

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

Members of the OVA Board met with the City Council for a discussion of the damage to property along the Colorado River by reason of the unprecedented flood of June 15th, and the vital need for flood control dams to prevent a recurrence of such a disaster in the future. The Mayor assured the Committee of the City's cooperation in every way possible for completion of the project.

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

The Council then recessed at 1:20 P. M.

Attest:

Hallie McKellar  
City Clerk

Approved:

Tom Miller  
Mayor.

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 27, 1935.

The meeting was called to order at 10:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present; Councilmen Chas. F. Alford, C.M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

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

A letter from the Texas Public Service Company, complimenting the City for the promptness and dispatch with which water service was resumed after the recent flood, was received and filed.

A letter from Mrs. Chas. Stephenson, addressed to the City Manager, expressing appreciation for the splendid work done by the City in handling the flood situation, was read and filed.

Councilman Bartholomew offered the following resolution:

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

THAT, as soon as the flood waters in the Colorado River have subsided sufficiently to enable the work to be done, the City Manager and City Engineering Department be directed to confer with the Bridge Engineer of the State Highway Department and the County Commissioners and County Engineer for the purpose of making a thorough check of the foundation and piers of the Colorado River Bridge to determine what damage, if any, has been done to said structure.

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 report and resolution:

"Austin, Texas  
June 27, 1935

Mr. Gulton Morgan  
City Manager  
Austin, Texas.

Dear Sir:

We, the undersigned, have considered the application of Mrs. Jas. R. Hamilton, acting by and through S. J. Larson and O. G. Hofheinz, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and commercial driveways in conjunction therewith upon a 5-acre tract of land owned by the said Mrs. Jas. R. Hamilton, which 5-acre tract of land abuts the east side of the Post Road near Oltorf Street and being a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, 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 as shown upon the zoning maps of the City of Austin.

We recommend that Mrs. Jas. R. Hamilton, acting by and through S. J. Larson and O. G. Hofheinz, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and commercial 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) 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-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant, or shall be concentrated into a deep well located upon the property of the applicant, or shall be conducted by an underground pipe or conduit from said sand trap to the nearest creek or natural drainageway, all 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 or drain from the grease trap in case any of said drain or storm sewer is to be constructed within any street or alley and shall deposit in escrow with the City Finance Director a sum equal to said estimate.

(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-H-455.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-455 and shall be of the pre-moulded 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

Lewis M. Hamby, Building Inspector."

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 abutting the east side of the Post Road and being situated between the south City Limits and East Live Oak Street at a location approximately opposite Oltorf Street, which property is owned by Mrs. Jas. R. Hamilton and is designated as a portion of the Isaac Decker League within the City Limits of the City of Austin, Travis County, Texas, and hereby authorizes the said Mrs. Jas. R. Hamilton, acting by and through S. J. Larson and O. G. Hofheinz, to construct, maintain and operate a drive-in gasoline filling station

and to construct curbs, ramps and commercial 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 Mrs. Jas. R. Hamilton has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

Councilman Wolf submitted the following report and resolution:

"Austin, Texas  
June 27, 1935

Mr. Guiton Morgan  
City Manager  
Austin, Texas.

Dear Sir:

I have investigated the request of Truett B. Marshall, owner of Lot 40 of Enfield "F", a subdivision within the City Limits of the City of Austin, Travis County, Texas, which property abuts the west side of Wethersfield Road at a location approximately 100 feet north of the north line of Enfield Road, which property is locally known as 1504 Wethersfield Road, for permission to construct a flagstone walk and driveway between the property line and the curb line opposite the above described property.

I recommend that this permit be granted at the above location, subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

Respectfully submitted,

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

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, Truett B. Marshall, owner of Lot 40, of Enfield "F", a subdivision within the City limits of the City of Austin, Travis County, Texas, which property abuts the west side of Wethersfield Road at a location approximately 100 feet north of the north line of Enfield Road and being locally known as 1504 Wethersfield Road, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk and driveway from the curb line to the property line at the above described property; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk and driveway; therefore

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

THAT Truett B. Marshall, owner of Lot 40, Enfield F, a subdivision within the City Limits of the City of Austin, Travis County, Texas, which property abuts the west side of Wethersfield Road at a location approximately 100 feet north of the north line of Enfield Road, which property is locally known as 1504 Wethersfield Road, is hereby granted permission to construct a flagstone walk and driveway from the property line to the curb line at the above described location and said walk and driveway is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

The 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, 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 gas main in EAST THIRTY-FIFTH STREET from Hampton Road to Greenway, the centerline of which gas main shall be 7 feet north of and parallel to the south line of said East 35th Street.

