereof as may be necessary, due to serious illness. This authority is granted in recognition of Miss Logan's efficient and faithful service with the Department.

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19746

In DALLAS AND COLLIN COUNTIES, on bids received November 20, 1942, contract for driving Precast Concrete Piling, at Frisco Overpass on State Highway 183 in Dallas County, and at Panther Creek and Parvin Branch on HIGHWAY 289 in Collin County, Control 94-3-4 and 91-4-5&6, is awarded to Leston Watson, Dallas, Texas for \$6,700.00, which is the lowest and best bid.

19747

WHEREAS, Minute No. 14675, dated February 11, 1938, did create a Safety Division of the State Highway Department in order to properly carry on traffic and safety functions for the benefit of the motoring public of this state; and

WHEREAS, the records of the Department reveal that the services of this Division have been most valuable, both in engineering safety work as well as traffic statistics and safety educational work; and

WHEREAS, the advent of the war, bringing about the necessity for a thirty-five mile speed limit and gasoline rationing, thereby reducing both the speed and volume of motor traffic, has somewhat removed the necessity for this Division of work;

NOW, THEREFORE, BE IT ORDERED that the work of the Traffic and Safety Division of the Texas Highway Department be suspended effective January 1, 1943, until such time as conditions may justify the resumption of work by this Division.

19748

On the following projects on which bids were received on November 17, 1942 and on which contracts have been awarded, an initial construction appropriation of \$522,380.00 Defense Access and State funds is hereby made to be distributed to the projects listed below:

COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Kleberg	DANR 9-A(1)	N.R.	9.50	Gr., Strs., Flex. Base & Asphalt	Access Road TO: Outlying Airfield	\$ 201,400.00
Kleberg	DANR 10-A(1)	N.R.	3.079	Gr., Strs., Flex. Base & Asphalt	Access Road TO: Outlying Airfield	42,700.00
Nueces	DANR 9-B(1)	N.R.	2.984	Gr., Strs., Flex. Base & Asphalt	Access Road TO: Outlying Airfield	75,100.00
Polk	C-176-4-19	US 59	3.352	Conc. Pavement	Piney Creek Bridge TO: 2.3 Mi. S. of Neches River Br.	115,440.00
Polk	FAP 134-C(4)	US 59	2.117	Conc. Pavement	3.26 Mi. N. of Piney Creek TO: S. End Neches Br., Angelina Co. Line	70,300.00
Angelina	FAP 271-BCD(2)	US 59	0.45	Conc. Pavement	N. End Neches Br., Polk Co. Line TO: 0.46 miles Northerly	17,440.00
Total,						\$ 522,380.00

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19749

In the following counties an appropriation of \$422,300.00 of Access Defense and State funds is hereby made in amounts shown opposite the project number for the construction by the Day Labor Method under the authority as shown:

COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Jim Wells	DANR 12-A(1)	N.R.	2.134	Gr., Strs., Flex. Base & Asphalt	W. Boundary Alice Airport to U.S. Hwy. 59	\$ 33,600.00
Cooke	DAWR 36-A(1)	M.R.	5.425	Gr., Strs., Flex. Base & Asphalt	U.S. Hwy. 82 to S. Boundary of Camp Howze	192,700.00
Taylor	DAWR 57-A(1)	M.R.	6.233	Gr., Strs., Flex. Base & Asphalt	Hwy. 158 in Caps to U.S. Hwy. 80 in Tye	134,000.00
Guadalupe	L-287-2-3	80	4.8	Flex. Base & Asph. Surf.	Gonzales Co. Line TO: Caldwell Co. Line	37,000.00
Hale	L-563-6-3	F.M. 54	9.335	Grade Revision & Resectioning	U.S. Hwy. 87 TO: a Point 9.3 Mi. East	10,000.00
Matagorda	DAWR 48-A(1)	M.R.	6.731	Grading & Flex. Base	Hwy. 60 in Matagorda TO: Gulf of Mexico Beach	15,000.00
Total						\$ 422,300.00
<u>A.F.E. 42-311</u>						

