

October 30, 1942

Minutes of the Three Hundred and Twenty-Fourth 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

19661 It is ordered by the Commission that a Regular Meeting of the State Highway Commission be opened at 9:00 A.M., October 30, 1942.

19662 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
Bexar	DAWR 3-B (2) DAWR 3-D (1)	8.811	9-12-42	D. & H. Construction Co.	\$73,383.78
Bexar	DAWR 46-A(1)	2.310	9-12-42	H. L. Butler	64,017.75
Dallas	DANR 7-A (1) Contract #1	.231	9-19-42	W. S. Crawford Company	49,114.21
Dallas	DANR 7-A (1) Contract #2	.231	9-19-42	W. S. Crawford Company	77,263.30
Dallas	DANR 7-A (1)	1.651	9-24-42	Vilbig Construction Co.	201,440.40
Bee Karnes Goliad	Cont. 447-3-1 Cont. 348-3&4-9&10 Cont. 100-7-9 Cont. 270-3-16 Cont. 100-6&5-6&18 Cont. 155-3-8	70.903	9-22-42	C. Hunter Strain	33,180.29

19663 On the following project on which bids were received on October 2, 1942, and on which a contract has been awarded, an initial construction appropriation of \$135,600.00 Federal and State funds is hereby made:

COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Bastrop	AW-FAP 488-B(1)	71	4.925	Grading & Structures	Alum Creek TO: Colorado River	\$ 135,600.00

A.F.E. 42-263

19664 On the following project on which bids were received on October 9, 1942 and on which contracts have been awarded, an initial construction appropriation of \$76,350.00 Defense Access funds and State funds is hereby made to be distributed to the projects listed below:

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COUNTY	PROJECT	HWY.	LENGTH	TYPE OF CONSTRUCTION	LOCATION	AMOUNT
Webb	DAWR 44-A(1)	202	2.484	Gr., Strs., Flex. Bs. & Asph. Surf.	US Hwy. 81 at Lafayette St. TO: Quarter- masters Entrance Laredo Gunnery School	\$ 66,900.00
Webb	Cont. 542-1-2	202	0.492	Gr., Strs., Flex. Bs. & Asph. Surf.	Quartermasters Entrance Laredo Gunnery School TO: Arkansas Ave.	9,450.00
TOTAL,						\$ 76,350.00

A.F.E. 42-264

19665 In the following Counties an appropriation of \$175,850.00 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
Coke	L-454-4-1	RM 18	6.139	Gr., Strs. Flex. Base	Robert Lee TO: 6.139 Mi. Northerly	\$65,000.00
Kimble	L-149-1-3					
Kimble	L-149-2-2					
Menard	L-149-3-1					
Mason	L-149-4-2	US 183	31.94	Gr., Strs., Select Material	US 83 N. of Junction TO: Streeter	110,850.00
TOTAL,						\$ 175,850.00

A.F.E. 42-265

19666 In the following Counties an appropriation of \$93,780.00 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
Milam	L-262-1-7 L-262-2-5	US 190	5.576	Gr., Strs., Flex. Base	Mayfield TO: Branchville	\$ 38,780.00
Grimes	L-639-1-2	FM 29	10.489	Flex. Base	Iola TO: Hwy. 90, 1 Mi. W. of Singleton	55,000.00
TOTAL,						\$ 93,780.00

A.F.E. 42-266

October 30, 1942

19667

In the following Counties an appropriation of \$77,100.00 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
Harris	DAWI 55-A(1)	M.R.	0.162 Mi.	Grading & Conc. Pvt.	Japhet St. & Clinton Ave. TO: Reed Trans.Pl.Site	\$ 8,000.00
Tarrant	DAWI 52-A(1)	M.R.	3.218 Mi.	Gr.Strs.Flex. Bs.Asph.Surf.	Haslett Overpass TO: Globe Aircraft Plant.	61,100.00
Jefferson	L-28-7-7	US 90	4.418 Mi.	Mudjacking Conc. Pvt.	Beaumont to Amelia	8,000.00
TOTAL						\$ 77,100.00

A.F.E. 42-267

19668

In the following counties an appropriation of \$33,700.00 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
Bee	DANR 11-A(1)	NR	0.985	Gr.,Flex.Bs.& Asph.Surf.	Hwy. 202 TO: Beeville Airport	\$ 9,700.00
Bandera	L-291-4-4	16	18.894	Gr.,Strs.,and Flex.Base	Kerr Co. Line TO: Medina	24,000.00
TOTAL,						\$ 33,700.00

