

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 27, 1941

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, February 27, 1941, at 10:45 A. M., with Mayor Pro Tem. Wolf presiding. Roll call showed the following members present: Councilmen Bartholomew, Gillis, and Mayor Pro Tem. Wolf; absent, Councilman Alford and Mayor Miller.

The Minutes of the regular meeting of February 13, 1941, were read, and upon motion of Councilman Gillis, were adopted as read by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Pro Tem. Wolf; nays, none; Councilman Alford and Mayor Miller absent.

The following ordinance was introduced by Councilman Bartholomew:

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 OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING IN CERTAIN PARTICULARS SECTION 22(e) OF SAID ORDINANCE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY

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

The ordinance was then read the second time and laid over.

The following resolution was introduced by Councilman Gillis:

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

THAT the following described tract of land owned by the City of Austin, a municipal corporation, situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, said tract being particularly described as follows:

CONTAINING five hundred ten (510) square feet of land, the same being a portion of land off of the west side of Lot 6, Block 14, Travis Heights, a Subdivision of a portion of the Isaac Decker League in Travis County, Texas, according to a map or plat of said Travis Heights appearing of record in Book 3, at page 15, of the Plat Records of Travis County, Texas, which Lot 6, Block 14, and other lots were conveyed to the City of Austin by the Stacy Realty Company by deed dated May 31, 1929, as recorded in Volume 440, at page 321, of the Deed Records of Travis County, Texas, and which 510 square feet of land is more particularly described by metes and bounds as follows:

Beginning at an iron stake set in the south line of said Lot 6, Block 14, same being also in the north line of Lot 5, Block 14, of said Travis Heights, and from which iron stake another iron stake set for the southeast corner of said Lot 6 bears S. 59°53' E. 98.35 feet;

Thence along the south line of said Lot 6, same being the north line of Lot 5, N. 59°53' W. 27.65 feet to an iron stake set for the southwest corner of said Lot 6;

Thence along the west side of said Lot, same being the east line of Sunset Lane N. 26°40' E. 36.94 feet to an iron stake, and from which iron stake another iron stake set for the northwest corner of said Lot 6 bears N. 26°40' E. 13.18 feet;

Thence in a southerly direction S. 8°55' E. 47.45 feet to the place of beginning.

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

THAT the following described tract of land owned by the City of Austin be and the same is hereby set aside and dedicated for use as a public street and thoroughfare, said tract being particularly described as follows:

Thirty-seven hundred and twenty-nine (3729) square feet of land, the same being a portion of land off of the north side of Lot 4, Block 14, Travis Heights, a subdivision of a portion of the Isaac Decker League in Travis County, Texas, according to a map or plat of said Travis Heights appearing of record in Book 3 at page 15 of the Plat Records of Travis County, Texas, which Lot 4, Block 14, and other lots were conveyed to the

City of Austin by the Stacy Realty Company by deed dated May 31, 1929, as recorded in Volume 440, at page 321, of the Deed Records of Travis County, Texas, and which 3729 square feet of land is more particularly described by notes and bounds as follows:

Beginning at an iron stake in the east line of said Lot 4, Block 14, same being also in the west line of Alameda Drive, and from which iron stake another iron stake set for the southeast corner of said Lot bears S. 29°26' W. 10.35 feet;

Thence N. 59°53' W. 19.15 feet to an iron stake at the point of curvature of a curve whose intersection angle is 28°06', whose tangent distance is 37.76 feet and whose radius is 150.89 feet;

Thence following said curving line to the right an arc distance of 74.00 feet, the long chord of which arc bears N. 45°50' W. 73.28 feet to an iron stake at the point of curvature of a curve whose intersection angle is 124°43', whose tangent distance is 28.61 feet and whose radius is 15.00 feet;

Thence following said curving line to the left an arc distance of 32.65 feet, the long chord of which arc bears S. 85°51' W. 26.58 feet to an iron stake at the point of tangency of said curve and from which iron stake another iron stake set for the southwest corner of said Lot 4 bears S. 23°30' W. 13.25 feet;

Thence along the west side of said Lot 4, same being the east line of Sunset Lane N. 23°30' E. 37.11 feet to an iron stake set for the northwest corner of said lot;

Thence along the north line of said Lot 4, same being the south line of Lot 5, S. 59°53' E. 116.0 feet to an iron stake set for the northeast corner of said lot;

Thence S. 29°26' W. 39.65 feet to an iron stake at the point of beginning.