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

(2) A gas main in GREENWAY from East 35th Street northerly to a point 25 feet north of the north line of said East 35th Street, the centerline of which gas main shall be 7 feet east of and parallel to the west line of Greenway.

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

(3) A gas main in WEST THIRTY-FIRST STREET, beginning at a point 24 feet south of and 24 feet west of the intersection of the north line of West 31st Street and the west line of Cedar Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 24 feet south of and parallel to the north line of said West 31st Street, for a distance of 55 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 not 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 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, Mrs. Alma Harrell, owner of part of Lots 1 and 2, Block 63, of Original City of Austin, Travis County, Texas, which property abuts the north side of East 6th Street at a location approximately 45 feet west of the west line of East Avenue, which property is locally known as 722 East 6th Street, has made application to the City Council of the City of Austin for permission to construct one commercial driveway across the north sidewalk area of East 6th Street at the above location as shown upon the plan hereto attached marked 2-C-598, which plan is made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT Mrs. Alma Harrell, owner of part of Lots 1 and 2, Block 63, of the Original City of Austin, Travis County, Texas, which property abuts the north side of East 6th Street at a location known as 722 East 6th Street, is hereby granted permission to construct a commercial driveway across the north sidewalk area of East 6th Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-598, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The 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, in Plat Book 3, at page 86, of the Plat Records on file with the County Clerk of Travis County, Texas, there appears a map or plat of an addition known as "Sunset Heights"; and

WHEREAS, there appears upon said map or plat a street known as "BOULDIN STREET", which Bouldin Street is the second street west of Johnson's Branch and extends southerly one block from Dam Boulevard; and

WHEREAS, a street by the name of "Bouldin Street" exists in another portion of the City of Austin; and

WHEREAS, great confusion is caused among public records and among delivery service in general by having two different streets by the same name within the same City; therefore

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

THAT that certain street known as "BOULDIN STREET" which appears upon a map or plat of an addition known as "Sunset Heights," which map or plat is on file in Plat Book 3, at page 86, of the Plat Records on file with the County Clerk of Travis County,



Texas, which Bouldin Street is the second street west of Johnson's Branch and extends southerly one block from Dam Boulevard, shall be known and designated hereafter as "RIO VISTA AVENUE. "

The 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, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

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

THAT the Southwestern Bell Telephone Company be, and the same is hereby permitted to construct its pole lines in the following streets:

(1) One telephone pole in CASTLE HILL north of 12th Street, the center of which pole shall be 12 feet west of the east line of Castle Hill.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager, and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The 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, the 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 gas main in EAST THIRTIETH STREET, beginning at a point 25 feet north of and 18 feet west of the intersection of the south line of East 30th Street and the east line of Robinson Street;

Thence in an easterly direction with a gas main, the centerline of which gas main shall be 25 feet north of and parallel to the south line of said East 30th Street, for a distance of one block to Dancy Street.

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

(2) A gas main in DANCY STREET, beginning at a point 25 feet east of and 25 feet north of the intersection of the west line of Dancy Street and the south line of East 30th Street;

Thence in a southerly direction with a gas main, the centerline of which gas main shall be 25 feet east of and parallel to the west line of Dancy Street, to a point that is 66 feet south of the south line of East 30th Street.

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

(3) A gas main in AVENUE H, from the City limit line southerly to a point that is 95 feet south of the south line of East 47th Street, the centerline of which gas main shall be 19 feet west of and parallel to the east line of Avenue H.

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 not 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 out 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 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, T. A. Webb is the Contractor for the construction of a building located at 100 Colorado Street and desires a portion of the sidewalk, street and alley space abutting Lots Nos. 2, 3, 4, 5, and 6, Block 4, of the Original 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 T. A. Webb, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the north line of West 1st Street 36 feet west of the west line of Colorado Street; thence in a southerly direction and at right angles to the centerline of West 1st Street a distance to a point 8 feet south of the north curb line of West 1st Street; thence in a westerly direction and parallel with the centerline of West 1st Street a distance of 158 feet; thence in a northerly direction and at right angles to the centerline of West 1st Street a distance to the north line of West 1st Street; thence in an easterly direction along the north line of West 1st Street to the place of the beginning,

Alley Working Space

Beginning at a point in the south line of the alley traversing Block 4 of the Original City, 36 feet west of the west line of Colorado Street; thence in a northerly direction and at right angles to the centerline of said alley a distance of 8 feet; thence in a westerly direction and parallel with the centerline of said alley a distance of 158 feet; thence in a southerly direction and at right angles to the centerline of said alley a distance to the south line of said alley; thence in an easterly direction along the south line of said alley to the place of the beginning.