19750

WHEREAS, in JEFFERSON COUNTY, the State Highway Department relocated U. S. Highway No. 69 between Beaumont and Port Arthur and constructed a new road on said location several years ago and abandoned the then existing highway between Beaumont and Port Arthur back to Jefferson County for maintenance; and

WHEREAS, the Commissioners' Court of Jefferson County has now requested the Highway Commission to give consideration to a reassumption of maintenance on said highway at this time, due to the unprecedented traffic on said road caused by the industrial development in this area; and

WHEREAS, the county indebtedness that was previously obligated on this section of road has already been assumed by the state and no additional county indebtedness is involved;

NOW, THEREFORE, BE IT ORDERED that a state highway be designated, extending from a connection with U. S. Highway No. 69 south of Beaumont and extending south through Nederland along the former location of State Highway No. 8, U. S. Highway No. 69, to a connection with State Highway No. 87 at or near Port Arthur, a distance of approximately 12.4 miles. This designated highway is to be assumed for state maintenance as of December 1, 1942, and an appropriation of \$4,000.00 is hereby made for maintenance for the balance of the fiscal year. This highway is designated in accordance with the county's request for the purpose of providing adequate maintenance on the existing facility during the period of traffic necessity brought about by the industrial development in this area, the extent and duration of such maintenance to be determined by present and future Highway Commissions as conditions may dictate.

A.F.E. 42-312

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19751

WHEREAS, in NAVARRO COUNTY, where U. S. HIGHWAY NO. 287 crosses Chambers Creek, the highway embankment approach on the east side of Chambers Creek is below high water elevation and is usually protected from overflow by the Chambers Creek Levee, which is owned and operated by Navarro County Levee Improvement District No. 8; and

WHEREAS, high waters of Chambers Creek during the past eighteen months have broken the levee in several places and have definitely indicated the necessity for the strengthening and raising of same in order to afford protection to the lands in the levee district and to the highway embankment; and

WHEREAS, it is considered that the strengthening and raising of said levee between its Stations 0 and 260 is necessary and desirable for the proper protection of U. S. Highway No. 287; and

WHEREAS, since the adoption of Minute No. 18972 on January 29, 1942, and before the work upon said levee, as contemplated by said Minute, was performed, additional breaks and damage to said levee were occasioned by floods and high water; and

WHEREAS, the cost of repairing and raising said levee as contemplated by the Minute aforesaid, as well as repairing the damage occurring to said levee since said Minute was adopted, have tremendously increased;

NOW, THEREFORE, IT IS HEREBY ORDERED that in lieu of the appropriation made by said Minute No. 18972, there is hereby made an appropriation in the sum of \$16,500.00 for the purpose of repairing the breaks in said levee and for strengthening and raising said levee between its Stations 0 and 260 to an elevation previously indicated as being necessary by the Engineering Division of the Land Office, as more particularly shown by Profile Map of said levee prepared by E. J. Von Rosenberg, Levee Engineer of the General Land Office of Texas, dated April 1941, said work involving approximately 100,000 cubic yards of embankment, including clearing and grubbing. This allocation and estimate are based upon the movement of 100,000 cubic yards of earth at 20¢ per cubic yard, plus \$2,000.00 lump sum for clearing and grubbing, making a total cost of \$22,000.00, said cost being shared 75% by the State of Texas and 25% by Navarro County Levee Improvement District No. 8.

The operation of this order is conditioned upon:

1. The Navarro County Levee Improvement District No. 8, acting through its Board of Supervisors, will pass such orders as may be necessary to indemnify the State Highway Department against any and all claims or damages by reason of the proposed work, either during or after construction operations, certified copies of said orders to be furnished to the State Highway Department.

2. The Navarro County Levee Improvement District No. 8, acting through its Board of Supervisors, agrees to maintain said levee in the future to the elevation as herein otherwise provided, and to make ample provision from year to year to guarantee such maintenance. Said District also agrees that in case of flood or other circumstances prior to the completion of the work contemplated in this minute, said Levee District shall bear the full cost of any additional work that may be found necessary. Said Levee District shall also agree that the investment made in these levees by the State Highway Department, under the provisions of this minute, shall be the complete and final investment that the Highway Department will ever make in the maintenance, construction, or reconstruction of said levees.

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