A.F.E. 42-268

October 31, 1942

19669

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
Burnet	24x70' lot on Hwy. 74 in Briggs	Sub-section Whse. & Site	\$60.00 a yr.	Mrs. J.H.Binnion	5 years
Caldwell	3,000 Sq.Ft. on right-of-way of M.K.T. Railroad near Lockhart	Storage Site	\$12.00 a yr.	Missouri-Kansas-Texas Railroad	Continuous
Hood	1-1/2 Mi.W.of Granbury, 500' S. of U.S.377	Storage Site	\$ 7.50 a yr.	Dwight Freeland	1 year

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COUNTY	LOCATION	USE	CONSIDERATION	LEASED FROM	PERIOD
Hall	In Blk No. 5 on E.Main St. in Memphis	Storage Space	\$20.00 a mo.	Alice A. Towle	1 year
Taylor	30x40' plot 10 Mi. So. of Abilene near Cedar Gap	Dynamite Storage Site	\$50.00 a yr.	Bernard Hanks	5 years
San Saba	S.E. corner of Blk 26 in San Saba 120x120'	Section Whse. Site	\$60.00 a yr.	T. A. Murray, Jr.	1 year
Hunt	On right-of-way of T.&N.O. Ry.	Storage Site	\$12.00 a yr.	Texas & New Orleans Railroad	3 years

19670

It is ordered by the State Highway Commission that an appropriation be made to cover the purchase of the following equipment:

From Southern Specialty Sales Company, Inc., New Orleans, Louisiana			
1 Cooper Heavy Duty Imperial Motor Driver Lawn Mower, F.O.B. San Angelo, Texas,	Net Price	\$	335.00
Less allowance on trade in of:			
1 Eclipse Power Lawnmower, State #10977, Serial #14324	Allowance		17.50
	NET DIFFERENCE	\$	317.50
From Smith Motor Company, Taylor, Texas			
1 Ford 2-passenger Coupe Pickup, F.O.B. Yoakum, Texas,	Net Price	\$	995.00
Less allowance on trade in of:			
1 Chevrolet Coupe Pickup, State #4764-A, Serial #1939(3JB05)	Allowance		100.00
	NET DIFFERENCE	\$	895.00
From Machinery Sales & Supply Company, Dallas, Texas			
1 Northfield Combination Woodworking Machine, F.O.B. Austin, Texas,	NET PRICE	- -	\$ 1,175.00

S U M M A R Y

District No. 7, San Angelo, Texas	- Net Difference	\$	317.50
District No. 13, Yoakum, Texas	- Net Difference		895.00
District No. 14, Austin, Texas	- Net Price		1175.00
TOTAL - - - -			\$ 2387.50

NOTE: The "Net Difference" is the amount the Department pays out and covers the cost of the new machines, less discount and allowance on the old machines traded off. All bids received are tabulated showing the "Net Difference" price.

A.F.E. 42-269

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19671

It is ordered by the Commission that each of the following projects, having been satisfactorily completed in accordance with the plans and specifications and approved changes, is hereby accepted as recommended in the report of the Engineer, and that all moneys due on each final estimate be paid to the respective contractor.

COUNTY	PROJECT NO.	CONTRACTOR	COMPLETED
Franklin	FAP 18	Purvis & Bertram	8-14-42
Grayson	DAWR 1-A	M.E. Ruby & Wallace & Bowden	9-6-42
Hunt	CWR 203-2-3	John F. Buckner	8-14-42
Hunt	CWR 203-2-5	W. F. Armstrong & Joe Davidson	7-14-42
Erath	FAP 1048-B	Dean Word	8-18-42
Parker	FAP 132-A	Harrison Engr. & Constr. Corp.	8-4-42
Parker	Cont. 314-1-11	Southern Contracting Co.	8-6-42
Parker	Cont. 8-3-14	Southern Contracting Co.	8-6-42
Tarrant	Cont. 8-4-10	Southern Contracting Co.	8-6-42
Carson	DAWI 41-B	Bell & Braden	10-1-42
Carson	DAWI 41-C	Bell & Braden	10-1-42
Gray	FAGM 146-A	Bell & Braden	8-8-42
Potter	DAWI 41-A	Bell & Braden	10-1-42
Potter	DAWI 41-D	Bell & Braden	10-1-42
Briscoe	Cont. 303-2-4	J. E. & Harry Barnhill	9-12-42
Castro	Cont. 226-6-2	J. E. & Harry Barnhill	9-23-42
Swisher	Cont. 303-1-14	J. E. & Harry Barnhill	9-12-42
Hill	FAP 113	Cage Bros. & H. E. Williams, Inc.	9-18-42
Gregg	CWR 393-1-3	Southern Contracting Co.	8-7-42
Smith	FAP 147	Harrison Engr. & Constr. Corp	9-19-42
Smith	FAP 215-B	W. S. Crawford Co.	9-3-42
Wood	FAP 215	W. S. Crawford Co.	9-3-42
Cherokee	CWR 450-3-3	E. W. Hable	11-19-41
Nacogdoches	CWR 450-4-7	E. W. Hable	7-11-42
Polk	FAP 134-B	Austin Road Co.	8-19-42
Polk	Cont. 213-3-10	Ben Sira & Co.	8-8-42
Rusk	CWR 450-2-2	E. W. Hable	11-19-41
San Jacinto	213-2-8	Ben Sira & Co.	8-8-42
Galveston	Cont. 389-6-3	R. B. Smith, Inc.	7-12-42
Harris	FAP 519-A	Harrison Engr. & Constr. Corp.	9-19-42
Wharton	Cont. 89-8-9	Cage Bros. & H. E. Williams, Inc.	8-12-42
Wharton	Cont. 89-7-21	Cage Bros. & H. E. Williams, Inc.	8-12-42
Bexar	DAWR 25-A	H. L. Butler	8-10-42
Wilson	FAP 434-A	Ernest Loyd	9-25-42
Wilson	Cont. 328-2-4	Ernest Loyd	9-25-42
Nueces	DANR 1-A	Brown & Root, Inc.	7-20-42
Dallas	FAP 634-D	R. R. Tway	9-24-42
Navarro	FAP 605-E	M. E. Ruby & Wallace & Bowden	8-8-42
Cameron	DAWR 21-A	Cage Bros. & L. A. Turner	8-14-42
El Paso	FAP 439-H	Austin Road Co.	8-14-42
Presidio	CWR 104-8-4	Ernest Loyd	7-2-42