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

THAT the following described tract of land owned by the City of Austin be and the same is hereby set aside and dedicated for use as a public street and thoroughfare, said tract being particularly described as follows:

Thirty-one hundred and two (3102) square feet of land, the same being a portion of Lot 5, Block 14, Travis Heights, a Subdivision of a portion of the Isaac Decker League in Travis County, Texas, according to a map or plat of said Travis Heights appearing of record in Book 3, at page 15 of the Plat Records of Travis County, Texas, which lot 5, Block 14, and other lots were conveyed to the City of Austin by the Stacy Realty Company by deed dated May 31, 1929, as recorded in Volume 440, at page 321, of the Deed Records of Travis County, Texas, and which 3102 square feet of land is more particularly described as follows:

Beginning at an iron stake set in the east line of said Lot 5, Block 14, same being in the west line of Alameda Drive and from which iron stake another iron stake set for the northeast corner of said Lot bears N. 29°26' E. 39.65 feet;

Thence along the east side of said Lot 5, S. 29°26' W. 10.35 feet to an iron stake set for the southeast corner of said lot;

Thence along the south line of said Lot 5, same being the north line of Lot 4, N. 59°53' W. 116.0 feet to an iron stake set for the southwest corner of said lot;

Thence along the west side of said Lot 5, same being the east line of Sunset Lane N. 18°10' E. 51.10 feet to an iron stake set for the northwest corner of said lot;

Thence along the north line of said Lot 5, same being the south line of Lot 6, S. 59°53' E. 27.65 feet to an iron stake, and from which iron stake another iron stake at the northeast corner of said Lot 5, bears S. 59°53' E. 98.35 feet;

Thence S. 8°55' E. 2.91 feet to an iron stake at the point of curvature of a curve whose intersection angle is 50°58', whose tangent distance is 48.09 feet, and whose radius is 100.89 feet;

Thence following said curving line to the left an arc distance of 89.75 feet, the long chord of which arc bears S. 34°24' E. 86.81 feet to an iron stake at the point of tangency of said curve;

Thence S. 59°53' E. 18.56 feet to the place of beginning.

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

THAT the City Clerk be and she is hereby authorized and directed to file this resolution in the office of the County Clerk of Travis County, Texas, giving notice to the public of the dedication for street purposes of the three tracts of land hereinabove described.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, heretofore W. E. Marshall and wife, Lois Cox Marshall, executed to the City of Austin

an easement dated September 18, 1940, and recorded in Volume 660, page 548, of the Deed Records of Travis County, Texas, conveying to the City of Austin the right to construct, perpetually maintain and supervise water lines, sewer lines, storm sewer lines, gas lines, power and electric lines, and telephone lines in, upon, and across a strip of land in Austin, Travis County, Texas, described as follows:

A strip of land 3 feet wide by 62 feet in length and being a portion of Lot 10 in Bryker Woods Addition "B", a subdivision of a portion of the George W. Spear League within the City of Austin, Travis County, Texas, according to a map or plat of said Bryker Woods Addition "B", of record in Book 4, at page 12, Plat Records of Travis County, Texas, which strip of land herein referred to is the south 62 feet of the east 3 feet of that certain tract or parcel of land conveyed to the said W.E. Marshall and wife, Lois Cox Marshall, by W. M. Graham, by deed of date September 9, 1939, of record in Book 623, at pages 465-467, of the Deed Records of Travis County, Texas, the east side of said strip of land being 46.16 feet east of and parallel to the west line of said Lot 10 and shall begin at a point 3 feet south of the north line of said Lot 10 and extend in a southerly direction for a distance of 62 feet,

and

WHEREAS, it has become apparent that the City of Austin does not now need or desire the easement hereinabove referred to, but does need and desire a similar easement as hereinafter described; now, therefore,