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

(1) That the Contractor shall construct a 4-foot walkway within the above described street space in West 1st Street along the south boundary line of said working space, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall construct a guard rail at least 4 feet high and substantially braced and anchored around the above described alley working space.

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

(4) 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.

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

(6) 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.

(7) 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 October 15, 1935.

(8) 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.

(9) 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.

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), 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 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, J. L. Bennett is the Contractor for the construction of a building located at 4111 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lot 11, Block 3, Hyde Park No. 2, Outlot 81, Division "D" of the City of Austin, Texas, during the construction of the building, such space to be used in the work; 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. L. Bennett, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at a point in the northwest corner of the above described lot; thence in a westerly direction and at right angles to the centerline of Guadalupe Street a distance to a point 5 feet west of the east curb line of Guadalupe Street; thence in a southerly direction and parallel with the centerline of Guadalupe Street a distance of 28 feet; thence in an easterly direction and at right angles to the centerline of Guadalupe Street a distance to the east line of Guadalupe Street; thence in a northerly direction along the east line of Guadalupe Street to the place of the beginning.

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

(1) That the Contractor shall construct a 4-foot walkway within the above described street space adjacent to the east curb line of Guadalupe Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall use the sidewalk and street space only at such times as is necessary in the construction of the front wall of the building and of the awning over the sidewalk and shall not use the spaces for the storage of materials.

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



(4) 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.

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

(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 September 1, 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 Three Thousand Dollars (\$3000.00), 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report of the Board of Adjustment was read:

"Austin, Texas  
June 18, 1935

Hon. Mayor & City Council  
Austin, Texas.

Gentlemen:

The Board of Adjustment, at a meeting held on \_\_\_\_\_, adopted the following resolution, which is hereby respectfully submitted for your consideration and action:

#### R E S O L U T I O N .

WHEREAS, the zoning maps of the City of Austin now show all that property on the north side of West 19th Street between alley west of Speedway and the alley east of Whitis Avenue and all that property on the south side of West 19th Street between Congress Avenue and Colorado Street and one-half of the frontage of the block between Colorado Street and Lavaca Street zoned as "B" Residence; and

WHEREAS, all the other property on 19th Street from Rio Grande Street to Navasota Street with the exception of the State owned property is now zoned as "C" Commercial District; and

WHEREAS, the City Council recently extended the "C" Commercial District from San Antonio Street to Rio Grande Street; and

WHEREAS, the property above described now includes one church, two business buildings, one temporary non-conforming use, one fraternity house and several apartments; and

WHEREAS, applications have been filed with the Building Inspector for the use of certain portions of this property for commercial purposes; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is recommended to the City Council that the present zoning designation of the above described property be changed from "B" Residence to "C" Commercial District

in order that all the property between Rio Grande Street and Navasota Street fronting on 19th Street be uniformly zoned. '

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne, Chairman."

Councilman Wolf then offered the following resolution:

WHEREAS, the Board of Adjustment has proposed that the Zoning Ordinance of the City of Austin be amended so as to change the zoning designation of all that property on the north side of West 19th Street between the alley west of Speedway and the alley east of Whitis Avenue and all that property on the south side of West 19th Street between Congress Avenue and Colorado Street and one-half of the frontage of the block between Colorado Street and Lavaca Street from "B" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT; and

WHEREAS, under the terms of the Zoning Ordinance a public hearing must be held, at which opportunity shall be given the public to offer any objections to said amendment; therefore

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

THAT a public hearing be held on this amendment at the City Hall at 11:00 A. M., on Thursday, July 18, 1935, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

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

The following report of the Board of Adjustment was read:

"Austin, Texas  
May 27, 1935.

Hon. Mayor and City Council  
City of Austin,  
Austin, Texas.

Gentlemen:

The Board of Adjustment, at a meeting held on \_\_\_\_\_, adopted the following resolution, which is hereby respectfully submitted for your consideration and action:

R E S O L U T I O N .

