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Private Acts of 1921 Chapter 905

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Sincerely,

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Table of Contents

Private Acts of 1921 Chapter 905	3
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Private Acts of 1921 Chapter 905

WHEREAS, by decree of the County Court of Lake County, Tennessee, presided over by the Chairman or Chairman pro tempore thereof, made on February 16, 1920, and entered at pages 43 to 49 inclusive, of Levee and Drainage Record No. 1, being one of the minute books of said Court, an improvement district was organized and established under the name and style of the "Reelfoot Levee District of Lake and Obion Counties in the State of Tennessee," including within its boundaries certain lands in the Counties of Lake and Obion which are subject to and affected by the floods and overflows of the Mississippi River, and said boundaries being as hereinafter set out in detail, the said decree and proceedings being had under and pursuant to Acts of the General Assembly of Tennessee of 1909, Chapter 185, and subsequent Acts amendatory thereto, commonly referred to as the Levee and Drainage Law, governing the establishment of Levee and Drainage Districts for the reclamation of low, swamp and overflowed lands; and

WHEREAS, the various proceedings required by said Levee and Drainage Laws for the organization and establishment of such improvement districts, from the filing of the petition seeking the establishment of said district down to the point in such proceedings where assessments have been made and levied against the various tracts of land in the district to pay the cost and expense of the cause and of the improvements sought to be constructed and ordered constructed therein, and down to the point where bonds are ready to be issued and sold; and all parties having an interest in said proceedings having been brought before the Court by notice, process or publication, and due notice having been given to all property owners and others interested in each of the steps in said proceedings as required by law, as shown by the record in said cause, entitled, "In Re Reelfoot Levee District," and as shown by the minutes of said County Court of Lake County, to which reference is hereby had for all purposes necessary or desired; and

WHEREAS, the said "Reelfoot Levee District" was established for the purpose of protecting the lands, and property, in said district, from the floods and overflows of the Mississippi River, by the construction of levees or dikes and by the enlargement and improvement of existing levees within said district, and particularly by the enlargement and improvement of existing levees within said district, and particularly by the enlargement and improvement of so much of the Reelfoot Levee, or Hickman Slough Landing Levee, as lies south of the Kentucky-Tennessee State line, which portion of said levees was originally built by the County of Lake, and by said County transferred to said district for improvement and control; and

WHEREAS, the Mississippi River Commission, an agency of the Federal Government, by virtue of certain Acts of Congress including what is known as the Flood Control Act, is empowered to assist localities along the Mississippi River in constructing and enlarging levees, and has assisted said Levee District by paying two-thirds of the cost of work already done or under contract, and is authorized to further assist in building banquettes on, and enlarging said Reelfoot Levee, on condition, that said district contribute and pay for one-third the cost of said enlargement and improvement work, with the understanding that the amount furnished by the district will be paid over to said Mississippi River Commission and expended by the latter under contracts to be made by said River Commission; and

WHEREAS, it is probable, that further aid may be secured by co-operating with State and County agencies, such as the Highway Departments and the Department of Game, Fish and Forestry, in enlarging and improving the levee separating Reelfoot Lake from the washout and other levees; therefore,

SECTION 1. That the said "Reelfoot Levee District" through its Board of Directors and with the approval of the Chairman of the County Court of Lake County, which Court has jurisdiction in said matter, is hereby authorized and empowered to co-operate with said Federal, State and County agencies, for the construction and improvement of said levees referred to above, and is particularly authorized to make contracts with said Mississippi River Commission, or its representatives, for the construction, enlargement and strengthening of said Reelfoot Levee, or other improvements necessary for the protection and reclamation of the lands and property within said district, and to pay over to said River Commission, or other agencies such amounts as may be deemed necessary, or as may be required by law, or the regulations of said Mississippi River Commission, in order to secure the benefits of said Federal, or other funds; and all agreements heretofore made with said Mississippi River Commission for the recent construction of said improvements and enlargements, and banquettes, including contracts let and not completed and all payments of money on account thereof to said River Commission by said district, or by individual property owners in said district in contemplation of the formation of said district, are hereby ratified, confirmed and validated.

