

County of Nueces



OFFICE OF THE

COUNTY ATTORNEY

FRANKLIN L. SMITH
COUNTY ATTORNEY

NUECES COUNTY COURTHOUSE
CORPUS CHRISTI, TEXAS, 78401

ASSISTANTS:
LINTON S. SAVAGE
PAUL HILL
B. C. MITCHELL
C. EDWIN PRICHARD, JR.
WALLACE P. WOODRUFF

January 11, 1968

Honorable Noah Kennedy, Jr.
County Judge
Nueces County Courthouse
Corpus Christi, Texas

Dear Judge Kennedy:

You have requested a legal opinion from this office concerning whether or not Nueces County can close the operation of Hilltop Hospital in the absence of a vote of approval by the electorate in view of the fact that the construction of such hospital was financed from bonds which were voted by the people for the specific purpose of building such a hospital.

Hilltop Hospital was constructed from the proceeds of bonds issued by Nueces County pursuant to an election held for such purpose in November, 1949. A total of \$350,000 in bonds was issued on March 15, 1950. As of this date there are sixty of such bonds, each in the amount of \$1,000, outstanding. After March 15, 1968, there will be forty-six of such bonds outstanding which will mature March 15, 1969.

On July 18, 1967, pursuant to an order of the Commissioners' Court calling an election for the purpose of submitting to the qualified, property taxpaying voters of Nueces County the proposition of whether or not a hospital district shall be created in Nueces County to be known as the Nueces County Hospital District, an election was held and on July 21, 1967, the Commissioners' Court of Nueces County declared that such proposition had carried. This hospital district