WHEREAS, it is apparent that in the course of the preparation of the zoning maps of the City of Austin, certain errors in the drafting of the maps were made by the compilers thereof which the Board deems desirable and necessary to correct; and

WHEREAS, such errors show up as vacancies in the zoning map of certain areas where the proper indications were not drawn thereon; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT the following areas and more particularly described lots shall be zoned as originally intended and herein designated:

Tract No. 1: All that property now shown white on the Use District map located at Upson Street and West 7th Street, consisting of Lots 1, 2, 3, 4, 5, 6, and 7, Block 3, Deep Eddy Heights, to be zoned as "A" Residence District;

Tract No. 2: That portion of the block on the north side of Rosewood Avenue and West Chestnut Street consisting of Lots 3, 4, and 5, Block 4, Outlot 58, Division "B" to be changed from "A" Residence District to "C" Commercial District;

Tract No. 3: All that property now shown white on the Use District map of the City of Austin lying west of the State Confederate Home, consisting of Lots A, B, and C, extending south 706 feet from West 10th Street and for a width of 148 feet to be zoned as Residence "A" District;

Tract No. 4: A triangle lying in Dam Boulevard at the intersection with the I&GN Railroad, being part of Lot 6 of the Mrs. F. Martin Subdivision, to be zoned as Residence "A" District;

Tract No. 5: The railroad right-of-way of the I&GN Railroad extending south from

Enfield Road to the intersection of West 6th Street to be zoned as Residence "A" District and First Height and Area District, remaining right-of-way from West 6th Street to West 5th Street to be zoned as Residence "B" District and Second Height and Area District; and the remaining right-of-way from West 5th Street to Congress Avenue to be zoned as Industrial District and Third Height and Area District; and that the other railroad right-of-ways lying within the corporate limits of the City of Austin to be zoned similar to the present abutting zoned district, both with respect to use and height and area.

Tract No. 6: All the property lying north of Pease Park between Parkway and Windsor Road, now shown white on the Height and Area District maps of the City of Austin, to be zoned as First Height and Area District.

Tract No. 7: All the property bounded by Riverside Drive, Bouldin Creek, and Blunn Creek, now shown white on the Use District map of the City of Austin, to be zoned as "B" Residence District.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne, Chairman. "

The above matter was referred to the City Attorney.

The following report of the Board of Adjustment was read:

"Hon. Mayor and City Council  
Austin, Texas.

Gentlemen:

The Board of Adjustment, at a meeting held on May 27, 1935, passed the following resolution, which is hereby submitted for your consideration:

R E S O L U T I O N .

WHEREAS, the Board of Adjustment of the City of Austin at a meeting held on May 27, 1935, carefully considered the question of changing use designation of the property at the northeast intersection of 29th Street and West Avenue, being Lots Nos. 19 and 20, Block 4, Browns Subdivision, Outlot 72, from "A" Residential District to "C" Commercial District; and

WHEREAS, the zoning maps of the City of Austin show all the property surrounding lots above mentioned to be zoned for an "A" Residential District and further show that all the property from Guadalupe Street west along both sides of 29th Street to the alley west of Rio Grande Street are now zoned as "C" Commercial District; and

WHEREAS, an examination of the neighborhood shows that this section has been built up practically altogether as a residential district and that there is now a grocery store at the corner of 29th and Rio Grande Streets and a small nonconforming grocery store at the corner of Pearl Street and 29th Street, and that there is a well-developed and diversified retail center at the intersection of 29th Street and Guadalupe Street, two blocks from the property in question, which serves all the needs of the surrounding community; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT the character of this property is essentially "A" Residential as practically all the property from 24th Street north to the city limits and west from Rio Grande Street to the city limits, with the exception of certain community centers, is now developed as a residential district and the immediate neighborhood of the property in question is now closely built up with residential buildings; that the present community center at Guadalupe Street and 29th Street and the present property zoned as commercial property when developed will be ample to supply the needs of this section of the City for a considerable period of time; that the changing of the lots above referred to would detract from the value of the surrounding property as residential property and would adversely affect the residential character of this neighborhood and that there appears to be no immediate need or public necessity and convenience for the expansion of the existing commercial district, and that such a change would solely benefit the propertyowners while adversely affecting the interests of the adjacent property owners; that in view of these facts, circumstances and conditions the proposed change of the use designation of this property is hereby not recommended and that the present classification should be preserved.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne, Chairman. "

(The following application attached)

"Austin, Texas  
April 4, 1935

Honorable City Council  
Austin, Texas

Gentlemen:

It is our desire to have the property located at the corner of 29th and West Avenue, being Lots Nos. 19 and 20 in Block 4, Browns Subdivision, OL. 72, Division "D", changed from (a) resident district to (c) commercial district.

