

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 18, 1940.

The City Council convened in regular session at the regular meeting place in the Council Room at the Municipal Building, on Thursday, April 18, 1940, at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

The Minutes of the regular meetings of April 4 and April 11, 1940, were read, and upon motion of Councilman Wolf, were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Messrs. Sam Ingram and Mace F. Thurman, on behalf of the Reconstruction Finance Corporation, came before the Council and asked that the penalty and interest accrued against the east 45'x209' of Lot 6, Outlot 55, Division "B", assessed in the name of Annie Overton, and held by the City under a tax deed, be remitted to enable said Corporation to sell the property. The matter was taken under advisement and referred to the City Manager for recommendation.

In accordance with published notice thereof, the public hearing on the proposal of the City Council to amend the Zoning Ordinance in the following particulars was opened:

To amend the USE designation of the following described property so as to change same from "B" Residence District and Second Height and Area District, to "C" Commercial District and Second Height and Area District:

The northeast corner of Outlot 19, Division "E", facing east on Rio Grande Street about 105½ feet and on West 19th Street about 125 feet, together with all improvements thereon, and being the same property conveyed by Mrs. S. S. Shackelford to J. M. Edwards on August 23, 1918, as the same appears of record in Travis County Deed Records, Volume 304, page 452; said above described property being located at the southwest corner of West 19th and Rio Grande Streets in the City of Austin, Texas.

C. C. Campbell, representing the J. M. Edwards Estate, proponent of the change, appeared and plead for the change on the ground that as the business area has been extended already west to Rio Grande Street, it now be extended across the street to allow the erection of another filling station, citing the fact that as a result of the growth of the City, Colorado, Lavaca, and Guadalupe Streets have become business streets, and that, in line with further progress, Rio Grande Street should now be changed.

A large group of property owners was present to protest the change, the following appearing to be heard:

Dr. Goodall Wooten objected to further encroachment of business in that area on account of his home, declaring that the fact that a laundry and filling station were located there now did not make it a commercial street, and that there was no need for another filling station.

J. W. Scarbrough declared that as there has to be a dividing line somewhere, the Board of Adjustment had made that dividing line Rio Grande Street; that it was not logical to extend the commercial district across Rio Grande Street and allow a filling station in a block where there was no other business at the present time; that their property values would be depreciated; and the peaceful enjoyment of their homes would be lost.

Mrs. John B. Pope declared the proposed change objectionable, as the property in question is adjacent to her home - where she has lived for the past twenty-eight years - and the erection of a filling station on said property would result in much discomfort and annoyance to the occupants of her home.

Mrs. Milton Morris stated that she objected to the change as same would be detrimental to her property.

A petition signed by Goodall H. Wooten, et al., property owners and tenants within a radius of two hundred feet, or more, from the property in question, protesting the proposed change on the

grounds; that it would create a nuisance to their homes, would devalue the present value of their homes, and would encroach upon the homely conveniences this neighborhood has afforded them in the past, was submitted by Joe A. Lawrence.

Joe A. Lawrence further stated that when the laundry was built at the southeast corner of 19th and Rio Grande Streets, Mrs. Milton Morris, adjacent property owner, lost a tenant on account of same; that said property remained vacant for several months, and was now bringing less revenue than before.

A written protest, signed by W. T. Caswell on behalf of his sister, Mrs. H. L. Gerhard, was received.

No other property owners or interested persons requesting to be heard, Mayor Miller then moved that, in view of the serious objections to the change in zoning of the property at the southwest corner of West 19th and Rio Grande Streets, from "B" Residence and Second Height and Area Districts, to "C" Commercial and Second Height and Area Districts, entered by property owners, the City Council sustain the recommendations of the Board of Adjustment and disapprove the change. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

A petition signed by H. W. Newman, et al., property owners and residents on Salado and San Pedro Streets, protesting the spot zoning asked for by Samuel E. Gideon on the west side of the 2700 block on Salado Street, was received and filed.

