

COMMISSIONERS' PROCEEDINGS.

STATE OF WYOMING )  
 )  
 ) SS  
COUNTY OF CARBON )

The Board of County Commissioners of the County of Carbon, State of Wyoming, met in regular session at the regular meeting place of said Board on the 4th day of October, A. D. 1938, convening at the hour of 10:00 o'clock A. M., there being present:

- |                           |              |
|---------------------------|--------------|
| Eugene McCarthy,          | Chairman     |
| Gus Larson,               | Commissioner |
| F. F. Hansen              | Commissioner |
| and Linda Felton Schafer, | County Clerk |

Commissioner Larson introduced and moved the adoption of the following resolution, which was seconded by Commissioner Hansen:

RESOLUTION

WHEREAS, the qualified electors of Carbon County, Wyoming, at a special election held in said County on the 16th day of August, A. D. 1938, voted in favor of the issuance of \$160,000.00 County Court House and Jail bonds, and

WHEREAS, after due notice of sale had been given in accordance with law, said bonds in the amount voted have been sold,

NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, STATE OF WYOMING:

1. That the special election held in and for said County on the 16th day of August, A. D. 1938, was called, lawfully held and the results thereof canvassed in the manner provided by law, and that by vote of the majority of the qualified electors of said County voting at said election, the Board of County Commissioners was authorized to issue and sell, in the manner provided by law, the coupon bonds of said County in the amount of \$160,000 in the form and for the purpose stated in the question voted upon at said election.
2. That to provide funds for the purpose of constructing and equipping a County Court House and Jail to be located in Rawlins, Carbon County, there shall be issued registered coupon bonds of the County in the aggregate principal amount of \$160,000, to be designated "Court House and Jail Bonds" and comprised of 160 bonds, numbered consecutively from 1 to 160, both numbers inclusive, of the denomination of \$1,000 each, dated October 1, 1938 and bearing interest at the rate of 2 3/8 per annum, interest payable June 1, 1939 and semi-annually thereafter on the 1st days of June and December in each year, said bonds to be absolutely due and payable at the rate of \$16,000 on June 1st in each of the years 1940 to 1949, inclusive, both principal thereof and interest thereon to be payable at the office of the County Treasurer of Carbon County at Rawlins, Wyoming.
3. That said bonds and coupons thereto attached shall be in substantially the following form:

(Form of bond)

UNITED STATES OF AMERICA  
COUNTY OF CARBON  
COURT HOUSE AND JAIL BOND

No. \_\_\_\_\_ \$1,000.00

The County of Carbon in the State of Wyoming, for value received, acknowledges itself indebted and hereby promises to pay to the bearer hereof the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States of America, on the 1st day of June, A. D. 19\_\_\_\_, with interest thereon " at the rate of two and three-eighths per centum (2 3/8%) per annum, payable on the 1st day of June, A. D. 1939 and semi-annually thereafter on the 1st days of June and December in each year, both principal and interest payable at the office of the County Treasurer of Carbon County, Rawlins, Wyoming, upon presentation and surrender of this bond or the annexed coupons as they severally become due.

This bond is issued by the said County of Carbon, under, by virtue of and in strict conformity with the constitution of the State of Wyoming, Sections 29-701 to 29-710, inclusive, Wyoming Revised Statutes 1931, and all other statutes thereunto enabling, and by authority of a Resolution heretofore adopted at a regular meeting of the Board of County Commissioners, in and for said County, which action was taken pursuant to authority vested in it by a vote of the qualified electors of said County present and voting upon the question at an election regularly called and duly held in said County for that purpose prior to the issuance of this bond, at which election a majority of all the qualified electors voting assented to the issuance of this bond and the incurring of the debt hereof.

It is hereby certified that all acts and things required to be done and all conditions required to exist precedent to and in the issuance of this bond to render the same lawful and valid, have been properly done and did exist in due time, form and manner as required by law; that provision has been made for the collection of an annual tax sufficient to pay the interest on this bond as it falls due and also to constitute a sinking fund for the payment of the principal thereof within the time required by law, and that the total debt of said County, including that of this bond, does not exceed any statutory or constitutional limitation of the State of Wyoming.