It is our understanding that the matter has to be taken up first with the Council and passed on to the zoning board.

Thanking you, we are

Yours very truly,

CARL WENDLANDT & SONS

Per (Sgd) Chas. Wendlandt. "

It was the sense of the Council that the foregoing recommendations of the Board of Adjustment be approved.

Councilman Wolf offered the following resolution:

WHEREAS, J. R. Bailey and Anne Throckmorton Bailey, husband and wife, of Travis County, Texas, being the owners of Lots or Blocks Nos. One (1), Two (2), Three (3), Four (4), Five (5), Seven (7), and Twelve (12), of Beau Site Addition, in the City of Austin, Travis County, Texas, as shown on the plat of said Addition, recorded in Book 2, page 184, of the Plat Records of Travis County, Texas, to which reference is here made, has dedicated to the public in their certain deed of date June 13, 1935, the following described easements and streets, by which certain portions of said premises are traversed, all as shown by a certain plat attached hereto and made a part hereof; and

WHEREAS, it is deemed advantageous and advisable by the City Council of the City of Austin that such easements as shown upon said plat should be accepted by the City of Austin, to wit: first, an easement for a public sanitary sewer five feet in width, the center line of which is described and set out in field notes of a survey made by the Metcalfe Engineering Company of Austin, Texas, Civil Engineers; second, an easement for a public storm sewer five feet in width, the center line of which is described in field notes of a survey made by the Metcalfe Engineering Company, Civil Engineers, and fully described in said dedication deed; third, those certain streets known as Green Way and Hampton Road, respectively, as same are surveyed and described in field notes made by Metcalfe Engineering Company of Austin, all of which easements and streets are shown by said plat and fully described in and set out in said deed of dedication to the public by said J. R. Bailey and wife; therefore

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

THAT the following described easements, to wit: a sanitary public sewer, storm sewer and public streets, as shown by said plat and said dedication deed, which is made a part hereof for descriptive purposes, are hereby accepted by the City of Austin for public utilities, as named therein, and public streets, same being in the City of Austin, Travis County, Texas, and being more particularly described by field notes and by metes and bounds as follows:

FIRST: An easement for a public sanitary sewer five feet (5') in width, the center line of which is described in field notes of a survey made by Metcalfe Engineering Company, of Austin, Texas, Civil Engineers, as follows, to wit:

Beginning at a stake on the northeast line of Lot or Block No. 1 of Beau Site Addition as recorded in Travis County Deed Records in Book 2, page 184, and from which stake the most easterly corner of Block No. 2 of Beau Site Addition bears S. 59°52' E. 605.41 feet; thence S. 30°34' W. 343 feet to a point; thence N. 80°55' E. 178 feet to a point; thence S. 85°50' E. 280 feet to a point; thence retracing the two previous calls N. 85°50' W. 280 feet to a point, and S. 80°55' W. 178 feet to a point; thence S. 30°34' W. 45.06 feet to a stake; thence S. 25°16' W. 142.8 feet to a stake; thence S. 00°5' W. 437.17 feet to a stake which is 3.02 feet N. 30°E. from the south line of Lot No. 12 of Beau Site Addition and from which stake a concrete monument set at the intersection of the center lines of East 34th Street and Hampton Road bears S. 29°15' E. 389.33 feet; thence S. 60°20' E. 85 feet to a point; thence retracing the previous call N. 60°20' W. 85 feet to a stake; thence N. 60°20' W. crossing the middle of East Waller Creek, the west line of Beau Site Addition, in all a total distance of 113.99 feet to the west line of that tract of land conveyed to Dr. J. R. Bailey by Siden Harris.

SECOND: An easement for a public storm sewer, five feet (5') in width, the center line of which is described in field notes of a survey made by Metcalfe Engineering Company, of Austin, Texas, Civil Engineers, as follows, to wit:

Beginning on the west line of Block No. 12 of Beau Site Addition to the City of Austin, recorded in Travis County Deed Records in Plat Book No. 2, page 184, and from which point of beginning an iron stake, the original southeast corner of Block No. 12 of Beau Site Addition bears S. 44°29' E. 472.81 feet and a concrete monument set by the Engineering Department of the City of Austin at the intersection of the center lines of Hampton Road and 34th Street bears S. 26°27' E. 584.99 feet; thence N. 88°43' E. crossing the north line of Lot or Block No. 12 of Beau Site Addition 184.5 feet to an iron stake; thence crossing a proposed street N. 89°39' E. 51.0 feet to a point on Block No. 7 of Beau Site Addition.