Mayor Miller moved that the matter of change in zoning of the property of S. E. Gideon on the west side of the 2700 block on Salado Street, continued from the last regular meeting, be continued to the next regular meeting. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that, in accordance with the recommendations of the City Manager and the Traffic Division, formal approval be given of the following proposed changes in schedules and routes of the NORTH MAIN and SPEEDWAY BUS LINES, and of the RIDGETOP and COUNTRY CLUB BUS LINES, as submitted by the Austin Transit Company:

**"ANNOUNCING CHANGES IN SCHEDULES AND ROUTES OF THE  
NORTH MAIN AND SPEEDWAY BUS LINES, OPERATING IN  
CONNECTION WITH SOUTH MAIN.**

**ROUTE NORTH MAIN BUS LINE**

Beginning March 31, 1940, Buses marked MAIN will follow the present MAIN LINE ROUTE to 40th and Guadalupe Streets; leaving its present route there, MAIN LINE BUSES will proceed north on Guadalupe to 45th Street; east on 45th Street to Avenue B; south on Avenue B to 40th Street; west on 40th Street to Guadalupe; and thence south over its outbound route to center of the City.

**ROUTE MAIN SPEEDWAY BUS LINE**

Buses marked SPEEDWAY will be operated all day and will follow its present route to 40th and Speedway; thence east on 40th Street to Avenue G; north on Avenue G to 45th Street; west on 45th Street to the end of the line, 45th and Avenue D; thence south on Avenue D to 43rd Street; thence east on 43rd Street to Speedway, and will return to the center of the City over its present route.

MAIN and SPEEDWAY Buses operating alternately will maintain a 6-minute Headway on the MAIN LINE to 27th Street, and will maintain a 12-minute Headway on both MAIN and SPEEDWAY Lines north of 27th Street.

**SEE SCHEDULE OF LINE BELOW**

**MAIN LINE**  
Northbound  
FIRST BUS leaves 6th & Congress  
at 5:48 A. M.  
LAST BUS leaves 6th & Congress  
at 11:36 P. M.  
Southbound  
FIRST BUS leaves 45th & Avenue B  
at 6:09 A. M.  
LAST BUS leaves 45th & Avenue B  
at 11:57 P. M.

**HEADWAY**  
Leave 6th & Congress Avenue on Hour, 12, 24, 36 & 48  
minutes at hour  
Leave 45th & Avenue B, 9, 21, 33, 45, & 57 minutes  
after each hour  
THIS SCHEDULE AND ROUTE SUBJECT TO CHANGE WITHOUT NOTICE.

**SPEEDWAY**  
Northbound  
FIRST BUS leaves 6th & Congress  
at 5:54 A. M.  
LAST BUS leaves 6th & Congress  
at 11:36 P. M.  
Southbound  
FIRST BUS leaves 45th & Avenue D  
at 6:15 A. M.  
LAST BUS leaves 45th & Avenue D  
at 11:57 P. M.  
**HEADWAY**  
Leave 6th & Congress Avenue 6, 18,  
30, 42, & 54 minutes after each hour  
Leave 45th & Avenue B, 3, 15, 27,  
39, & 51 minutes after each hour

**"ANNOUNCING CHANGES IN SCHEDULES AND ROUTES OF  
THE RIDGETOP AND COUNTRY CLUB BUS LINES**

**RIDGETOP BUSES**

FIRST BUS leaves 6th & Congress Ave  
at 5:40 A. M.  
FIRST BUS leaves end of line RIDGETOP  
at 6:00 A. M.  
LAST BUS leaves 6th & Congress Avenue  
at 11:36 P. M.  
LAST BUS leaves end of line RIDGETOP  
at 11:56 P. M.

**RIDGETOP BUS ROUTE**

Beginning March 31, 1940, BUSES marked RIDGETOP will operate over its present route to 34th & Duval Streets; thence north on Duval to 51st Street, following its present route to the end of the line, 51st and Red River Streets; and south over the present route to the center of the City.

**RIDGETOP BUS SCHEDULE**

RIDGETOP BUSES will leave 6th & Congress Avenue on the Hour and 20 and 40 minutes thereafter.