19672

The following agreements supplemental to contracts previously approved and entered into, have 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:

HOPKINS COUNTY, CWR 108-9-1, K & S Construction Company, Contractors, providing for the elimination of the items of asphalt OA-135 and aggregate from the contract with no change in unit prices on work performed.

HALE COUNTY, Controls 67-5-8 and 67-6-4, Ernest Loyd, Contractor, providing for the elimination of the items of asphaltic material (RO-3) and native sand from the contract, with no change in unit prices on work remaining to be done.

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19672 Continued - HARRIS COUNTY, SN-FAP 512-B&J, Harrison Engineering & Construction Corporation, Contractors, providing for placing of mulch sodding 2 1/2" thick at unit price of 44¢ per cubic yard as a substitute for the spot sodding shown by plans, the project cost to remain unchanged.

HARRIS COUNTY, SN-FAP 512-J, Harrison Engineering & Construction Corporation, Contractors, providing for substitution of concrete box culvert for metal pipe culvert, Contractors to be paid the lump sum of \$476.33, this being the estimated cost of pipe culvert at bid prices.

HARRIS COUNTY, SN-FAP 512-B, Harrison Engineering & Construction Corporation, Contractors, providing for omission of concrete pavement from 4,694.4 feet of project, with no change in unit prices on work performed; estimated reduction in cost \$18,215.50.

BEXAR COUNTY, DAWR 3-B and 3-D, D & H Construction Company, Contractors, providing for flux content of 5% to 7% for asphaltic concrete pavement instead of 6% to 8% as required by original contract, the unit price on asphaltic concrete pavement being reduced from \$5.50 to \$5.45 per ton; estimated reduction in cost \$502.65.

KLEBERG COUNTY, Control 102-4-6, C. Hunter Strain, Contractor, providing for the added item of unloading, hauling and stock piling aggregate at unit price of \$1.20 per cubic yard; estimated cost of additional work \$36.00.

BEE COUNTY, Control 447-3-1, C. Hunter Strain, Contractor, providing for the added item of unloading, hauling and stock piling aggregate at unit price of \$1.20 per cubic yard; estimated cost of additional work \$36.00.

NUECES COUNTY, DANR 3-B, Heldenfels Bros., Contractors, providing for increased quantities of asphalt and aggregate at bid price and for the added item of approximately 6,000 cubic yards of common channel excavation at unit price of 30¢ per cubic yard; estimated cost of additional work \$3,344.00.

DALLAS COUNTY, DANR 4-A, Harrison Engineering & Construction Corp., Contractors, providing for the construction of grading, drainage structures and concrete pavement on DAWI 57, Dallas County, and establishing unit prices of \$3.00 per cubic yard on block sodding and \$1.75 per lin. ft. on relaying culvert pipe over 18" diameter, all other items to be performed at original contract prices; estimated cost of additional work \$54,809.86.

LAMPASAS COUNTY, Controls 231-1-7 and 273-1-5, John F. Buckner Contractor, providing for the substitution of cast iron for cast steel bearing plates with reduction in unit price from 21¢ to 16¢ per pound; estimated decrease in cost \$1,024.20.

19673

In BEXAR COUNTY on LOOP 13 from 1.307 miles south of U. S. Highway 90 to the junction of U. S. Highway 90, a distance of 1.307 miles, designated by Minute 18758 dated November 24, 1941, it is ordered by the Commission that the actual official date of State assumption of maintenance was October 16, 1942.