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

THAT the Acting City Manager be, and he is hereby, authorized and directed in the name of the City of Austin to release and quitclaim unto the present owner or owners of the above described land, the easement above mentioned in, upon and across the land above described, and simultaneously to accept for the City of Austin, in lieu of the above easement, an easement to be described as follows:

A strip of land 5 feet wide by 62 feet in length and being a portion of Lot 10 in Brykerwoods "B", a subdivision of a portion of the George W. Spear League within the City of Austin, Travis County, Texas, according to a map or plat of said Brykerwoods Addition "B" of record in Book 4, at page 12, of the Plat Records of Travis County, Texas, which strip of land herein referred to is the south 62 feet of the west 5 feet of the east 15 feet of that certain tract or parcel of land conveyed to W. E. Marshall and wife, Lois Cox Marshall, by W. M. Graham, by deed of date September 9, 1939, of record in Book 623, at pages 465 to 467, of the Deed Records of Travis County, Texas.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, the City Tax Assessor and Collector has this day submitted to the City Council the tax roll of the City of Austin for the year 1940, which roll shows an aggregate amount of \$68,327,345.00 valuation of property assessed for taxes for said year, and an aggregate amount of \$1,549,967.20 levied as taxes for said year; and

WHEREAS, said tax roll appears in all respects in correct form, the valuations contained in said roll having been examined and corrected by the Board of Equalization, which has made its report to the City Council; therefore

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

THAT said tax roll for said year be, and the same is hereby, approved.

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

The following resolution was introduced by Councilman Bartholomew:

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

THAT the sum of \$250.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying for the cost of the construction of rest rooms and a shelter house at Zaragoza Park. The above amount of \$250 was turned over to the City of Austin

by the Federated Mexican Societies of Austin for the purpose stated above, the same representing the net profit derived from the various festivities held by the Mexican population of Austin during the year 1940.

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

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE FIXING AND LEVYING MUNICIPAL
TAXES FOR THE CITY OF AUSTIN, TEXAS, FOR
THE YEAR A. D. 1940

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 Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Councilman Alford and Mayor Miller absent.

The ordinance was then read the second time and laid over.

The following resolution was introduced by Councilman Bartholomew:

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

THAT the sum of \$80.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying for certain improvements to be made around the West Austin Playgrounds around the shelter house. The above mentioned amount of \$80 was turned over to the City of Austin by the West Austin Playgrounds Mothers' Club for the purpose stated, the same representing the proceeds from the various activities of this Club during the year 1940.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, J. M. Odom is the contractor for the demolition and erection of a building located at 901 Lavaca Street and desires a portion of the sidewalk and street space abutting Lots 1, 2, and 3, Block 109, 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 J. M. Odom, the boundary of which is described as follows:

Street and Sidewalk Working Space

BEGINNING at the southeast corner of the above described property; thence in a southerly direction and at right angles with the centerline of West 9th Street to a point 14 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of West 9th Street to a point opposite the west property line; thence at approximately a 45° angle to a point 15 feet west of the east curb line of Lavaca Street and an extension of the south property line; thence in a northerly direction and parallel with the centerline of Lavaca Street approximately 128 feet to a point; thence in an easterly direction and at right angles with the centerline of Lavaca Street to the northwest corner of the above described property.

2. That the above privileges and allotment of space are granted to the said J. M. Odom, 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 four 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 June 1, 1941.