RIDGETOP BUSES will leave 51st & Red River Streets, end of line, on the Hour and 20 and 40 minutes thereafter.

**COUNTRY CLUB BUSES**

**A. M.**

FIRST BUS leaves 6th & Congress Avenue at 6:10  
FIRST BUS leaves 47th and Red River Streets at 6:30  
LAST BUS leaves 6th and Congress Avenue at 7:50  
LAST BUS leaves 47th and Red River Streets at 8:10

**P. M.**

FIRST BUS leaves 6th and Congress Avenue at 1:10  
FIRST BUS leaves 47th and Red River Streets at 1:30  
LAST BUS leaves 6th and Congress Avenue at 6:10  
LAST BUS leaves 47th and Red River Streets at 6:30

**COUNTRY CLUB ROUTE**

COUNTRY CLUB BUSES will leave 6th & Congress Avenue 10 minutes behind RIDGETOP BUSES, thus maintaining 10 minute service over the line as far as 47th Street. However, Buses will run over a route slightly different from the RIDGETOP BUSES, as follows: at 34th Street; east on 34th Street to Red River; north on Red River to 47th Street; west on 47th Street to Duval Street; south on Duval Street, over the outbound RIDGETOP route to the center of the City. Thus affording to Bus patrons in this area direct route to the center of the City every 10 minutes during that portion of the day covered by COUNTRY CLUB BUS Service.

**COUNTRY CLUB BUS SCHEDULE**

COUNTRY CLUB BUSES will leave 6th & Congress Avenue, 10, 30 & 50 minutes after each hour.

COUNTRY CLUB BUSES will leave 47th & Red River Streets, end of line, 10, 30, & 50 minutes after each hour.

AUSTIN TRANSIT COMPANY  
Austin, Texas. "

The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that Ernest J. Kunkel, 106 East Second Street, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that Jesse C. Hildebrand, 300 Congress Avenue, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that Mrs. Elizabeth Garner, 905 Ruiz Street, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following

vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that Robert H. Comer, 401 East 12th Street, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that D. F. Samuel, 200 East Second Street, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that Eugene W. Patterson, 612 West Live Oak Street, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that Leo Weaver, 209 East 13th Street, be granted a taxicab driver's permit, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that Frank Taylor Conkle, 1113 South Third Street, be granted a taxicab driver's permit, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Gillis, who moved its adoption:

**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 corner of East 45th Street and Duval Street, which property is owned by Mr. and Mrs. Henry Gerdes, and hereby authorizes the said Mr. and Mrs. Henry Gerdes to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks 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 the 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 Mr. and Mrs. Henry Gerdes have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations  
attached )

Mr. Guiton Morgan  
City Manager  
Austin, Texas

" Austin, Texas  
April 18, 1940

Dear Sir:

We, the undersigned, have considered the application of Mr. and Mrs. Henry Gerdes for permission to construct, maintain and operate a drive-in gasoline filling station at the northwest corner of East 45th Street and Duval Street within the City of Austin, Travis County, Texas, which property is owned by the said Mr. and Mrs. Henry Gerdes, 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.

Storm sewer inlets exist at the above location.

We recommend that Mr. and Mrs. Henry Gerdes be granted permission to construct, maintain, and operate said drive-in gasoline filling station, and to construct curbs, ramps and sidewalks 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 entrance 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-146, 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-H-659.
- (5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-659, 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,

(Signed) J. E. Motheral  
City Engineer

" J. E. Eckert  
Building Inspector. "

Upon roll call, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Alford, who moved its adoption:

WHEREAS, Bowen Construction Company is the Contractor for the demolition and erection of a building located at 814 Congress Avenue and desires a portion of the street and sidewalk space abutting part 0 of Lot 4, Block 98, of the Original City of Austin, Travis County, Texas, during the demolition and erection 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 Bowen Construction Company, the boundary of which is described as follows:

Street and Sidewalk Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Congress Avenue to a point 12 feet east of the west curb line; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 50 feet to a point; thence in a westerly direction and at right angles with the centerline of Congress Avenue to the east property line of Lot 3.