19674

In BRAZORIA COUNTY, on STATE HIGHWAY NO. 288, since the City of Freeport has indicated its desire for street improvement, extending from Magnolia easterly along First Street to Hickory Street, and southerly along Hickory Street from First to Second Street, a distance of approximately 0.2 miles, on the basis that the City will provide all

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19674 Continued --

grading, drainage structures, and facilities, curbs, gutters, utility adjustments, right of way, etc., all as may be required, and will require parallel parking in the area, and that the State Highway Department, in proper sequence, will provide for the pavement between the above stated limits to a width not less than 40 feet, and since this appears to be a desirable street and highway improvement, it is ordered that a project be and is hereby authorized, providing for the surfacing of State Highway No. 288, extending along First Street and Hickory Street, in the town of Freeport, a distance of approximately 0.2 miles, at an approximate cost of \$15,000.00 for the State's portion of the work described above, and the State Highway Engineer is directed to consummate negotiations with the City of Freeport on the basis given above, such negotiations being consummated in a fashion that Federal regulations will be clearly understood as they affect the Department's and the City's ability to proceed with this construction.

19675

In CALHOUN COUNTY, on STATE HIGHWAY 35, it is ordered that a project be authorized providing for the rehabilitation of the Lavaca Bay Causeway and approaches, at an estimated total cost of \$600,000.00, and the State Highway Engineer is directed to make proper submission to the Public Roads Administration for the addition of this project to the 1943 Federal Aid Program.

19676

In CALHOUN, JACKSON, AND MATAGORDA COUNTIES, it is ordered by the Highway Commission that the State Highway Engineer be directed to make application to the Public Roads Administration to modify the description of the Federal Aid Highway System to include the following described Highway as a part of the Federal Aid Highway System of Texas.

From an intersection with Federal Aid Route No. 28 at Port Lavaca, along State Highway No. 35 to an intersection with Federal Aid Route No. 54 west of Palacios.

19677

In GALVESTON COUNTY on Control L-367-4-8, STATE HIGHWAY 87, an increased appropriation of \$2,800.00 is hereby made to finance the cost of necessary additional protection against storm damage at the Bolivar Ferry landing.

A.F.E. 42-270

19678

In HOPKINS COUNTY on STATE HIGHWAY 19 from the junction of U. S. Highway 67 (0.68 mile west of the west city limit of Sulphur Springs) to 1.0 mile north of the Hopkins-Rains County line, a distance of 10.86 miles, designated under Minute 17204 dated April 15, 1940, it is ordered by the Commission that the actual official date of State assumption of maintenance was October 3, 1942.

19679

In JOHNSON COUNTY on LWR 259-5-6, U. S. HIGHWAY 67, the cost of grading, drainage structures, flexible base, and asphalt surfacing will exceed the available funds due to increases in quantities and prices and to inability of the Work Projects Administration to participate to the extent contemplated, and an additional appropriation of \$45,640.00 is hereby made to permit completion of the project as planned.

A.F.E. 42-271

October 31, 1942

19680

In JONES COUNTY on U. S. HIGHWAY 277, it is ordered that an appropriation of \$5,100.00 be and is hereby made to supplement funds previously appropriated by Minute 19480 dated June 23, 1942 for leveling rough concrete pavement with mud jack from 1.5 miles southwest of Stamford to the junction with U. S. Highway 83 north of Anson, a distance of 12 miles. This work is to be performed by the day labor method through the Maintenance Division.

A.F.E. 42-272

19681

WHEREAS, LEON COUNTY and the Texas Highway Commission entered into an agreement as expressed by the conditions of Highway Commission Minute No. 17865, wherein Leon County agreed to and later did place in escrow funds derived from the sale of bonds voted in Leon County prior to January 2, 1939, to be used by the Texas Highway Department in the construction of highways in Leon County, and

WHEREAS, these bonds were issued with the first interest coupon becoming due December 1, 1942, it being understood that the funds derived therefrom would be utilized so that the bonds would become the obligation of the Board of County and District Road Indebtedness, prior to December 1, 1942, and

WHEREAS, subsequent to the above action, the United States has become involved in warfare necessitating an unavoidable delay in the proposed highway construction and expenditure of said funds, so that the County will be involved in this first payment due December 1, 1942;

NOW, THEREFORE, it is ordered by the Texas Highway Commission that Leon County be permitted to withdraw funds in the amount of \$17,000.00 from said escrow account to provide for the payment of that portion of the interest coupons remaining the obligation of Leon County that will be due December 1, 1942, and the State Highway Engineer is directed to consummate negotiations regarding this matter, it being clearly understood that this action is taken to provide an equitable adjustment of the original agreement, with the provision that no further funds will be withdrawn from the escrow account for this purpose and that Leon County shall arrange its budget for other type financing to provide for future servicing of these bonds, as long as existing conditions and circumstances prevail. The conditions of this order shall not become effective until accepted in full without modification by appropriate resolution duly executed by the authorized officials of Leon County and placed on file in the records of the Highway Department at Austin, Texas.