(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 projects, 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 (\$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 or abuse 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 motion of Councilman Gillis, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Councilman Alford and Mayor Miller absent.

The following resolution was introduced by Councilman Bartholomew:

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 SINCLAIR AVENUE from a point 192 feet south of West 42nd Street southerly 50 feet, the centerline of which gas main shall be 9 feet west of, and parallel to, the east property line of said Sinclair Avenue
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (2) A gas main in TOWNES LANE from Dorman Lane westerly 167 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said Townes Lane
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (3) A gas main in WEST JOHANNA STREET from Hodges Street Alley westerly 368 feet, the centerline of which gas main shall be 21 feet south of, and parallel to, the north property line of said West Johanna Street
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (4) A gas main in COPO AVENUE from Janice Drive easterly 173 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said Copo Avenue
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (5) A gas main in WEST 33RD STREET from a point 147 feet east of Bailey Lane easterly 42 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said West 33rd Street
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (6) A gas main in EAST 53RD STREET from a point 233 feet east of Harmon Avenue easterly 90 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said East 53rd Street
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (7) A gas main in IVA LANE from a point 72 feet west of Kinney Road westerly 95 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of Iva Lane
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (8) A gas main in ELLINGSON LANE from a point 353 feet east of Bennett Avenue easterly 85 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said Ellingson Lane
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (9) A gas main in NAVASOTA STREET across East 14th Street intersection, the centerline of which gas main shall be 9 feet east of, and parallel to, the west property line of said Navasota Street
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (10) A gas main in EVANS AVENUE from a point 155 feet south of East 51st Street southerly 32 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of, and parallel to, the east property line of said Evans Avenue
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (11) A gas main in WEST ELIZABETH STREET from a point 109 feet east of South 5th Street westerly 75 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet north of, and parallel to, the south property line of said West Elizabeth Street
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.
- (12) A gas main in EAST 37TH STREET from Red River Street westerly 224 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of, and parallel to, the north property line of said East 37th Street
Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ 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 motion of Councilman Bartholomew, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Councilman Alford and Mayor Miller absent.

The following resolution was introduced by Councilman Gillis:

WHEREAS, the City of Austin, for a good, valuable and sufficient consideration, on May 10, 1938, sold and conveyed by warranty deed recorded in Volume 642, pages 544, et seq., of the Deed Records of Travis County, Texas, to Herman Jones and wife, Bess Harris Jones, the following described property:

Lot No. Nineteen (19) of the Shoal Creek Boulevard Lots Addition to the City of Austin, as shown by a plat recorded in Book No. 3, at page 218, of the Plat Records of Travis County, Texas; and all of Lot Eighteen (18) of said Shoal Creek Boulevard Lots Addition, except the following:

The strip of land lying between Outlots 28 and 29 in Division "D" of the Government Outlots adjoining the Original City of Austin, in Travis County, Texas, according to a map or plat of said Outlots on file in the General Land Office of the State of Texas, and being a portion of what is known as West 22nd Street: BEGINNING at an iron stake set on the north line of Outlot 28 of the said Division "D", which point of beginning is also in the south line of said West 22nd Street, and from which point of beginning the north-west corner of said Outlot 28 as evidenced by an iron stake set in Shoal Creek bears N. 86°26' W. 447 feet; thence N. 8°19' E. 57.60 feet crossing said West 22nd Street to an iron stake on the north line of this street and on the south line of Outlot 29, Division "D"; thence N. 86°26' W. 170.00 feet with the north line of West 22nd Street and the south line of said Outlot 29 to an iron stake; thence S. 2°20' E. 57.70 feet crossing said West 22nd Street to a point on the south line of said street and on the north line of the aforesaid Outlot 28 in Division "D"; thence S. 86°26' E. 159.35 feet with the south line of said West 22nd Street and the north line of Outlot 28, Division "D", to the place of beginning; which said excepted portion was rededicated as a public street of the City of Austin, being a portion of West 22nd Street, by ordinance passed by the City Council of the City of Austin, June 10, 1937, and recorded in Book "K", at pages 185-186 of the Ordinance Records of the City of Austin;