The full faith, credit and all the taxable property within said Carbon County, Wyoming, are hereby pledged for the punctual payment of the principal of and interest on this bond.

IN TESTIMONY WHEREOF, the Board of County Commissioners of said County of Carbon has caused this bond to be signed by the Chairman of said Board, attested by the Clerk of said County, and sealed with the County seal and registered by the County Clerk and by the County Treasurer of said County as of this 1st day of October, A. D. 1938.

(SEAL) \_\_\_\_\_  
Chairman, Board of County Commissioners.  
ATTEST: \_\_\_\_\_  
County Clerk.

(Form of Coupon)  
No. \_\_\_\_\_ \$ \_\_\_\_\_  
June  
On the first day of December, A. D. 19\_\_\_\_ the County of Carbon, State of Wyoming, will pay to the bearer hereof \_\_\_\_\_ DOLLARS in lawful money of the United States, at the office of the County Treasurer of Carbon County, Rawlins, Wyoming, being \_\_\_\_\_ months' interest on its Court House and Jail bond dated October 1, A. D. 1938 and bearing  
NO. \_\_\_\_\_  
County Treasurer

County Treasurer's and County Clerk's certificate  
STATE OF WYOMING )  
COUNTY OF CARBON ) SS  
We, the undersigned, County Treasurer and County Clerk, respectively, of the County of Carbon State of Wyoming, do hereby certify that the within bond is issued according to law and is within the lawful debt limit of the County of Carbon, State of Wyoming, and that this bond has been duly registered according to law, in the office of the County Clerk and in the office of the County Treasurer in separate books provided for that purpose.  
IN WITNESS WHEREOF, we have hereunto subscribed our names as County Clerk and County Treasurer, respectively, of said County of Carbon, and the County Clerk has affixed the seal of said County of

Carbon at Rawlins, Wyoming, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 1938.

\_\_\_\_\_  
County Clerk, Carbon County, Wyoming

(SEAL)

\_\_\_\_\_  
County Treasurer, Carbon County, Wyoming

4. That each of said bonds shall be signed by the Chairman of the Board of County Commissioners, attested by the County Clerk, who shall affix the County seal thereto, and the officers in this section mentioned are hereby authorized, ordered and directed to cause said bonds to be prepared substantially in the form, respectively, hereinabove set forth and to execute the same for and on behalf of said County as and in the manner aforesaid; that after their execution and before said bonds are delivered to the lawful purchasers thereof, they shall be by the Clerk of said Board registered in a public record book to be kept for that purpose, showing the number, date and amount of each bond, the time and place of payment thereof, the rate of interest, and any other proper description thereof for future identification, and said bonds shall also be registered by the County Treasurer of said County in a book kept in his office, in the manner provided by law, in which shall be shown the number, date of issue, to whom issued, amount, date of redemption and payment of interest and principal of each of said bonds; and each of said bonds shall have endorsed thereon a certificate of the County Clerk and County Treasurer, jointly, that said bond has been registered in separate books kept in their respective offices, in the manner above provided, and that the said bond is within the lawful debt limit of said County and is issued according to law, which certificate shall be signed by the said County Clerk and County Treasurer in their respective official characters, and after said bonds have executed and registered in the manner herein provided, the said County Treasurer shall forthwith deliver said bonds to the lawful purchasers thereof, upon payment to him of the agreed purchase price therefor, and the proceeds derived from the sale of said bonds shall be used solely for the purpose for which said bonds were issued.