19682

In LIBERTY COUNTY, on STATE HIGHWAY 146, it is ordered by the Commission that an appropriation in the amount of \$3,990.00 be and is hereby made for the purpose of placing sod and ditch retards to prevent soil erosion between a point 4.4 miles north of Moss Hill to 13.48 miles north of Moss Hill. This work is to be performed on the day labor basis through the Maintenance Division.

A.F.E. 42-273

19683

In NOLAN COUNTY on U. S. HIGHWAY 80, it is ordered by the Commission that an appropriation of \$14,630.00 be and is hereby made for the purpose of leveling rough concrete pavement with mud jack from Bitter Creek, 6 miles east of Sweetwater to the Taylor County line, a distance of 8.8 miles. This work is to be performed by the day labor method through the Maintenance Division.

A.F.E. 42-274

October 31, 1942

19684

In NUECES COUNTY on DANR 3-B(1), Control 916-14-2, NAVAL ROAD, an increased appropriation of \$30,600.00 is hereby made to finance cost of additional work requested by Naval authorities and approved by Public Roads Administration for 100% Federal participation.

A.F.E. 42-275

19685

It is hereby ordered that the Governor be requested to execute a deed reconveying certain land previously secured but no longer needed for Highway purposes, as follows:

ORANGE COUNTY, HIGHWAY U. S. 90 (3). Reconvey to Joe Miller and Etta Miller, Individually and as Independent Executors of Estate of L. Miller, Deceased, -the present survivors of defendants named in condemnation suits, No. 1351, Vol. D, Page 474, and No. 1352, Vol. D, Page 475, Civil Minutes - all right-of-way secured for the State of Texas by said condemnation suits 1351 and 1352.

19686

In PALO PINTO COUNTY on STATE HIGHWAYS 16 and 254, from a point near the Possum Kingdom Dam to the junction with U. S. Highway 281, a distance of 26.858 miles, designated by Minute 17501 dated July 1, 1940, it is ordered by the Commission that the actual official date of State assumption of maintenance will be November 1, 1942.

19687

In POLK AND ANGELINA COUNTIES, since construction of grading and structures on the section of U. S. HIGHWAY 59 extending from a connection with the present road near Piney Creek north a distance of 6.16 miles to a point 0.46 miles North of the Neches River is nearing completion, and since program provisions for surfacing have been made for only the section extending from 3.26 miles north of Piney Creek to 0.46 Mi. North of the Neches River, this work being included in the 1942 Federal Aid Program with State and Federal funds in the amount of \$70,600.00 now under project agreement, and since the improvements now under construction cannot be fully utilized by traffic until the entire length is surfaced, it is ordered by the Commission that construction of surfacing on the section extending from Piney Creek north 3.26 miles be authorized and that the program allotment of \$70,600.00 be increased to \$207,000.00 in order that a complete and usable facility may be provided. The State Highway Engineer is directed to proceed with this construction in the most economical and feasible manner.

19688

In RED RIVER COUNTY on STATE HIGHWAY 37 from 2.9 miles south of Red River to 8.36 miles north of the north city limit of Clarksville, a distance of 5.869 miles designated under Minute 14507 dated December 20, 1937, it is ordered by the Commission that the actual official date of State assumption of maintenance was September 14, 1942.

19689

In VAL VERDE COUNTY, on U. S. HIGHWAY NO. 277, it is ordered that a project be authorized and an appropriation of \$75,000.00 be and is hereby made providing for the construction of grading, drainage structures, and surfacing, extending from 1.5 miles north of Vinegarone to 6.1 miles south of the Edwards County line, a distance of approximately 4.2 miles, and the State Highway Engineer is directed to proceed with this construction in the most economical and feasible manner.

A.F.E. 42-276

19690

In WISE COUNTY, on LWR 13-6-10, U. S. HIGHWAY 81, an additional appropriation of \$7,400.00 is hereby made to finance an increase in State cost brought about by inability of W.P.A. to supply labor as contemplated.

A.F.E. 42-277

October 31, 1942

19691

In WISE COUNTY, on Control 352-1-4, STATE HIGHWAY 114, the cost of grading, structures, flexible base and asphalt surfacing will exceed the original appropriation of funds due principally to increase in haul on flexible base and price advances, and an additional appropriation of \$26,600.00 is hereby made in order that construction may be carried to completion as designed.

A.F.E. 42-278

19692

It is ordered by the Commission that \$5,000.00 be and the same is hereby appropriated for the purpose of paying court costs, witness fees and other proper expenses, including the traveling expenses of representatives of the Attorney General, necessary to the prosecution or defense of suits and claims involving this Department.

