

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE PUEBLO CONSERVANCY DISTRICT

October 28, 1949

A Special Meeting of the Board of Directors of the Pueblo Conservancy District was held at the office of the District, 113 West Fifth Street, at 10:00 A. M. o'clock on October 28, 1949.

Directors Present: John M. Holmes, W. T. Mathis and Frank Pryor

The minutes of the Meeting of May 18, 1949, were read and approved.

Upon motion of Mr. Mathis, seconded by Mr. Pryor, the sale of Certificates listed below was approved because they were sold in a manner believed to be in the best interest of the District and the property holder:

Receipt Pages 406 - 415 inclusive.

Certs. Nos.	64696; 70756; 75079; 77850;		
	90458; 83218; 85393; 88033;		
	90799; 92785; 94612; 96259;		
	97539; 98676; 99932; 101002;		
	103586	1,389.51	Walter Brewing Co.
	2519; 56340; 58193; 59890;		
	61700; 64890; 71049; 90403;		
	90418; 90675; 90703; 90720;		
	90737; 91114; 93097; 94905;		
	96545; 97825; 98966; 100166;		
	101232; 102503; 103754;	5,070.48	Colorado State Hosp
	103691	5.83	Louise E. Kasel
	2502	1.74	Thomas J. Downen
	2507	17.60	Thomas J. Downen
	102402; 103669	69.38	A & C Mfg. Co.
	103687	14.68	Victor & O. Mena
	103600	299.08	George Stone
	103775	6.22	V. & F. Estrada
	103699	8.57	John Grenda

The following Vouchers were read and approved:

11469	John M. Holmes	110.00
11470	John M. Holmes	10.00
11471	Greene & Company	125.00
11472	Elbert D. Greene	50.00
11473	Mt. St. Tel & Tel Co.	3.76
11474	Charles M. Rose (May)	100.00
11475	Elbert D. Greene (May)	199.50
11476	Collector of Internal Revenue	25.50
11477	O'Brien Printing & Sta. Co.	334.50
11478	Charles M. Rose	9.90
11479	J. E. Creel, Co. Treas.	8.50
11480	John M. Holmes	3.06

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11481	Blackburn Engineering Co.	3,558.20
11482	Simon F. Elliot	112.70
11483	John M. Holmes	20.00
11484	First National Bank	27,600.00
11485	J. E. Creel, Co. Treas.	11.50
11486	J. E. Creel, Co. Treas.	1,334.74
11487	Mt. St. Tel & Tel Co.	4.01
11488	Elbert D. Greene	50.00
11489	Charles M. Rose (June)	100.00
11490	Elbert D. Greene (June)	199.50
11491	Collector of Internal Revenue	25.50
11492	Wilmington Savings Fund Society	625.00
11493	Underwood & Underwood	200.00
11494	Alvin Trout	594.00
11495	Burroughs Adding Machine Co.	2.25
11496	First National Bank	44.16
11497	Charles M. Rose	15.50
11498	Elbert D. Greene	52.92
11499	John M. Holmes	20.00
11500	Mt. St Tel & Tel Co.	9.92
11501	J. E. Creel, Co. Treas.	.65
11502	Charles M. Rose (July)	100.00
11503	Elbert D. Greene (July)	199.50
11504	Collector of Internal Revenue	25.50
11505	Elbert D. Greene	50.00
11506	Mt. St. Tel & Tel Co.	14.34
11507	Charles M. Rose (Aug.)	100.00
11508	Elbert D. Greene	199.50
11509	Collector of Internal Revenue	25.50
11510	Elbert D. Greene	50.00
11511	Mercantile Printing Co.	54.00
11512	Charles M. Rose	19.50
11513	Mt St. Tel & Tel Co.	1.76
11514	John M. Holmes	20.00
11515	J. E. Creel, Co. Treas.	1.20
11516	Charles M. Rose (Sept.)	100.00
11517	Elbert D. Greene (Sept.)	199.50
11518	Collector of Internal Revenue	25.50
11519	Elbert D. Greene	50.00
11520	First National Bank	6.92
11521	Pueblo Title Guaranty Co.	.55
11522	John M. Holmes	20.00
11523	First National Bank	23.23
11524	First National Bank	100,000.00
11525	Ray H. Talbott, Postmaster	6.00
11526	John C. Snedec	15.00
11527	J. E. Creel, Co. Treas.	1.10
11528	J. E. Creel, Co. Treas.	1.10
11529	Mt. St. Tel & Tel Co.	3.26
11530	J. E. Creel, Co. Treas.	1.15
11531	Greene & Company	2.50
11532	Pueblo Title Guaranty Company	7.50
11533	John M. Holmes	10.00
11534	W. T. Mathis	10.00
11535	Frank Pryor	10.00