THIRD: Those certain streets known as Green Way and Hampton Road, respectively, as same are surveyed and described in field notes made by Metcalfe Engineering Company, of Austin, Texas, Civil Engineers, respectively as follows, to wit:

GREEN WAY: Beginning at an iron stake on the west side of Oakview Drive, now renamed Hampton Road, which stake is on the east line of Lot No. 12 of Beau Site Addition to the City of Austin, Texas, and from which stake a concrete monument set at the intersection of the center lines of East 34th Street and Hampton Road bears S. 29°14' W. 317.5 feet and S. 60°20' E. 30 feet; thence N. 61°40' W. 208.12 feet to an iron stake at a point of curve; thence bearing to the right and following a curve an arc distance of 128.20 feet, said curve having a radius of 86.84 feet and the long chord of which runs N. 19°22'30" W. 116.87 feet to an iron stake; thence N. 22°55' E. 393.35 feet to an iron stake; thence crossing the north end of Green Way S. 51°56' E. 67.31 feet to an iron stake; thence running westerly and southerly and following a curve an arc distance of 23.56 feet, said curve has a radius of 15 feet, and the long chord of which runs S. 67°55' W. 21.21 feet to an iron stake; thence S. 22°55' W. 360.88 feet to an iron stake; thence bearing to the left and following a curve an arc distance of 54.39 feet, said curve having a radius of 36.84 feet and the long chord of which runs S. 19°22'30" E. 49.58 feet to an iron stake; thence S. 61°40' E. 208.95 feet to an iron stake on the west line of Hampton Road; thence with the west line of Hampton Road S. 29°14' W. 50.00 feet to the place of the beginning.

HAMPTON ROAD: Beginning at an iron stake on the west side of Oakview Drive, now renamed Hampton Road, which stake is on the east line of Lot No. 7 of Beau Site Addition to the City of Austin, Texas, as shown in Flat Book 2, page 184 of the Travis County Deed Records, and from which stake a concrete monument set at the intersection of the center line of East 34th Street and Hampton Road bears S. 29°14' W. 621.83 feet and S. 60°20' E. 30 feet, and from which stake the southeast corner of Lot No. 7 of Beau Site Addition bears S. 29°14' W. 273.83 feet; thence following a curve in a northerly direction an arc distance of 40.08 feet to a point of reverse curve, said curve having a radius of 40.19 feet and the long chord of which runs N. 00°40' E. 38.44 feet to an iron stake; thence bearing to the right and following a curve an arc distance of 55.32 feet, said curve having a radius of 70.44 feet and the long chord of which runs N. 50°24' W. 53.91 feet to an iron stake; thence N. 17°06' E. 77.04 feet to an iron stake; thence bearing to the left and following a curve an arc distance of 32.54 feet, said curve having a radius of 22.15 feet and the long chord of which runs N. 24°59'30" W. 29.69 feet to an iron stake; thence N. 67°05' W. 184.18 feet to an iron stake; thence crossing the north end of Green Way N. 51°56' W. 67.31 feet to an iron stake; thence following a curve bearing to the left an arc distance of 60.64 feet, said curve having a radius of 69.24 feet and the long chord of which runs N. 20°10'30" W. 58.72 feet to an iron stake; thence N. 27°16' W. 130.68 feet to an iron stake; thence bearing to the right and following a curve an arc distance of 201.27 feet, said curve having a radius of 200.9 feet and the long chord of which runs N. 10°26' E. 192.95 feet to an iron stake; thence with the south line of 38th Street S. 59°52' E. 50 feet to an iron stake; thence following a curve in a southerly direction an arc distance of 151.17 feet, said curve having a radius of 150.9 feet and the long chord of which runs S. 10°26' W. 144.93 feet to an iron stake; thence S. 27°16' E. 223.10 feet to an iron stake; thence S. 67°05' E. 171.12 feet to an iron stake; thence bearing to the right and following a curve an arc distance of 106.01 feet, said curve having a radius of 72.15 feet and the long chord of which runs S. 24°59'30" E. 96.72 feet to an iron stake; thence S. 17°06' W. 77.04 feet to an iron stake; thence bearing to the left and following a curve an arc distance of 34.30 feet, said curve having a radius of 20.44 feet and the long chord of which runs S. 30°57'30" E. 30.37 feet; thence S. 48°50' W. 78.1 feet to an iron stake on the east line of Lot No. 7 of Beau Site Addition, which is the place of beginning.