This appropriation is in conformity with Opinion Number O-2258, dated May 31, 1940.

A.F.E. 42-279

19693

It is hereby ordered that Mr. C. R. Brooke, Bridge Foreman, who is absent from duty because of illness, be carried on the payroll for the months of November and December, or as much thereof as may be required.

Mr. Brooke has been with the Department approximately 15½ years and this action is taken in recognition of his satisfactory work during that period.

19694

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 October and November, 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.

19695

In BASTROP COUNTY, on bids received October 2, 1942, contract for construction of Grading and Structures, from Alum Creek to Colorado River at Smithville, a distance of 4.925 miles, on HIGHWAY NO. 71, Control 265-5-12, AWFAP 488-B(1), Cont. 1, is awarded to Ben Sira & Company, Dallas, Texas, for \$123,298.19, which is the lowest and best bid, subject to the concurrence of the Public Roads Administration.

19696

In DALLAS COUNTY, on bids received September 22, 1942, contract for construction of Grading, Small Structures, and Concrete Pavement, from Blue Cut Road to Naval Station Road, a distance of 1.651 miles on HIGHWAY N.R., Control 918-17-2, DANR 7-A(1), is awarded to Vilbig Construction Company, Dallas, Texas, for \$201,440.40, which is the lowest and best bid, subject to the concurrence of the Public Roads Administration.

19697

In DALLAS COUNTY, on bids received October 2, 1942, contract for construction of Concrete Box Culverts, from a point 2.3 miles Southwest of U.S. 77 to Tarrant County Line, a distance of 7.097 miles on HIGHWAY NO. 183, Control 94-3-5, SN-A-FAP 634-F(1), is awarded to Ernest Loyd, Fort Worth, Texas, for \$35,450.72, which is the lowest and best bid, subject to the concurrence of the Public Roads Administration.

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19698

In WEBB COUNTY, on bids received October 9, 1942, contract for construction of Grading, Structures, Flexible Base and Asphalt Paving, using Hot Mix Asphaltic Concrete, Type "D", from U. S. Hwy. 81 at La Fayette Street in Laredo to Laredo Army Gunnery School, a distance of 2.976 miles, on HIGHWAY NO. 202 and M.R., Control 542-1-1&2, DAWR 44-A (1), is awarded to H. B. Zachry Company, San Antonio, Texas, for \$68,500.96, which is the lowest and best bid, subject to the concurrence of the Public Roads Administration.

19699

WHEREAS, in CALHOUN COUNTY, the State Highway Commission has received a request from Brigadier General H. C. Allen, A.U.S., Commanding, that that portion of STATE HIGHWAY NO. 316 from LaSalle Monument to a point approximately two miles northwest be closed to all except military traffic and such other traffic as the Commanding Officer of the army camp north of LaSalle Monument determines as consistent with the military requirements for firing and training being conducted in that vicinity, and

WHEREAS, an investigation by the District Engineer of the Highway Department indicates that there is very little or no traffic other than military traffic using this section of highway,

IT IS THEREFORE ORDERED by the State Highway Commission that Brigadier General Allen be advised that the Highway Department is glad to cooperate in this matter and will offer no objection to the closing of that section of Highway No. 316 from LaSalle Monument to a point approximately two miles northwest by the army authorities for the duration.

19700

In BELL COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Camp Hood, and in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway be designated extending from junction of U. S. Highway 190 north to Main Entrance of Camp Hood, a distance of approximately 0.1 mile. 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 co-operation with the war effort to maintain the recently constructed military access facility and does not include State maintenance of any road facility that may have been constructed prior thereto. An appropriation of \$100.00 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 cancelation of the designation and ending of State Highway Department maintenance at the expiration of such period unless canceled 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. 42-280

19701

In BEXAR COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Camp Bullis, and

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19701 Continued --

in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway be designated extending from junction U.S. Highway 87 east to Main Entrance of Camp Bullis, a distance of approximately 1.2 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 co-operation 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 \$400.00 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 cancelation of the designation and ending of State Highway Department maintenance at the expiration of such period unless canceled 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. 42-281

19702

In GALVESTON COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Camp Wallace and in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway be designated extending from State Highway 6 to Main Entrance of Camp Wallace, a distance of approximately 0.6 mile. 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 co-operation 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 \$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 cancelation of the designation and ending of State Highway Department maintenance at the expiration of such period unless canceled 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. 42-282

19703

In HARRIS COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Todd Shipbuilding Plant, and in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway be designated extending

(Continued on next page)

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19703 Continued --

from junction State Highway 225, approximately 1.5 miles east of Pasadena, to the Plant site, a distance of approximately 1.9 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 co-operation 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 \$800.00 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 cancelation of the designation and ending of State Highway Department maintenance at the expiration of such period unless canceled 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. 42-283

