

**REGULAR MEETING OF THE CITY COUNCIL, JANUARY 3, 1935,  
CONTINUED FROM MINUTE BOOK NO. 14 - ALL MEMBERS BEING PRESENT.**

Councilman Gillis offered the following resolution:

**WHEREAS**, There appears on the tax rolls of the City of Austin taxes assessed and levied against Lot 4E, Original Block 53, for the years 1929, 1930, 1931, 1932, 1933, and 1934, in the total amount of \$3415.79; and against Lot 9, of Block 10-11, Outlot 55, Division "B", for the year 1928, in the amount of \$22.26; and

**WHEREAS**, For said years both of said properties were owned by the Board of Directors of the Public Free Schools of the City of Austin, and used for the benefit of said public free schools; and

**WHEREAS**, It appears from these facts and it is so deemed by the City Council that said properties are public properties, and should have been exempt from taxation by the City of Austin during said years; therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**THAT** the City Assessor and Collector of taxes be and he is here authorized and directed to strike from the tax rolls of the City of Austin said properties for taxation for the years enumerated above, and to cancel the taxes levied against said property for said years; and to hereafter carry said properties as exempt from taxation, so long as same are owned and used as above.

Upon motion of Councilman Gillis, seconded by Councilman Bartholomew, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Jas. R. Boyd, Attorney for Mrs. Lillian Roberts, submitted a proposal to settle the claim of his client by compromise. The matter was referred to an executive session with counsel and claimant.

T. H. Brown, representing the Great White Way Shows, petitioned the Council for permission to show at Riverside Park for one week, beginning March 2nd. The matter was referred to the City Manager to have the permit issued.

H. J. H. Melin appealed to the Council for a reduction in the valuation placed on the improvements owned by him at 1903 Nueces Street from \$2050.00 to \$1200.00. The matter was referred to the City Manager and Board of Equalization for investigation and recommendation.

The Minutes of the regular meeting of December 13th, 1934, were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

In accordance with published notice thereof, Mayor Miller declared the hearing open on the proposal of the City Council to amend the Zoning Ordinance of the City of Austin in the following particulars:

To amend the Use designation of Lots 51 and 60, Outlot 1, Division "X" of the College Court Addition to the City of Austin, said property being located on the east side of San Jacinto Boulevard between Park Place and Elmwood Place, so as to change same from "A" Residence District to "C" Commercial District.

Mrs. Nellie T. Evans, applicant, was heard first, stating that she was asking for the change in the zoning of the above described property for the reason that she was unable to sell the property for residential purposes, but had had numerous offers to sell same for business purposes.

Judge Ike D. White, attorney for the applicant, Mrs. Nella T. Evans, argued that the property in question was not fit for residential purposes owing to the changed conditions in that locality; that it would be discriminatory to deny the change as the property across the street is business property; that said property was zoned as residential before Waller Boulevard was built, with its resultant heavy traffic; that at the point where this property is located Waller Boulevard is the noisiest and most travelled street in the City of Austin, with the exception of Congress Avenue, and therefore every ground for zoning said property as residential property has been destroyed by force of circumstances and conditions; that any hazard created by the location of a filling station at this site already exists by virtue of a filling station and other business property across the street; that applicant has had numerous offers to sell this property for business purposes, but not one bona fide offer for residential purposes; that it would be a confiscation of property to say that it can not be used as business property; and that said property has not been designated as exclusively residential, as is claimed by the opponents of the change.

M. H. Crockett submitted a written statement of facts opposing the change.

Judge James A. King, for himself and opponents, stated that the fight had been going on for several years against the little home owners in that neighborhood, the proponents claiming that the lots are business property, are not restricted, and that the Zoning law should not apply to them; that in the original deed from Sidon Harris to Sterling Fulmore it was recited that the lots in this Addition should be used exclusively for homes or dwelling purposes; and that if a filling station were allowed on this property his property would be depreciated by one-half, and it would open the way for other businesses and thereby destroy the value of their homes.

The following property owners testified that they had each bought their property under the representation that it was exclusively a residential district: Leslie A. Colwell; Mrs. E. B. Moody; O. D. Caswell; Mrs. Jno. Q. Smith; W. H. McNeill; and Dan E. McCaskill.

Judge W. D. Hart, representing the opponents, argued that College Court is a segregated addition to the City of Austin and that Duval Street separates the other portion of the City from College Court, making it an addition exclusive to itself; that as all houses in this Addition either front north or south, a building to front on Waller Boulevard would have to have the rear of the premises abutting the front and side of adjacent property; and that this change would be detrimental to every property owner in the Addition. He further stated that it was set out in the original deed that the property could only be used for homes or dwelling places, and that restrictions in deeds had been held valid by the courts.

No other interested persons desiring to be heard, Mayor Miller then ordered roll call on the application of Mrs. Nella T. Evans for a change in the zoning designation of Lots 51 and 60, Outlot 1, Division "X", College Court Addition to the City of Austin from Residence "A" to Commercial "C", those voting in favor of granting the change to answer "aye" and those opposed, "nay", which resulted as follows: Ayes, none; nays, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5.