BE IT FURTHER RESOLVED:

THAT the above described strips of land, to wit, the easement for a public sanitary sewer and an easement for a public storm sewer, dedicated to the public by J.R. Bailey



and Anne Throckmorton Bailey, husband and wife, for sanitary and public storm sewer, respectively, are hereby accepted, and that the lands hereinbefore described and dedicated to the public by J. R. Bailey and Anne Throckmorton Bailey, husband and wife, for street purposes, are hereby accepted, designated and dedicated as streets of the City of Austin, and shall be named and known as Green Way and Hampton Road, respectively.

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

Horace Barnhart, Secretary of the Retail Merchants Association, came before the Council and asked that the Council pass an ordinance prohibiting the use of loud speakers on the streets for advertising purposes. A hearing on the matter was set for the next regular meeting, Friday, July 5th.

Councilman Wolf moved that Roy's Taxicab Company be granted permit for one additional taxicab for a period of ninety days from July 1st, 1935. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following report of Tom E. Neal, Captain of Police, Traffic Division, was read:

"Austin, Texas  
June 27, 1935

Mr. R. D. Thorp  
Chief of Police  
Austin, Texas

Dear Sir:

Oscar Schwinge, 307 Live Oak Street, Green Leslie Pope, 116 East 8th Street, and Robert Paul Zombola, 1104 Bouldin Avenue, have made application for a Taxicab Driver's permit.

I am recommending that these permits be granted.

Claudy Horace Heath, 1108 Taylor Street, has made application for a Taxicab Driver's permit.

Due to his traffic record, I am asking that this applicant be given a conditional permit.

Respectfully submitted,

(Sgd) Tom E. Neal,  
Captain of Police, Traffic  
Division. "

Councilman Wolf moved that the recommendations of Captain Neal be approved. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A petition signed by the tenants at the Public Market, asking for certain concessions, was referred to the City Manager.

Councilman Wolf offered the following resolution:

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

THAT the City Manager be and he is hereby authorized and fully empowered to enter into and execute for and in the name of the City of Austin one certain written agreement dated and effective June 14, 1935, between said City of Austin and L. W. Baldwin and Guy A. Thompson, Trustees, International-Great Northern Railroad Company, respecting, among other things, a certain 6" sanitary sewer line across right-of-way approximately 1661 feet from Mile Post 178, Austin, Travis County, Texas, a true copy of said agreement being attached hereto as part hereof.

(Attached Agreement)

## PIPE LINE AND CANAL CROSSING LICENSE

This instrument executed in duplicate on this 14th day of June, A. D. 1935,  
WITNESSETH:

The undersigned Carrier hereby grants, solely on the herein expressed terms and conditions, and the undersigned Licensee, City of Austin, a municipal corporation of the State of Texas - Austin, Texas, hereby accepts, permission to install, keep, and use, free of charge, for conveying sewage (6" sanitary sewer) along or across the right of way or other grounds constituting a part of Carrier's railroad (hereinafter called premises) at or near Austin, Travis County, Texas, a certain pipe line (or canal and/or flume), the same to cross the premises approximately 1661 ft. from Mile Post 178, and otherwise to be located as shown by yellow line and of said right of way if limited to any track, by white line, but, if wider, by red lines on the map or plat marked Exhibit "A" and hereto attached and made a part hereof.

1. Licensee shall furnish or do at Licensee's own cost and responsibility any and all things and when and as from time to time required to accomplish whatsoever the Licensee attempts or is bound to do at any time hereunder. Licensee shall adjust Pipe Line (or canal and/or flume) to any physical change as made at any time in any of Carrier's property; at all times keeping upper surface of any pipe line or canal and/or flume at least four feet below bottom of rail thereover. Licensee shall cause any Pipe Line, before being used for anything inflammable, to conform substantially to Exhibit "B" attached hereto as part hereof; obtaining Exhibit B, if missing, from Carrier. Said things, including the time and manner of doing any work, each shall conform to the requirements of Carrier as well as of any State, Federal or Municipal authority. Carrier may acting for Licensee furnish or do, and Licensee shall pay and bear the cost of, anything which, herein required of Licensee, at any time, either shall not be furnished or done within ten days following Carrier's written request therefor or shall be undertaken by Carrier at Licensee's request; and Licensee on request shall, in advance, deposit with Carrier the estimated cost thereof. If deposit be less than actual cost, Licensee shall pay difference; if more, Carrier shall repay difference. Any other payment shall be made within twenty days following receipt of bill. Licensee shall pay cost to Carrier for all labor, including wages of foremen, plus 10% to cover accounting and supervision, and Carrier's cost price of all materials f. o. b. Carrier's rails plus 10% to cover handling and accounting, plus freight at tariff to point of use. Carrier may connect with and discharge sewage into Pipe Line while serving as sewer.