and

WHEREAS, the resolution of the City Council authorizing Guiton Morgan to sell and convey said property to Herman Jones and wife, Bess Harris Jones, inadvertently failed to authorize the City Manager of the City of Austin to convey the portion of Lot Eighteen (18) hereinabove described, and it was the intention of the City Council to so authorize the City Manager to convey and sell the above described portion of Lot Eighteen (18) to Herman Jones and wife, Bess Harris Jones; and

WHEREAS, the City of Austin, on February 18, 1937, by warranty deed recorded in Volume 559, page 134, of the Travis County Deed Records, sold and conveyed for a good, valuable and adequate consideration the following described property to Westenfield Development Company:

Lot Twenty (20) of Shoal Creek Boulevard Lots, a subdivision of portions of Outlots 28, 29, and 42, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Shoal Creek Boulevard Lots of record in Plat Book No. 3, page 218, of the Plat Records of Travis County, Texas;

and

WHEREAS, some question has arisen as to whether the City Manager was duly authorized on behalf of the City of Austin to sell and convey the said Lot No. Twenty (20) to Westenfield Development Company when in truth and in fact he had been authorized to sell and convey the property by resolution of the City Council of the City of Austin; and

WHEREAS, Walter Hunter is now the owner of title to all of the above described property; now, therefore,

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

THAT the Acting City Manager be, and he is hereby authorized and directed to convey all of the above described property, being a portion of Lot Eighteen (18), and all of Lots Nineteen (19) and

Twenty (20) of Shoal Creek Boulevard Lots, by special warranty deed to the said Walter Hunter.

Upon motion of Councilman Gillis, the foregoing resolution was adopted by the following vote: ayes, Councilmen Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Councilman Alford and Mayor Miller absent.

Councilman Bartholomew moved that the application of Jim Wilkerson, 602 West 8th Street, for a Taxicab Driver's Permit be granted, in accordance with the recommendation of the Acting City Manager. The motion prevailed by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Councilman Alford and Mayor Miller absent.

Councilman Bartholomew moved that the following applications for licenses to operate private boats on Lake Austin be granted, subject to approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Cartwright, E. W. - 702 Landon Lane M. Troop 18	Lifeboat, Rigged for Oars on Sail, Metal, S.S.S. "Gulf Star" 32-passenger.
Davis, F. J. - Star Route B, Box 137	Dixie, Outboard, 1939 Model, 4-passenger
McRoberts, A. L. - 2709 Riverview Street	Home-made, Inboard, 1941 Model, 8-passenger.
Payne, Stanford - 303 East 10th Street	Home-made, Outboard, 1941 Model, "Kingfish", 6-passenger

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

Mayor Pro Tem. Wolf laid before the Council for its second reading, the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF THE PROPERTY ABUTTING UPON WEST NINTH STREET ON THE NORTH AND SOUTH SIDE FROM THE EAST CURB LINE OF LAVACA STREET TO THE WEST CURB LINE OF COLORADO STREET, AND UPON COLORADO STREET ON THE EAST SIDE AND WEST SIDE FROM THE NORTH CURB LINE OF WEST NINTH STREET TO THE SOUTH CURB LINE OF WEST TENTH STREET, AND UPON WEST TENTH STREET ON THE SOUTH SIDE ONLY, FROM THE EAST CURB LINE OF LAVACA STREET TO THE WEST CURB LINE OF COLORADO STREET, IN THE CITY OF AUSTIN, TEXAS, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN THE LIMITS DEFINED, AND AS TO ANY ERRORS, INVALIDITIES, OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR, OVERRULING AND DENYING ALL PROTESTS AND OBJECTIONS, FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREET WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITTED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE ASSESSED AGAINST SAID PROPERTIES AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN SAID LIMITS, FIXING A CHARGE AND LIEN AGAINST THE PROPERTY ABUTTING UPON SAID STREETS AND THE TRUE OWNER OR OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; AND DECLARING AN EMERGENCY

The ordinance was read the second time and laid over.