Councilman Wolf offered the following resolution:

WHEREAS, Scott Yeamans is the Contractor for the remodeling of a store front located at 814 Congress Avenue and desires a portion of the sidewalk space abutting the south 19 feet of Lot 4, Block 98, of the Original City of Austin, Texas, during the remodeling of the store front, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Scott Yeamans, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southeast corner of the above described lot; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to the west curb line of Congress Avenue; thence in a northerly direction along the west curb line of Congress Avenue a distance of 19 feet; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the west line of Congress Avenue; thence in a southerly direction along the west line of Congress Avenue to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Scott Yeamans hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a covered walkway with at least 4' inside width to take care of sidewalk pedestrian traffic, such walkway to meet the requirements of the Building Inspector for safety.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than February 28, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4" gas main in WALLER STREET from Spence Street to Canterbury Street, the centerline of which gas main shall be 17 feet west of and parallel to the east line of said Waller Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A 4" gas main in DANCY STREET, beginning at a point 15 feet east of and 49 feet north of the intersection of the west line of Dancy Street and the north line of Manor Road;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 15 feet east of and parallel to the west line of Dancy Street, for a distance of 216 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, J. R. Blackmore is the Contractor for the construction of a gasoline filling station located at 619 West 24th Street and desires a portion of the sidewalk and street space abutting the west 60 feet of the north 116 feet of Lots 1 and 2, Outlot 37, Division "D" of the City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. R. Blackmore, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described lot; thence in a northerly direction and at right angles to the centerline of West 24th Street a distance of 25 feet; thence in an easterly direction parallel to the centerline of West 24th Street a distance of 60 feet; thence in a southerly direction and at right angles to the centerline of West 24th Street a distance to the south street line of West 24th Street; thence in a westerly direction along the south line of West 24th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said J. R. Blackmore, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain an open walkway, 4 feet in width, in an easterly and westerly direction through the above described working space, such walkway, together with all other public spaces, to be protected from the spaces used for working and storage spaces by guard rails at least 4 feet high, substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than February 28, 1935.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report was read:

"Austin, Texas  
January 2, 1935

Mr. Guiton Morgan  
City Manager  
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of the Sinclair Refining Company acting by and through W. M. Bushnell, for permission to construct, maintain and operate a drive-in gasoline filling station, wash rack and grease lift, and to construct commercial driveways in conjunction therewith, same to be located at the northwest intersection of Red River Street and East 7th Street upon property owned by the Balagia Estate and known as Lot 4, Block 88, of the Original City of Austin, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.



Storm sewer inlets exist at the northwest intersection of East 7th Street and Red River Street.

We recommend that the Sinclair Refining Company be granted permission to construct, maintain and operate said drive-in gasoline filling station, wash rack and grease lift and to construct curbs, ramps, sidewalks and driveways in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-246, and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-G-21.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-G-21 and shall be of the premoulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral,  
City Engineer.

J. C. Eokert,  
Building Inspector.

Councilman Wolf then offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the northwest intersection of East 7th Street and Red River Street, which property is owned by the Balagia Estate and is known as Lot 4, Block 88, of the Original City of Austin, Travis County, Texas, and hereby authorizes the Sinclair Refining Company to construct, maintain and operate a drive-in gasoline filling station, wash rack and grease lift, and to construct curbs, ramps, sidewalks and driveways in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Sinclair Refining Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report was read:

"Austin, Texas  
January 2, 1935

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

The following is a list of the tabulated bids on the Metz Swimming Pool job opened January 2, 1935:

Rex D. Kitchens -	\$3,708.75
J. R. Blackmore	4,103.45
J. M. Engquist	4,488.70
C. W. Moore	4,705.10
E. T. Lorey	4,753.46
O. A. Mauffrais	4,803.75
S. O. Yarbrough	4,938.09
H. B. Reisch	5,127.84
Richard Schmidt	5,146.50
W. J. Schwarzer	6,233.90

The bid of Rex D. Kitchens is approximately \$400.00 under my estimate and I would recommend that he be awarded the contract for the construction of the pool.

Yours very truly,

(Sgd) J. E. Motheral,  
City Engineer.

Above recommendation concurred in.

(Sgd) Guiton Morgan, City Manager. "

The Council approved the foregoing recommendations of the City Manager and City Engineer.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$3,708.75 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of constructing a Swimming Pool at Metz Playground in accordance with plans and specifications of the Engineering Department.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$5000.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of constructing a playground with necessary equipment, apparatus, grading, planting shrubbery, etc., at 28 $\frac{1}{2}$  Street and Shoal Creek in accordance with plans and specifications of the Recreation Department.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following ordinance:

AN ORDINANCE FIXING AND LEVYING MUNICIPAL  
TAXES FOR THE CITY OF AUSTIN, TEXAS, FOR  
THE YEAR A. D. 1934.