19704

In LUBBOCK COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Lubbock Advanced Flying School and in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway be designated extending from junction of U. S. Highway 290, approximately 9.5 miles west of Lubbock, north to Main Entrance of School, a distance of approximately 1.1 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 co-operation 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 \$300.00 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 cancelation of the designation and ending of State Highway Department maintenance at the expiration of such period unless canceled 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. 42-284

19705

In MAVERICK COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Air Force Training School north of Eagle Pass, and in the furtherance of Highway Department

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19705 Continued --

co-operation with the war effort, it is ordered that a War Highway be designated extending from junction State Highway 85, approximately 10 miles north of Eagle Pass, north to Main Entrance of Training School, a distance of approximately 1.0 mile. 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 revenue derived from State Gasoline Tax, all based upon the purpose of this designation for State maintenance which is in the form of State co-operation 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 \$200.00 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 cancelation of the designation and ending of State Highway Department maintenance at the expiration of such period unless canceled 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. 42-285

19706

It is hereby ordered that the Governor be requested to execute a deed conveying certain land previously secured but no longer needed for Highway purposes, as follows:

ROBERTSON COUNTY, U. S. HIGHWAY 190. Convey to Robertson County a part of the right-of-way conveyed to the State by Carlo Cotropia et al by deed dated February 1, 1939, Vol. 118, Page 608.

19707

In HOPKINS COUNTY, it is ordered that a Farm Highway be and is hereby designated with maintenance to be assumed by the State extending from State Highway 154 near Birthright to Sulphur Bluff, a distance of approximately 12.5 miles. It is further ordered that a project be authorized and an appropriation of \$72,000.00 be and is hereby made providing for the construction of grading, drainage structures and surfacing, extending from State Highway 154 near Birthright to Sulphur Bluff, a distance of approximately 12.5 miles, and the State Highway Engineer is directed to proceed with this construction in the most economical and feasible manner, it being understood by all parties concerned that such construction shall be prosecuted in accordance with Federal regulations and restrictions as they may affect this type of work, and with the further understanding by all parties concerned that no county indebtedness is outstanding and chargeable to the construction heretofore performed on this road as indicated by letter dated October 31, 1942, signed jointly by the County Judge and the County Auditor. This order of the Commission shall not become effective until accepted officially by appropriate resolution passed by the Commissioners' Court of Hopkins County, following which the State Highway Commission will pass an order confirming the County's acceptance, appropriating funds for maintenance and setting a date for State Maintenance to begin.

A.F.E. 42-286

October 31, 1942

19708

In TAYLOR COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Camp Berkeley and in the furtherance of Highway Department cooperation with the war effort, it is ordered that a War Highway be designated extending from East Boundary of Camp Berkeley East to U. S. Highway 83, approximately 7 miles south of Abilene, a distance of approximately 5.2 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 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. 42-287

19709

In CALHOUN COUNTY, on HIGHWAY 172, it is ordered by the Commission that permission be granted the U. S. Government to erect a safety and observation tower in the roadside park near Olivia, Texas, in connection with the training of troops in the use of anti-aircraft weapons, as requested by Lt. Col. Leonard M. Cowley, Corps of Engineers, Division Real Estate Director, Dallas, Texas.

19710

In McLENNAN COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Basic Training School northeast of Waco, and in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway be designated extending from junction U. S. Highway 81, approximately 4.5 miles northeast of Waco northeast to the Basic Training School, a distance of approximately 1.5 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 co-operation 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 \$400.00 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. 42-288

October 31, 1942

19711

In HIDALGO COUNTY, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to Moore Field, and in the furtherance of Highway Department co-operation with the war effort, it is ordered that a War Highway, extending from State Highway 107 at Cantu west and north to Moore Field Main Entrance, a distance of approximately 7.2 miles, be designated based upon the following conditions:

This designation is being 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 co-operation 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.

It is understood that this designation and assumption of maintenance 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 canceled 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.

This designation is not to become effective until the terms of this order have been accepted in full without modification by appropriate resolution passed officially by the Commissioners Court of Hidalgo County. Such resolution, if passed, will be accepted by the State as a full understanding of the conditions proposed and a willingness on the part of the County to grant such conditions. Upon receipt of such resolution, the State Highway Commission will pass an appropriate order giving effect to this designation and authorizing assumption of State Maintenance.

19712

In POTTER AND CARSON COUNTIES, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access from the Highway System to the Pan-Tex Ordnance Plant and in furtherance of Highway Department cooperation with the war effort, it is ordered that a War Highway be designated extending from junction with State Highway 136 east to west boundary of the Pan-Tex Plant, thence south to U. S. Highway 60, a distance of approximately 6.7 miles. This designation is made with the understanding that expenditures that may have been made by the Counties 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 \$1,700.00 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.