SECTION 2. That all funds heretofore advanced by Lake County, and by individuals or corporations who own land or property subject to assessment in said district in contemplation of the organization of said district, including preliminary expenses, cost of right-of-way, construction work and all moneys paid said Mississippi River Commission, shall be refunded to said contributors out of the proceeds of the sale of

bonds, or said amounts so paid may be allowed as credits against any assessments made, or hereafter to be made, against the lands or property of said parties so making said advancements.

SECTION 3. That said Reelfoot Levee District, through its Board of Directors, and with the approval of the Chairman, or Chairman pro tempore, when acting in the place and stead of the Chairman of the County Court of Lake County, is hereby authorized to make contracts with the Highway authorities of the State and of Lake County, and with the State authorities having charge of Reelfoot Lake, and other State and County agencies, for the purpose of enlarging and improving the existing levee separating Reelfoot Lake from the washout, and, said district is authorized to expend so much of the funds of said district as may be deemed necessary to construct said levee, or other levees, to the grade and section required to prevent the floods of the Mississippi River from entering said lake, or the Reelfoot Lake Basin, if the Directors and the Court deem it for the best interests of said district.

SECTION 4. That the various proceedings, orders and decrees made and had in the matter of Reelfoot Levee District, pending in said County Court of Lake County, including among other things, the order appointing a Civil Engineer, and action on his report, notices and publications, decrees of organization, order condemning land for levee right-of-way, the appointment of Commissioners to classify, and make assessments on the lands in said district for the purpose of defraying the costs, expenses, costs of construction, fees, damages, and other costs incident to said proceedings, the decree acting on the report of Commissioners and the levy of assessments, the appointment of Directors, the making of an assessment roll, as well as all other proceedings, orders and decrees had, and promulgated in said cause as shown by the record in the cause and the minutes of said Court as contained in the Levee and Drainage Record, Vol. 1, of said Court, up to the date of the passage of this bill, are in all things recognized as valid, and not subject to attack or impeachment either directly or collaterally, and if by inadvertence, there has been a non-compliance with the law in any of its details, or if there be any irregularities in any of said proceedings, the same are hereby waived, and the organization of said levee district and all order prior to, or subsequent to the decrees of organization, are in all things validated.

SECTION 5. That the boundaries of said Reelfoot Levee District of Lake and Obion Counties, in the State of Tennessee, as set out in said decree of organization, and as therein and herein, and hereby located and established, are declared to be as following, to-wit: Beginning at a point near the bank of the Mississippi River at a point in the Kentucky- Tennessee State line, 740 feet west of the center of the Reelfoot levee, sometimes referred to as the Hickman Slough Landing, or Government levee, on the west side of Reelfoot Lake, which point is called Hub-O; running thence southeastwardly and southwestwardly with a line parallel with said levee and running 740 feet west of the same, following the various angles in said levee as follows:

S. 9 degrees 15 minutes E. 210 feet to Hub No. 1; S. 42 degrees 15 minutes E. 1,510 feet to Hub No. 2; S. 11 degrees 30 minutes W. 505 feet to Hub No. 3; S. 14 degrees 0 minutes W. 600 feet to Hub No. 4; S. 23 degrees 50 minutes W. 300 feet to Hub No. 5; S. 13 degrees 50 minutes W. 1,000 feet to Hub No. 6; S. 2 degrees 20 minutes E. 300 feet to Hub No. 7; thence S. 1 degree 35 minutes E. 400 feet to Hub No. 8; S. 7 degrees 0 minutes W. 400 feet to Hub No. 9; S. 9 degrees 30 minutes W. 400 feet to Hub No. 10; S. 13 degrees 10 minutes W. 300 feet to Hub No. 11; S. 3 degrees 30 minutes W. 1,100 feet to Hub No. 12; S. 4 degrees 0 minutes W. 589 feet to Hub No. 13; S. 9 degrees 30 minutes W. 510 feet to Hub No. 14; S. 25 degrees 45 minutes W. 801 feet to Hub No. 15; S. 4 degrees 0 minutes E. 439 feet to Hub No. 16; S. 15 degrees 0 minutes W. 1,739 feet to Hub No. 17; S. 23 degrees 0 minutes W. 732 feet to Hub No. 18; S. 32 degrees 55 minutes W. 868 feet to Hub No. 19; S. 24 degrees 35 minutes W. 954 feet to Hub No. 20; S. 36 degrees 0 minutes W. 524 feet to Hub No. 21; S. 40 degrees 10 minutes W. 2,222 feet to Hub No. 22; S. 36 degrees 0 minutes W. 966 feet to Hub No. 23; S. 29 degrees 45 minutes W. 445 feet to Hub No. 24; S. 33 degrees 0 minutes W. 2,137 feet to Hub No. 25; S. 54 degrees 20 minutes W. 460 feet to Hub No. 26; S. 41 degrees 45 minutes W. 803 feet to Hub No. 27; S. 49 degrees 45 minutes W. 1,789 feet to Hub No. 28; thence east 740 feet to the center of said Reelfoot Levee, at mile post 0-2, Hub No. 28 1-2, being the southern terminus of said levee, east of Slough Landing; thence south 63 degrees 0 minutes W. 200 feet to Hub No. 29, S. 23 degrees 15 minutes W. 301 feet to Hub No. 30; S. 3 degrees 0 minutes E. 775 feet to Hub No. 31; S. 31 degrees 15 minutes W. 1,250 feet to Hub No. 32; S. 9 degrees 45 minutes W. 4,475 feet to Hub No. 33 in the center of the public road leading north from Proctor City; thence S. 10 degrees 30 minutes W. 2,037 feet to Hub No. 34; being the northwest corner of the Proctor City School lot, where the road turns; thence S. with road 4 degrees 30 minutes E. 950 feet to Hub No. 35; thence south 48 degrees 45 minutes E. 3,000 feet to Hub No. 36 near Proctor City R. R. Station on the C. M. and G. R. R. thence S. 3 degrees 0 minutes E. 1,625 feet to Hub No. 37; thence S. 46 degrees 15 minutes W. 2,750 feet to Hub No. 38, just west of the N. W. point of Champey Pocket of Reelfoot Lake, thence running west of the shore of Reelfoot Lake S. 5 degrees E. 8,475 feet to Hub No. 39; thence S. 44 degrees 45 minutes E. 5,340 feet to Hub No. 40; thence S. 18 degrees 30 minutes W. 3,150 feet to Hub No. 41; thence S. 87 degrees 15 minutes W. 1,900 feet to Hub No. 42, where the road

turns at the S. E. corner of the Tennison Tract; thence N. 39 degrees 30 minutes W. 2,350 feet to Hub No. 43 at the intersection of roads at J. M. Sudberry's S. W. corner; thence N. 84 degrees 30 minutes W. 3,125 feet to Hub No. 44; thence S. 78 degrees 15 minutes W. 4,700 feet to Hub No. 45 in the Tiptonville-Wymburg Road; thence N. 77 degrees 15 minutes W. 4,500 feet to Hub No. 46, standing east of the bank of the chute of the Mississippi River on the land of Mrs. J. C. Jackson; thence S. 52 degrees 15 minutes W. 6,862 feet, running east of said chute, to Hub No. 47; thence S. 15 degrees 15 minutes W. 3,700 feet to Hub No. 48; thence S. 3 degrees 15 minutes E. with the Tiptonville-Ridgely Road, 6,775 feet to Hub No. 49; thence S. 2 degrees W. 4,500 feet, with the road to Hub No. 50, at the point where the road turns east; thence S. 88 degrees E. 750 feet to Hub No. 51, to another turn in said public road; thence south 2 degrees 30 minutes E. 2,300 feet to Hub No. 52, the point where the public road intersect the Bayou at Mooring; thence N. 88 degrees 45 minutes E. 1,825 feet to Hub No. 53; thence S. 38 degrees 15 minutes E. 2,500 feet to Hub No. 54; thence S. 15 degrees E. 1,600 feet to Hub No. 55; thence S. 47 degrees 30 minutes E. 800 feet to Hub No. 56; thence S. 4 degrees 30 minutes E. 5,050 feet running with the road, to Hub No. 57; thence N. 81 degrees 15 minutes E. 12,625 feet, partly with the Madie Road, to Hub No. 58, N. E. of Madie Church; thence S. 3 degrees 30 minutes E. 3,450 feet to Hub No. 59 being the S. E. corner of the Mrs. Bessie Moss, or Glascock Tract; thence S. 45 degrees W. 17,750 feet to Hub No. 60, in the west boundary line of the C. M. and G. R. R. right-of-way, and south of the Horn Ridge school and cemetery lot; thence S. 5 degrees 15 minutes E. with the west line of the C. M. and G. R. R. right-of-way 4,350 feet to Hub No. 61, near B. T. LeDuke's S. W. corner; thence S. 3 degrees 15 minutes E. with the west line of said right-of-way 3,925 feet to Hub No. 62; south of Tank No. 2; thence north 87 degrees 15 minutes E. and with the County line dividing Obion and Dyer County, 18,700 feet to Hub No. 63, the S. E. corner of the S. J. Bradshaw tract, in said County line; thence running east of the Schatters of Reelfoot Lake, and east of Reelfoot Lake, and west of the Bluffs of Obion County, as follows: North 2 degrees E. 4,875 feet to Hub No. 64; in the center of the road; thence No. 6 degrees E. 5,755 feet to Hub No. 65; thence N. 27 degrees 45 minutes E. 2,275 feet to Hub No. 66; thence N. 4 degrees E. 5,525 feet to Hub No. 67; thence N. 31 degrees 30 minutes E. 3,812 feet to Hub No. 68; thence N. 17 degrees E. 12,350 feet to Hub 69; thence N. 22 degrees 15 minutes E. 8,575 feet to Hub No. 70; thence N. 44 degrees 45 minutes E. 2,150 feet to Hub No. 71 in the center of the Free Bridge Road, and west of Webb's store; thence N. 12 degrees E. 4,300 feet to Hub No. 72; thence N. 3 degrees 30 minutes E. 3,150 feet to Hub No. 73; thence N. 20 degrees 30 minutes E. 6,600 feet to Hub No. 74; thence N. 36 degrees E. 6,900 feet to Hub No. 75; thence N. 26 degrees E. 8,150 feet to Hub No. 76; thence N. 37 degrees about 4,200 feet across the lands of Taylor, Fitenbutts and Ransom, to Hub No. 77; thence N. 16 degrees 15 minutes E. 14,650 feet to Hub No. 78; thence N. 11 degrees W. 4,400 feet to Hub No. 79; thence N. 15 degrees E. 16,000 feet to the State line dividing Tennessee and Kentucky; thence in a westerly direction, along said State line, about 36,000 feet to Hub No. 0., the point of beginning. The foregoing description is intended to be identical with that in the decree of organization, recorded at pages 43-49 of said Levee and Drainage Record, and if there be any differences, the text of said decree shall govern.

SECTION 6. That the territory included within the boundaries set out in the foregoing section is hereby organized and established into an improvement district under the name and style of Reelfoot Levee District of the Counties of Lake and Obion in the State of Tennessee, and is hereby vested with all the power, authority and jurisdiction which is conferred upon levee and drainage districts under and by the terms of said Chapter 185 and Acts of 1909 and Acts amendatory thereto, and said district is authorized to provide funds by the sale of bonds, or other legal ways and means, and therewith to construct levees for the protection of said district, and particularly to construct, enlarge and improve said Reelfoot Levee, whether Government aid, or aid from said Mississippi River is available or not.

SECTION 7. That the Board of Directors of said district, consisting of A. E. Markham and W. L. Willingham heretofore chosen by the County Court of Lake County and J. R. Lambert, member ex-officio, and their successors in office, are hereby constituted and recognized as the Board of Directors of said district, and they are vested with the general control and management of the business affairs of said district, and supervision of the same, including the power and authority to make contracts, to borrow money, to fix the time and terms of payment of bonds and other details concerning same, and to do, and perform, all the duties required of them, and as provided by said Acts of 1909, Chapter 185, and subsequent amendatory Acts, and if, at any time the Chairman of said Court and ex-officio member of said Board, is absent, or unable for any reason to act, either as Chairman, or as a member of said Board, the Chairman pro tempore is hereby authorized to act in his place and stead in all matters requiring attention, either in the capacity of presiding officer of said Court or as a member of said Board of Directors, and as Chairman of the same.

SECTION 8. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 5, 1921.

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