2. Licensee agrees to indemnify and hold harmless the Carrier from all liability, damage and expense, including attorney's fees and costs, which the Carrier may incur or suffer, caused by the installation, maintenance, existence or use of Pipe Line (or canal and/or flume).

3. "Term hereof shall begin with the 14th day of June, 1935, and continue thereafter indefinitely as long as Licensee shall perform and covenants hereof and shall reasonably need in its business the permission granted hereby and shall not abandon the said Pipe Line (or canal and/or flume). In the event Licensee shall fail to perform the covenants hereof, or shall not reasonably need in its business the permission granted hereby, or shall abandon the said Pipe Line (or canal and/or flume), the term hereof may be terminated by expiration of thirty days following serving by Carrier on Licensee of written notice of intention to end term hereof. Term hereof may also be concluded by expiration of thirty days following serving by Licensee on Carrier of written notice of intention to end term hereof. Any notice of Carrier shall be deemed served when posted conspicuously on Pipe Line (or canal and/or flume), or when deposited, postage prepaid, in U. S. mail addressed as aforesaid, not later than last day of term hereof Licensee shall remove Pipe Line (or canal and/or flume) and restore premises. Any of Pipe Line (or canal and/or flume) not so removed shall at Carrier's election without notice be deemed abandoned. Covenants herein shall inure to or bind each party's heirs, legal representatives, successors and assigns; provided, no right of Licensee shall be transferred or assigned either voluntarily or involuntarily except by express agreement acceptable to Carrier. Carrier or Licensee may waive any default at any time of the other without affecting or impairing any right arising from any subsequent default.

L. W. BALDWIN AND GUY A. THOMPSON,  
TRUSTEES INTERNATIONAL-GREAT  
NORTHERN RAILROAD COMPANY, DEBTOR.

\_\_\_\_\_  
Senior Ass't

CITY OF AUSTIN

Attest:

(Sgd) Guiton Morgan  
City Manager

\_\_\_\_\_  
Secretary for the Trustees

\_\_\_\_\_  
City Secretary

The International-Great Northern Railroad Company, pursuant to Section 77 of the Bankruptcy Act, approved March 3, 1933, is now in process of reorganization and is being operated by the undersigned Trustees under jurisdiction of the United States District Court, Eastern Division, Eastern District of Missouri, and upon the date that ownership or control of the railroad and property of said Railroad Company by said Trustees, or their successor trustee or trustees, shall cease, this agreement shall ipso facto terminate, unless pursuant to the decree of said court, said agreement shall be continued in effect by the party succeeding to such ownership or control. "

The resolution 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 Gillis moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed at 12:15 P. M.

\* Councilman Bartholomew nominated John B. Pearson as a member of the Board of Equalization, to fill the unexpired term of Otto Ebeling, deceased. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Attest:

Hallie McKeel  
City Clerk

Approved:

Tom Miller  
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 5, 1935.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes of the last regular meeting was dispensed with.

Dr. T. U. Taylor appeared before the Council and requested that a marker showing the flood stages of the Colorado River in 1869 and 1935 be placed in Lamar Park and offered his services in the matter, without charge.

Councilman Alford moved that the City Manager and City Engineer be directed to cooperate with Dr. Taylor in having this work done, the City to pay all expenses incident thereto. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

A committee from the Southside Development Association, composed of B. E. Howell, Chas. H. Berg, and others, submitted a written request that the City Council put forth every effort to have the State Highway Department apply some form of topping on West Mary Street before said street is made the official detour while the Fredericksburg and Barton Springs Roads are being rebuilt. The matter was taken under advisement.

The hearing on the proposal to prohibit the use of loud speakers on the streets for advertising purposes was opened, a committee of merchants and other interested persons being present. After considerable discussion for and against the proposed measure, the matter was referred to the City Attorney for investigation, to determine what can be done in the premises.

The matter of regulating the throwing of circulars in automobiles was also referred to the City Attorney for attention.

The complaint of Miss Effie Whitehand relative to the storm sewer ditch in front of her place at 506 East 14th Street was referred to the City Engineer.

The following report of the Board of Adjustment was read:

"Hon. Mayor and City Council  
Austin, Texas.

Gentlemen:

The Board of Adjustment, at a meeting held April 18, 1935, passed the following