Mayor Pro Tem. Wolf called up for its second reading, the following ordinance:

AN ORDINANCE AUTHORIZING AND EMPOWERING ALL POLICEMEN OF THE CITY OF AUSTIN TO ARREST WITHOUT WARRANT ANY PERSON FOUND IN A SUSPICIOUS PLACE OR ANY PERSON WHO HAS VIOLATED OR IS ABOUT TO VIOLATE ANY STATE LAW OR MUNICIPAL ORDINANCE IN THE CITY OF AUSTIN, TEXAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND EXPRESSLY REPEALING ARTICLE 537, CHAPTER XII OF TITLE XXI, REVISED ORDINANCES OF THE CITY OF AUSTIN OF 1908; AND DECLARING AN EMERGENCY

The ordinance was read the second time and laid over.

The following resolution was introduced by Councilman Bartholomew:

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

WHEREAS, the City of Austin has paid bonds amounting to \$382,500.00, together with matured interest coupons, on its bonded debt in the aggregate amount of \$274,105.93; as follows:

Year	Description	Numbers	Bonds		Interest Coupons	Total
				Amount		
1910	School	46- 55	\$	10,000.00	\$ 1,500.00	\$ 11,500.00
1912	Sanitary Sewer	221-230		10,000.00	1,575.00	11,575.00
1912	Street Improvement	221-230		10,000.00	1,500.00	11,500.00
1915	School	191-200		10,000.00	3,000.00	13,000.00
1915	Sanitary Sewer	49- 50		2,000.00	125.00	2,125.00
1915	Street, Bridge & Sewer	336-350		15,000.00	4,775.00	19,775.00
1916	Refunding	898-936		39,000.00	13,015.00	52,015.00
1917	Ridgetop School District				250.00	250.00
1918	School	33- 34		2,000.00	350.00	2,350.00
1918	Sewage Disposal Plant	106-110		2,500.00	2,375.00	4,875.00
1921	Hospital	15		1,000.00	960.00	1,960.00
1923	Govallo School District				150.00	150.00
1924	Carbage Incinerator	21- 22		2,000.00	1,450.00	3,450.00
1924	School	90- 98		9,000.00	20,175.00	29,175.00
1924	Water Filtration Plant	98-106		9,000.00	9,875.00	18,875.00
1926	School	40- 43		4,000.00	5,272.50	9,272.50
1928	Hospital Jan. 1	24- 26		3,000.00	3,272.50	6,272.50
1928	School	65- 72		8,000.00	10,407.50	18,407.50
1928	Street Improvement	40- 44		5,000.00	6,002.50	11,002.50
1928	Airport	18- 19		2,000.00	2,560.00	4,560.00
1928	Fire Stations	18-19		2,000.00	2,560.00	4,560.00
1928	Parks & Playgrounds	18- 19		2,000.00	2,515.00	4,515.00
1928	Hospital Nov. 1	12		1,000.00	1,720.00	2,720.00
1928	Sanitary Sewer	12		1,000.00	595.00	1,595.00
1929	Street Improvement May 1	103-115		13,000.00	19,926.25	32,926.25
1929	Sanitary Sewer May 1	50- 55		6,000.00	9,500.00	15,500.00
1929	Parks & Playgrounds May 1	39- 43		5,000.00	7,647.50	12,647.50
1929	Fire Stations May 1	6		1,000.00	902.50	1,902.50
1929	Street Improvement Dec.16	100-113		14,000.00	23,583.75	37,583.75
1929	Sanitary Sewer Dec.16	31- 34		4,000.00	6,816.25	10,816.25
1929	Parks & Playgrounds Dec.16	26- 29		4,000.00	5,795.00	9,795.00
1929	Abattoir Dec.16	14- 15		2,000.00	2,850.00	4,850.00
1931	Street Improvement	106-121		16,000.00	27,953.75	43,953.75
1931	Sanitary Sewer	17- 18		2,000.00	3,942.50	5,942.50
1931	Parks & Playgrounds	30- 34		5,000.00	8,051.25	13,051.25
1932	Public Library	20- 22		3,000.00	6,475.00	9,475.00
1932	Fire Stations	8		1,000.00	2,125.00	3,125.00
1935	Public Market	11- 13		3,000.00	2,540.00	5,540.00
1936	School	41- 54		14,000.00	9,090.00	23,090.00
1936	Parks & Playgrounds	10- 13		4,000.00	1,530.00	5,530.00
1937	Fire Stations	11- 15		5,000.00	2,475.00	7,475.00
1938	School Refunding	6- 10		5,000.00	1,800.00	6,800.00
1938	School	16- 30		15,000.00	9,000.00	24,000.00
1939	School	1- 15		15,000.00	8,622.18	23,622.18
				<u>\$286,500.00</u>	<u>\$257,105.93</u>	<u>\$543,605.93</u>
1934	4% Revenue Bonds		\$	46,000.00	\$ 9,380.00	\$ 55,380.00
1936	3% Revenue Bonds	151-200		50,000.00	7,620.00	57,620.00
				<u>\$ 96,000.00</u>	<u>\$ 17,000.00</u>	<u>\$113,000.00</u>
				<u>\$382,500.00</u>	<u>\$274,105.93</u>	<u>\$656,605.93</u>