A copy of Turner S. Underwood's audit for the period June 1, 1948 to May 31, 1949, was handed to each Director and Mr. Holmes called attention to items of special interest.

Mr. Holmes reported that the South^{ern} Colorado Power Company had requested an Easement on a pole line location extending from the Fourth Street viaduct to West Eleventh Street at Dry Creek. The Power Company had submitted the Grant of Easement for approval and a sketch showing the location of the land on which the Easement was desired. Mr. Holmes stated this sketch had been submitted to S. F. Elliot, Engineer for the District, and Elliot had reported that granting the Easement would not have any adverse effect on Conservancy District flood protection works. Mr. Holmes recommended that the Easement be granted and requested a motion to that effect. Whereupon Mr. Mathis made a motion which was seconded by Mr. Pryor and unanimously carried. Copy of the Easement is attached hereto and made a part hereof.

Mr. Holmes reported that the plan of the Santa Fe Railway Company for draining their new freight yard called for a large drainage ditch on Fifteenth Street from Dry Creek east to beyond the Santa Fe tracks. This Ditch will have to cut a backwater levee constructed by the District across Fifteenth Street. Mr. Holmes reported he and Mr. Greene with S. F. Elliot had gone to Fifteenth Street with William Clark, Engineer for the Santa Fe Railway Company, and had discussed the problem of how the Santa Fe could accomplish what they wanted to accomplish without making a change in the Conservancy District levee which would be detrimental to the District. Mr. Holmes explained a proposal made by the Santa Fe which appeared to be satisfactory, whereupon Mr. Mathis moved that Holmes and Greene be authorized to deal with the Santa Fe. Mr. Pryor seconded the motion which was passed.

Greene reported that in due course after Rose and Seavy had orally argued the Florman case before the Colorado Supreme Court, the Court upheld Judge Leddy's decision to the effect that inasmuch as the Florman title originated from a County Tax Title, the Conservancy taxes were invalid. Greene said that Rose asked the Court for a rehearing and on October 10, 1949, the rehearing was denied. Greene submitted to the Directors tabulation sheets showing how many of the Treasurer's Certificates of Purchase held by the District would be affected by the Court's decision. The tabulation showed the face value of all Certificates held by the District to have been on October 1st - \$119,751.89, and that it was definitely known that at least \$80,000.00 of this amount was in connection with Tax Title properties.

Holmes stated that as the cost of quieting title and thereby having a decree issued cancelling Conservancy taxes would cost a property owner upwards of \$150.00, that in some instances they would prefer to pay the District nearly this amount for effecting cancellation rather than go through title quieting proceedings. The directors on motion by Mr. Pryor and seconded by Mr. Mathis authorized Holmes and Greene to make compromise settlements in cases of this kind as they saw fit.

Mr. Pryor moved and Mr. Mathis seconded the motion which was unanimously passed approving the purchase on October 7th of Tax D. Bonds in the amount of \$100,000.00.

There being no further business, the meeting adjourned.

Read and approved:

J. M. Holmes.
W. Mathis.
Frank Pryor.

Elliot D. Seavy
 Secretary