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

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted Bowen Construction Company a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered

solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate, which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(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 in no way obstruct any fire plug or other public utilities in the construction of such barricades.

(7) That provisions 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 water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) 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 August 15, 1940.

(10) 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.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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.

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



The following resolution was introduced by Councilman Alford, who moved its adoption:

WHEREAS, L. L. McCandless is the Contractor for the remodeling of a building located at 917 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot O, Block 111, of the Original City of Austin, Travis County, Texas, during the remodeling 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 L. L. McCandless, the boundary of which is described as follows:

Sidewalk and Street Working Space

(1) Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles with the centerline of Congress Avenue to a point 5 feet east of the east curb line; thence in a northerly direction approximately 23 feet to a point; and parallel with the centerline of Congress Avenue; thence in an easterly direction and at right angles with the centerline of Congress Avenue to the northwest corner of the above described property.

(2) Beginning at the east curb line of Congress Avenue and projected line of the south property line of the above described property; thence in a westerly direction and at right angles with the centerline of Congress Avenue 14 feet to a point; thence in a northerly direction and parallel to the centerline of Congress Avenue 23 feet to a point; thence in an easterly direction and at right angles with the centerline of Congress Avenue to the east curb line; thence along the east curb line to place of beginning.

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

(1) That the Contractor shall erect in the sidewalk working space first above described a solid board fence constructed of not less than 1 inch material and to extend from the sidewalk level to the under side of the present awning. Said awning is to be covered with planks of not less than 2-inch material in order to prevent any objects falling through the roof of said awning.

That the Contractor shall erect on the street working space further described above a guard rail within the boundary line along the north, east, south, and west lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate, which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

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

(6) That provisions 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 water.

(7) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(8) 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 June 1, 1940.

(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 use and enjoyment of the spaces herein granted shall not be exclusive as against

public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(11) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said remodeling purposes, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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.

Upon roll call, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Gillis, who moved its adoption:

WHEREAS, J. R. Blackmore & Sons is the Contractor for the erection of a building located at 400-408 Nueces Street and desires a portion of the sidewalk and street space abutting Lot 4, Block 47, of the Original City of Austin, Travis County, Texas, during the erection 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 & Sons, the boundary of which is described as follows:

Street and Sidewalk Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Nueces Street to a point 15 feet east of the west curb line; thence in a southerly direction and parallel with the centerline of Nueces Street 125 feet to a point; thence at an angle of approximately 30 degrees to a point 10 feet south of the north curb line of Fourth Street and the extended east line of the above described property; thence in a westerly direction and parallel to the centerline of West Fourth Street approximately 69 feet to a point; thence in a northerly direction and at right angles with the centerline of West Fourth Street to the south property line of the above described property.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate, which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(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 in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions 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 water.

(8) That the Contractor shall place on the outside corners of any walkway barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) 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 August 15, 1940 .

(10) 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.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by the Contractor, City forces, or public utilities, shall be repaired or replaced at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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 to 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.

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

The following resolution was introduced by Councilman Alford, who moved its adoption:

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 12TH STREET from Olander Street westerly 116 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north property line of said East 12th Street.

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

- (2) A gas main in CLEARVIEW DRIVE from Mountain View Road easterly 233 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said Clearview Drive.

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

- (3) A gas main in CHERRY LANE from Mountain View Road westerly 171 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said Cherry Lane.

Said gas main described above shall have a covering 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.

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

The following resolution was introduced by Councilman Alford, who moved its adoption:

WHEREAS, Young and Pratt, acting by and through J. D. Young, owner of a tract or parcel of land out of the Isaac Decker League, within the City of Austin, Travis County, Texas, which property abuts the west side of Fredericksburg Road at a location north of Hether Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the west sidewalk area of Fredericksburg Road at the above described location, as shown upon the plan hereto attached marked 2-C-859, which plan is hereby 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 Young and Pratt, acting by and through J. D. Young, owner of a tract or parcel of land out of the Isaac Decker League, within the City of Austin, Travis County, Texas, which property abuts the west side of Fredericksburg Road at a location north of Hether Street, is hereby permitted to construct a commercial driveway across the west sidewalk area of Fredericksburg Road at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-859, 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.