The ordinance was read the first time and Councilman Wolf moved a suspension of the rule and the placing of the ordinance on its second reading. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion was

carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

A RESOLUTION APPROVING A LOAN  
AND GRANT AGREEMENT BETWEEN  
THE CITY OF AUSTIN AND THE  
UNITED STATES OF AMERICA,  
AND AUTHORIZING ITS EXECUTION.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Section 1. THAT the Loan and Grant Agreement between the City of Austin, Texas, and the United States of America under and subject to the terms of which the United States will by loan and grant not exceeding in the aggregate the sum of \$150,000.00 aid said City of Austin in financing the surfacing of various streets with a bituminous surface treatment on present graveled streets, a copy of which Loan and Grant Agreement is filed among the public records of the City of Austin, Texas, in the office of the City Clerk, and which Loan and Grant Agreement is hereby made a part hereof, be and the same is hereby in all respects approved.

Section 2. THAT the City Manager of said City be and he is hereby authorized and directed to execute such Loan and Grant Agreement in triplicate on behalf of the City of Austin, and the City Manager of said City of Austin be and he is hereby authorized and directed to impress or affix the official seal of said City to each of said three copies of said Loan and Grant Agreement and to attest such seal.

Section 3. THAT said City Manager be and he is hereby authorized and directed to forthwith forward three copies of said Loan and Grant Agreement as executed on behalf of said City of Austin to the Federal Emergency Administration of Public Works, Washington, D. C.

Section 4. THAT the City Manager be and he is hereby authorized and empowered on behalf of said City to request, and consent to, modifications of or changes in said Loan and Grant Agreement with reference to the designation, date, denominations, medium of payment, places of payment, and registration or conversion privileges of the bonds to be issued thereunder in order to comply with the requirements of law and of the proceedings taken for the issuance of said bonds, and to execute in the same manner as said Loan and Grant Agreement any further instruments that may be found desirable in connection with such modifications or changes.

Section 5. THAT said City Manager be and he is hereby authorized and directed to forthwith send to said Federal Emergency Administration of Public Works two certified copies of this resolution and two certified copies of the proceedings of the Council in connection with the adoption of this resolution, and such further documents or proofs in connection with the approval and execution of said Loan and Grant Agreement as may be requested by said Federal Emergency Administration of Public Works.

The foregoing resolution was read and upon motion of Councilman Wolf, seconded by Councilman Gillis, was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, Councilman Alford moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, Councilman Wolf, 5; nays, none.



The Council then recessed.

Attest:

Hallie McMiller  
City Clerk

Approved:

Tom Miller  
Mayor.

**REGULAR MEETING OF THE CITY COUNCIL:**

Austin, Texas, January 10, 1935.

The meeting was called to order at 10:35 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C.F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was deferred.

Councilman Wolf offered the following resolution:

WHEREAS, in deed granted by The Austin Sewerage Company to the City of Austin, dated April 1, 1913, of record in the Deed Records of Travis County, Texas, in Volume 257, Page 264, mention is made of a grant or permit of certain parties to sewer rights by reason of an easement for sanitary sewer purposes over part of Block Number Sixty-two (62), Division "D", in the said City of Austin, conveyed by said deed to said City of Austin along with all other property of every kind and character, including all mains, laterals, connections, etc., then owned by said The Austin Sewerage Company; and,

WHEREAS, at the time of the erection of The Home of the Holy Infancy on the southwest part of said Outlot Number Sixty-two (62), Division "D", now owned by Most Reverend C. E. Byrne, Bishop of Galveston, it was discovered that a sewer traversed said property and at that time the sewer line then ending on San Antonio Street, immediately south of West Twenty-sixth Street, was extended to the north side of West Twenty-sixth Street, thence eastward to the street (Hume Place) extending northward over said Outlot No. 62 immediately east of the property conveyed to Joe A. Bauer and now owned by J. W. Saxon and wife, hereinafter mentioned, and that all sewer lines at that time connected to said line traversing the southwest corner of said Outlot No. 62 were connected to said new line, and said sewer traversing the southwest corner of said Outlot No. 62 was abandoned by the City; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City of Austin releases and relinquishes to the present owners any easement it has over the land in said Outlot No. 62, Division "D", in said City, now owned by J. W. Saxon and wife, and the land owned by Most Reverend C. E. Byrne, Bishop of the Catholic Diocese of Galveston, the easement hereby released extending from the east line of said property owned by said J. W. Saxon and wife conveyed by Geo. T. Hume and wife to Joe A. Bauer, by deed dated January 1, 1915, recorded in the Deed Records of said Travis County, Texas, in Volume 273, pages 117-118, and the west line of said street extending over said Outlot, said line being the west line of the driveway or passage ten (10) feet wide mentioned in said deed to Joe A. Bauer and thence extending westward across the southwest part of said Outlot No. 62 to the east line of Nueces Street.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford,