

April 7, 1930

The Board of County Commissioners met in regular session for the month of April with Earl T. Black, Chairman, E. J. Hill and E. J. Kennedy, Commissioners, and the County Clerk present. The minutes of the meetings of the Board held on March 3, 5, 8, and 13, 1930 were read and approved. Claims against the county were presented and allowed as per Allowance Register.

The County Clerk was directed to issue a Refund Warrant to W. H. Webster and Foucher in the sum of \$9.62 on account of error in assessing personal property in Baldwin City when it should have been assessed in School District 87 in Palmyra township, the difference in rate being \$2.60 per hundred dollars valuation.

On motion of E. J. Kennedy, seconded by E. J. Hill, the following resolution was unanimously adopted by the Board.

RESOLUTION

BE IT RESOLVED, by the Board of County Commissioners of Douglas County, Kansas, on this 7th day of April, 1930, that Federal District Court suit #66666666 pending in the District Court of the United States for the district of Kansas, First Division, wherein the Union Pacific Railroad Company is plaintiff, and the County Commissioners of Douglas County, Kansas, is defendant, be settled and dismissed in accordance with the following stipulation:

It is hereby stipulated and agreed by and between the parties hereto that the controversy over special assessments described and referred to in the plaintiff's bill of complaint be settled by compromise on the following terms:

First: Annual assessments for a period of nine years, covering the years 1930 to 1938, inclusive, shall be levied against the Union Pacific Railroad Company as the owner of property in the Benefit District for Federal Aid Project 129-D, each annual assessment not to exceed \$429.33, which amount will be paid by the Union Pacific Railroad Company when levied. Refunds on said assessment as now provided in Section 18, Chapter 225, Laws of 1929, and/or any such refunds as may be provided by any other law on the assessments so made, shall be the property of, and shall be paid to Union Pacific Railroad Company promptly when made.

Second: The respondents herein, The Board of County Commissioners of Douglas County, Kansas, the County Clerk and the County Treasurer of Douglas County, Kansas, agree that Douglas County, Kansas, will pay the annual interest on bonds issued for or on account of the portion of the cost of said pavement assessed against property of Union Pacific Railroad Company, and will hold the Union Pacific Railroad Company harmless from liability for any interest due or to become due thereon for the year 1930 or any year thereafter.

Third: Union Pacific Railroad Company shall pay to the County Treasurer of Douglas County, Kansas, promptly, after the filing of this stipulation, the sum of \$289.79, said sum including an item of \$203.93 which is the interest for the year 1929 on bonds issued and outstanding on account of portion of the cost of said improvement assessed to Union Pacific Railroad Company, and including also an item of \$85.85 which is 20% of the principal of the assessment of special benefits assessable for the year 1929 for the year 1929 against the property of Union Pacific Railroad Company, the remaining 80% of said 1929 assessment having heretofore having been paid to Douglas County, Kansas, by the Kansas State Highway Commission. The respondents herein agree to hold the Union Pacific Railroad Company harmless against any further liability for either principal or interest or interest for the 1929 assessment aforesaid.

This stipulation and agreement shall be binding upon the complainant herein its successors and assigns, and shall further be binding upon the Board of County Commissioners of Douglas County, Kansas, the County Clerk and County Treasurer of said County in their official capacities, but not personally, and shall be binding upon the successor in office of each of said respondents.

Upon the filing of this stipulation it is agreed that the Court shall enter an order dismissing the above entitled case at the cost of complainant, Union Pacific Railroad Company.

IT IS FURTHER ORDERED BY THE BOARD, that George K. Melvin, attorney for said Board in said action, be and he is hereby given authority to sign the above stipulation on behalf of said defendant Board and to settle said action accordingly.

BOARD OF COUNTY COMMISSIONERS, DOUGLAS COUNTY, KANSAS

Earl T. Black
E. J. Hill) Commissioners
X. J. Kennedy)

Attest: C. O. Bowman, County Clerk

On motion of E. J. Hill, seconded by E. J. Kennedy, the County Clerk was directed to issue an order to the County Treasurer authorizing the transfer of \$5290.03 from the County Road Fund to U. S. 73 W Bond and Interest Account, said amount being first quarters receipts from the State Highway Commission for the year 1930.

April 9, 1930

The Board of County Commissioners met in adjourned regular session with all members and the County Clerk present. Claims against the county were allowed as per Allowance Register.

The application of Myron Theodore Spencer for admission into the State Sanatorium for Tuberculosis, Horton, Kansas, at the expense of the county was approved by the Board.

On motion of E. J. Kennedy, seconded by E. J. Hill, the County Clerk was directed to issue and order authorizing the County Treasurer to transfer \$1067.44 from Sewer District No. 1 Bond and interest account to Sewer District No. 1, Account, this sum having been advanced by the County in payment of construction of said sewers.

On motion the Board directed the County Clerk to issue an order directing the County Treasurer to close the County and State Road Fund account into the County Road Fund account, the County & State Road Fund account being dead on the Ledger

*Union Pacific
Tax Auditor*