and

WHEREAS, such payments of bonds and interest coupons have been duly recorded on its bond registers and other books of account, and verified by the examination and audit of certified public accountants; therefore,

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

THAT the Acting City Manager be, and he is hereby, authorized and directed to destroy, or cause to be destroyed, by cremation in the City Incinerator, before witnesses, all such bonds and interest coupons having been fully recorded and verified as above stated.

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

The following resolution was introduced:

WHEREAS, Leon Parsons, who is fifteen years of age, but who did not state that he was a minor, paid a fine of Three Dollars (\$3.00) for a Stop Sign Ordinance violation; now, therefore,

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

THAT said amount of Three Dollars (\$3.00) be, and the same is hereby appropriated out of the General Fund for the purpose of refunding same to said Leon Parsons for the Stop Sign Ordinance violation fine.

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

The following resolution was introduced:

WHEREAS, Harris Bass was assessed a fine of Sixteen Dollars (\$16.00) in a speeding case in the Corporation Court, which he paid; and

WHEREAS, after the payment of said fine, it was found that said Harris Bass was a minor and could not be fined, but could be sent to Traffic School, and, accordingly, on February 15, 1941, the judgment was set aside and he was sent to Traffic School; now, therefore,

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

THAT the said amount of Sixteen Dollars (\$16.00) be, and the same is hereby, appropriated out of the General Fund for the purpose of refunding same to the said Harris Bass for speeding fine which he paid.

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

Upon motion, seconded and carried, the meeting was recessed at 11:15 A. M., subject to call of the Mayor.

Approved Arnold B. Wolf
Mayor Pro Tem.

Attest:

Harris M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 6, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building on Thursday, March 6, 1941, at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The Minutes of the regular meetings of February 20, 1941, and February 27, 1941, were read, and upon motion of Councilman Gillis, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mr. Robert Sherman appeared before the Council and submitted a petition, signed by all of the abutting property owners, asking for the closing of the alley traversing Block Number Eight (8) of the Tobin and Johnson Subdivision, being a part of the Daniel J. Gilbert Survey in the City of Austin, Texas.

The petitioners were advised that it was not the policy of the City to close said alley at the present time, but that, as limitation does not run against the City, they would be permitted to fence