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

The following resolution was introduced by Councilman Gillis, who moved its adoption:

WHEREAS, heretofore by dedication of a plat as recorded in Book 3, pages 194-195, of the Plat Records of Travis County, Texas, an easement for public utilities of five feet on either side of the dividing lines of all lots in Enfield "F" Addition to the City of Austin, Travis County, Texas, was granted to the City of Austin; and

WHEREAS, it has become apparent that the City of Austin does not now need or desire said easement in its entirety as provided for in Enfield "F" Addition, except as hereinafter specifically described; now, therefore,

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

THAT the City Manager be and he is hereby authorized and directed, in the name of the City of Austin, Texas, to release and quitclaim to H. O. Hoppe, his heirs, successors and assigns, all the right, title, interest, claim and demand in and to two (2) tracts of land, each being a portion of Enfield "F", a subdivision by the Westenfield Development Company of a portion of the George W. Spear League situated within the City of Austin, Travis County, Texas, according to a map or plat of Enfield "F", of record in Book 3, pages 194-195, of the Plat Records of Travis County, Texas, said two tracts of land being more particularly described as follows, to-wit:

Tract No. 1. The east 95.26 feet of the north 5 feet of Lot 91, of said Enfield "F";

Tract No. 2. The east 95.26 feet of the south 5 feet of Lot 92, of said Enfield "F";

which said easement, described by dedication of said Enfield "F", is recorded in Book 3, pages 194-195 of the Plat Records of Travis County, Texas, to which plat and dedication reference is here made for all purposes, SAVE and EXCEPT the following specific easement, which is expressly retained and not released by the City of Austin:

In, upon and across the west five (5) feet of Lots 91 and 92, of Enfield "F", appearing of record in Book 560, pages 465-466 of the Deed Records of Travis County, Texas.

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

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 29, 1937, AND RECORDED IN ORDINANCE BOOK "K", PAGE 239, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; THE AMENDMENT HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FROM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT OF THAT CERTAIN PROPERTY KNOWN AS ALL OF LOTS NUMBERS 1, 2, 3, 4, AND 5, OUT OF THE HENRY COLLEY HOME TRACT, OUT OF THE GEORGE W. SPEAR LEAGUE, LOCATED IN THE 2700 BLOCK ON WEST SEVENTH STREET, WEST OF NORWALK LANE IN THE CITY OF AUSTIN; AND ORDERING A DELINEATION OF THE OFFICIAL USE MAP SO AS TO SHOW THE CHANGES HEREBY ORDERED.

The ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the ordinance be passed to its second reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the ordinance be passed to its third reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

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

The Mayor announced that the ordinance had been finally passed.

The following resolution was introduced by Councilman Gillis, who moved its adoption:

WHEREAS, L. Lee Brasfield has offered to purchase from the City of Austin 4,228 square feet of land located on the west side of Brackenridge Street and extending north from East Live Oak Street, in the City of Austin; and

WHEREAS, the City Manager recommends the sale of this property to L. Lee Brasfield for the sum of One Hundred Dollars (\$100.00) as per his offer; therefore

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

THAT the City Manager be and he is hereby authorized and directed in behalf of the City of Austin to sell and convey by warranty deed to L. Lee Brasfield, for the consideration of One Hundred Dollars (\$100), the following described property: 4228 square feet of land out of and a part of a tract of 6 acres, more or less, a portion of the Isaac Decker League, in the Swisher Addition to the City of Austin, Texas, and being all of that certain tract designated as "Second Tract" in a deed of conveyance from Bruce Bogle to the City of Austin, dated January 6, 1932.

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

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 34 (b) SO AS TO CHANGE THE DIRECTION IN WHICH TRAFFIC MAY TRAVEL IN CERTAIN ALLEYS EAST OF CONGRESS AVENUE AND BETWEEN TENTH STREET AND ELEVENTH STREET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the ordinance be passed to its second reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the ordinance be passed to its third reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

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

The Mayor announced that the ordinance had been finally passed.