5. That the interest accruing on said bonds June 1, 1939 in the sum of \$2532.80 shall be paid from any funds available to said County, and that for the purpose of providing the necessary funds to pay the interest on said bonds December 1, 1939 and subsequent thereto promptly, when and as it falls due, and to create a sinking fund for the redemption of said bonds as they become due and to reimburse said County for the sum of \$2532.80 being interest paid on bonds June 1, 1939, there is hereby levied upon all of the taxable property in said County of Carbon in addition to all other taxes, the following direct ad valorem taxes:

| <u>Year of Levy</u> | <u>For Interest</u> | <u>For Principal</u> | <u>Total</u> |
|---------------------|---------------------|----------------------|--------------|
| 1939                | \$5332.80           | \$16,000             | \$22,332.80  |
| 1940                | 3420.00             | 16,000               | 19,420.00    |
| 1941                | 3040.00             | 16,000               | 19,040.00    |
| 1942                | 2660.00             | 16,000               | 18,660.00    |
| 1943                | 2280.00             | 16,000               | 18,280.00    |
| 1944                | 1900.00             | 16,000               | 17,900.00    |
| 1945                | 1520.00             | 16,000               | 17,520.00    |
| 1946                | 1140.00             | 16,000               | 17,140.00    |
| 1947                | 760.00              | 16,000               | 16,760.00    |
| 1948                | 380.00              | 16,000               | 16,380.00    |

All such taxes shall be levied, assessed and collected as other County taxes until the bonds so issued are fully paid, including the interest thereon. Said taxes when collected shall constitute and be kept in a separate fund to be known as "County Court House and Jail Bond, 1938 Issue, Interest and Sinking Fund", which said fund shall be irrevocably pledged to and used solely for the payment of interest on and principal of said bonds when due so long as any of the said bonds or the interest coupons thereto appertaining remain outstanding or unpaid, but nothing herein contained shall prevent said Board of County Commissioners or the Treasurer of said County, from paying the principal of or interest on any of said bonds from any fund available for that purpose.

6. That the Treasurer of Carbon County, Wyoming, is hereby authorized and directed to pay out of said Bond Interest and Sinking Fund the interest accruing on and the principal of the above described

bonds as they severally become due and payable.

7. That the Board of County Commissioners, the County Clerk and the County Treasurer of said County, and all other officers of said County, are hereby authorized, ordered and directed to furnish to the purchasers of the bonds hereby authorized, such certificates, transcripts of proceedings or other documents as may be required by said purchasers and as will fully evidence the legality of the proceedings taken in the issuance of said bonds, and the acts of said officers in the premises are hereby ratified, approved and confirmed.

8. That it be and is hereby certified, recited and warranted that all conditions, acts and things essential to the validity of the election held in said County on the 16th day of August, A. D. 1938, and the bonds herein authorized to be issued and required by law to exist or to be done, do exist and have been fully done and performed, and that the provisions of this resolution and each of the bonds issued hereunder with the coupons thereunto appertaining shall constitute and the same are hereby declared to be a binding and irrevocable contract between said County and the Purchasers of said bonds and the holders from time to time of any of said bonds or the interest coupons thereto appertaining.

9. That all resolutions and orders, or parts thereof, heretofore adopted by this Board in conflict with the provisions of this resolution and order, be, and the same are hereby repealed, and this resolution shall be in full force and effect immediately after its passage, and shall be irrepealable until the indebtedness hereby created shall have been fully paid, satisfied and discharged, both as to the principal thereof and interest thereon.

PASSED AND ADOPTED, this 4<sup>th</sup> day of October, A. D. 1938.

(SEAL)

Eugene W. McCarthy  
Chairman, Board of County Commissioners  
of Carbon County, Wyoming.

ATTEST:

Linda Dutton Schaper  
County Clerk.

The question being put upon motion for the final passage and adoption of the foregoing resolution, the motion was passed upon the following recorded vote:

|                     |   |
|---------------------|---|
| Those voting "Aye": | Eugene McCarthy<br>Gus Larson<br>F. F. Hansen |
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|---------------------|-------|
| Those voting "Nay": | None. |
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The Chairman then declared the resolution to have been finally passed and adopted, and thereupon signed said resolution, which was sealed with the County seal and attested by the County Clerk.

There being no further business to come before the Board, the meeting adjourned.

APPROVED:

(SEAL)

Eugene W. McCarthy  
Chairman, Board of County Commissioners,  
Carbon County, Wyoming.

Attest:

Linda Dutton Schaper  
County Clerk.