October 31, 1942

19713

In CALHOUN, JACKSON, AND MATAGORDA COUNTIES, in consideration of road construction performed under the supervision of the Texas Highway Department to provide road transportation access for Camp Hulen and in the furtherance of Highway Department cooperation with the war effort, it is ordered that a War Highway be designated extending from junction with State Highway 35 near Jackson-Matagorda County Line South to Well Point on Tres Palacios Bay, a distance of approximately 5.3 miles. This designation is made with the understanding that expenditures that may have been made by the Counties 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 \$1,000.00 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. 42-290

19714

WHEREAS, in ROCKWALL COUNTY, on U. S. HIGHWAY NO. 67, recent flood waters on the Trinity River and its tributaries caused the breaking of levees resulting in overflow adjacent thereto; and

WHEREAS, this highway, normally carrying 3,000 vehicles daily, remained under water 341 hours between April 20th and June 18th of this year, the route being blocked not less than seven separate times during this period, the longest extending for 57 continuous hours; and

WHEREAS, it seems evident that the highway will continue to be flooded at frequent intervals unless given protection; and

WHEREAS, Federal War restrictions on highway construction by reason of the critical materials required and heavy work involved preclude the rebuilding of the highway above high water at this time;

NOW, THEREFORE, IT IS ORDERED that the following proposal be offered to the Levee District No. 1 and to the County Commissioners' Court of Rockwall County, to become operative only in the event all conditions imposed are duly and officially accepted by the governing officials of each, confirmed by a second Highway Commission action appropriating the necessary State funds.

1. TEXAS HIGHWAY DEPARTMENT

(a) The Texas Highway Department shall make available funds for the actual cost of repair of all breaks in the levees affecting the highway upstream from the road and immediately downstream from the road, not to exceed \$12,000.00, reimbursement to be made by the Texas Highway Department to the Levee District No. 1 after the completion of the work and upon presentation of certified final official estimate, showing that work was done in accordance with plans and specifications approved by the District Office of the Texas Highway Department and that not less than 60,000 cubic yards of embankment have been placed in the repairs and breaks affected, it being clearly understood that the Texas Highway Department shall in no manner participate in the repair of breaks in the

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19714 Continued --

levee downstream other than those immediately below U. S. Highway No. 67.

(b) Upon completion and payment for the work, the Highway Department will arrange to make periodical inspections on the maintenance of the levees, filing a report with the Levee District and with the Commissioners' Court of Rockwall County on the condition of the levees as of the inspection date, these reports and inspections to be continued so long as the highway depends upon the levee for protection.

2. LEVEE DISTRICT NO. I

(a) Levee District No. 1 shall repair, or cause to be repaired to elevation and cross section comparable to adjoining sections, all breaks in levees to be paid for by the State Highway Department.

(b) It shall secure prior to the date of beginning work approval of the plans and specifications from the District Office of the Highway Department.

(c) It shall permit the Highway Department to make construction inspections as the work progresses so that the Department may certify as to the compliance with the approved plans and specifications during construction.

(d) It shall repair, or cause to be repaired, breaks in the levees, downstream from those being paid for by the State, at the discretion of the Levee District (these will not affect the highway if not repaired), it being understood that the State Highway Department will not be requested to pay any part of these particular repairs.

(e) It shall prosecute maintenance of the levees diligently, without expense to the State Highway Department, pledging itself to permit ingress and egress for Texas Highway Department maintenance inspections, and with the further pledge to correct, without expense to the State Highway Department, all deficiencies of a character other than those that might be caused by a complete break resulting from the further overflow of flood waters, such maintenance work to be done immediately upon receipt of the report or as soon thereafter as weather conditions will permit, all with the understanding that such State inspections do not transfer to the State any responsibility for the proper reporting or maintenance of the levee system.

(f) That it will lend its influence to assist the county with the right-of-way feature hereinafter made the County's responsibility.

(g) Levee District No. 1 shall pass such resolutions or sign such agreements as may be necessary in the opinion of the State Highway Department to release said State Highway Department from any and all damages occurring from or growing out of the levee repairs and other requirements of this Commission Order.

3. COUNTY OF ROCKWALL

(a) The County of Rockwall agrees to furnish such right-of-way as may be required when so requested by the Highway Department for the relocation of U. S. Highway No. 67 so that in the future when initiated by the State Highway Department this highway may be constructed above high water.

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19715

It is ordered by the Commission that the Regular Meeting of the State Highway Commission be closed at 12:30 P.M., October 31, 1942.

I hereby certify that the above and foregoing pages constitute the full, true and correct record of all proceedings and official orders of the State Highway Commission at its Three Hundred and Twenty-Fourth Meeting (a Regular Meeting) held at Austin, Texas on October 30 and October 31, 1942.

Mattie Belle Ward
OFFICIAL RECORDER

TEXAS HIGHWAY COMMISSION