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, Mrs. Maude W. McDonald passed away on March 15, 1940; and

WHEREAS, Section 9 of her last will and testament reads as follows: "I give and bequeath all of my books to the Library of the City of Austin"; and

WHEREAS, the City Council of the City of Austin is deeply appreciative of this gift; therefore,  
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is hereby authorized and directed to receive this gift and have same placed in the Library of the City of Austin; and, further, that a copy of this resolution be spread on the minutes of the City Council and a copy of same furnished to the surviving relatives of the deceased.

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

The City Engineer was instructed to proceed with the removal of the tracks of the Austin Street Railway Company on Congress Avenue as soon as possible.

The following resolution was introduced by Councilman Wolf:

WHEREAS, an election was held in the City of Austin, Texas, on the 15th day of April, A. D. 1940, at which election there was submitted to the qualified voters of said City, for their action thereon, the certain two propositions to issue the bonds of the City of Austin for the respective purposes hereinafter named; and

WHEREAS, the City Council has this day canvassed the returns of said election, as made and reported by the officers of said election of the various voting wards of said City, and has found said returns to show the following results of said election;

EAST FIRST WARD

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 124  
Against Proposition No. 1 - - - - - 64

PROPOSITION NO. 2

For Proposition No. 2 - - - - - 117  
Against Proposition No. 2 - - - - - 71

WEST FIRST WARD

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 141  
Against Proposition No. 1 - - - - - 53

PROPOSITION NO. 2

For Proposition No. 2 - - - - - 127  
Against Proposition No. 2 - - - - - 63

SECOND WARD A

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 37  
Against Proposition No. 1 - - - - - 11

PROPOSITION NO. 2

For Proposition No. 2 - - - - - 28  
Against Proposition No. 2 - - - - - 16

SECOND WARD B

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 75  
Against Proposition No. 1 - - - - - 13

PROPOSITION NO. 2

For Proposition No. 2 - - - - - 65  
Against Proposition No. 2 - - - - - 20

SECOND WARD C

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 77  
Against Proposition No. 1 - - - - - 40

PROPOSITION NO. 2

For Proposition No. 2 - - - - - 70  
Against Proposition No. 2 - - - - - 46

WARD 3-A

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 68  
Against Proposition No. 1 - - - - - 23

PROPOSITION NO. 2

For Proposition No. 2 - - - - - 63  
Against Proposition No. 2 - - - - - 27

WARD 3-B

PROPOSITION NO. 1

For Proposition No. 1 - - - - - 75

Against Proposition No. 1 ..... 21

PROPOSITION NO. 2

For Proposition No. 2 ..... 67

Against Proposition No. 2 ..... 27

WARD 3-C

PROPOSITION NO. 1

For Proposition No. 1 ..... 204

Against Proposition No. 1 ..... 70

PROPOSITION NO. 2

For Proposition No. 2 ..... 178

Against Proposition No. 2 ..... 95

WARD 4-A

PROPOSITION NO. 1

For Proposition No. 1 ..... 165

Against Proposition No. 1 ..... 26

PROPOSITION NO. 2

For Proposition No. 2 ..... 142

Against Proposition No. 2 ..... 38

WARD 4-B

PROPOSITION NO. 1

For Proposition No. 1 ..... 211

Against Proposition No. 1 ..... 55

PROPOSITION NO. 2

For Proposition No. 2 ..... 192

Against Proposition No. 2 ..... 73

WARD 4-C

PROPOSITION NO. 1

For Proposition No. 1 ..... 151

Against Proposition No. 1 ..... 54

PROPOSITION NO. 2

For Proposition No. 2 ..... 137

Against Proposition No. 2 ..... 66

WARD 4-D

PROPOSITION NO. 1

For Proposition No. 1 ..... 112

Against Proposition No. 1 ..... 39

PROPOSITION NO. 2

For Proposition No. 2 ..... 106

Against Proposition No. 2 ..... 41

WARD 4-E

PROPOSITION NO. 1

For Proposition No. 1 ..... 49

Against Proposition No. 1 ..... 32



PROPOSITION NO. 2

For Proposition No. 2 .....	45
Against Proposition No. 2 .....	36

WARD 5-APROPOSITION NO. 1

For Proposition No. 1 .....	101
Against Proposition No. 1 .....	10

PROPOSITION NO. 2

For Proposition No. 2 .....	99
Against Proposition No. 2 .....	13

WARD 5-BPROPOSITION NO. 1

For Proposition No. 1 .....	123
Against Proposition No. 1 .....	48

PROPOSITION NO. 2

For Proposition No. 2 .....	119
Against Proposition No. 2 .....	53

WARD 6PROPOSITION NO. 1

For Proposition No. 1 .....	133
Against Proposition No. 1 .....	13

PROPOSITION NO. 2

For Proposition No. 2 .....	128
Against Proposition No. 2 .....	17

WARD 6-APROPOSITION NO. 1

For Proposition No. 1 .....	37
Against Proposition No. 1 .....	10

PROPOSITION NO. 2

For Proposition No. 2 .....	37
Against Proposition No. 2 .....	11

WARD 7-APROPOSITION NO. 1

For Proposition No. 1 .....	70
Against Proposition No. 1 .....	21

PROPOSITION NO. 2

For Proposition No. 2 .....	64
Against Proposition No. 2 .....	23

WARD 7-BPROPOSITION NO. 1

For Proposition No. 1 .....	132
Against Proposition No. 1 .....	34

PROPOSITION NO. 2

For Proposition No. 2 .....	118
Against Proposition No. 2 .....	37

SUMMARY

Total votes cast FOR Proposition No. 1 ----- 2083

Total votes cast AGAINST Proposition No. 1 ----- 637

Total votes cast FOR Proposition No. 2 ----- 1902

Total votes cast AGAINST Proposition No. 2 ----- 773

and

WHEREAS, it has been determined by said canvass of said returns of said election, as tabulated and set out above, that each and both of said propositions received at said election more than two-thirds affirmative votes of all the votes cast thereon; now, therefore,

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

THAT it is hereby declared the result of said election to be that the City Council of the City of Austin has been and is authorized by the voters at said election, in the majority required by law, to issue bonds of the City of Austin, in the various amounts and for the various purposes hereinafter stated, provided that none of said bonds shall bear interest at a rate exceeding three (3%) per cent and to mature not exceeding thirty years from the date of same, serially or otherwise, as may be determined by the City Council, to-wit:

1. For the purpose of constructing extensions, additions and betterments to City hospital buildings and accessory structures, INCLUDING BETTERMENTS FOR THE ACCOMMODATION OF CHARITY PATIENTS, in the City of Austin, and for the purchase of equipment therefor, in the sum of Two hundred and fifty thousand Dollars (\$250,000.00).

2. For the purpose of constructing extensions, additions and betterments to City hospital buildings and accessory structures, INCLUDING BETTERMENTS FOR THE ACCOMMODATION OF PAY PATIENTS, in the City of Austin, and for the purchase of equipment therefor, in the sum of Two hundred thousand Dollars (\$200,000.00).

Councilman Wolf moved that the foregoing resolution be adopted. The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, City of Austin taxes were assessed in the name of Mrs. A. W. Townsend Estate, for the year 1938, on Lot 1, Block 46, Division "E", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$103.39; and for non-payment of same at maturity, penalty in the sum of \$5.17 has been assessed, and interest in the sum of \$6.50, making the total amount of taxes, penalty and interest \$115.06; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$5.17; therefore,

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

THAT the aforesaid penalty in the sum of \$5.17 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge off his rolls said penalty in the sum of \$5.17, and to issue to the party entitled to receive same a receipt in full, upon the payment of said taxes and interest, as aforesaid.

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

Upon motion, seconded and carried, the meeting was recessed at 11:55 A. M., subject to call of the Mayor.

Attest:

*Harrie Mc Miller* City Clerk.

Approved:

*Tom Miller*  
Mayor