

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.17, and a portion of the interest in the sum of \$45.33; therefore,

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

THAT the aforesaid penalty in the sum of \$4.17 and a portion of the interest in the sum of \$45.33 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$4.17 and a portion of the interest in the sum of \$45.33 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and the balance of the interest, as aforesaid.

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

Upon motion, seconded and carried, the meeting was recessed at 11:25 A. M., subject to call of the Mayor.

Approved: Rowell G. Wolf
Mayor Pro Tem.

Attest:

Louis M. Kellar
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 31, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, July 31, 1941, at 10:25 A. M., with Mayor Pro Tem. Wolf presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; absent, Mayor Miller.

The Minutes of the regular meeting of July 24, 1941, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, the City of Austin is the holder of the hereinafter described land, and desires at a future date to construct, and thereafter to perpetually maintain a sanitary sewer in, upon, and across said land; and

WHEREAS, for the purpose of making the proposed location of said sanitary sewer definite and certain, and for the further purpose of giving any future purchaser of said land from said City of Austin, or its successors, or assigns, in the event the City of Austin should part with title to same, notice of the proposed location of the hereinafter described sanitary sewer, and to make

the easement granting the same a covenant running with the land,

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

THAT a sanitary sewer may be constructed in, upon, and across that certain 31.6 acre tract or parcel of land out of the Cook Survey and the Daniel J. Gilbert one-third League, situated in Travis County, Texas, which was conveyed to the City of Austin by George W. Brackenridge by deed dated December 4, 1890, and recorded in Book 181, pages 204-207, of the Deed Records of Travis County, Texas, the center line of said sanitary sewer, which may be so constructed, to be located and described by notes and bounds as follows:

BEGINNING at a point on the south line of said 31.6 acre tract of land and from which point of beginning a concrete monument at the southeast corner of said tract bears N. 88°45' E. 161.0 feet;

THENCE following the centerline of said sanitary sewer with the following four (4) courses:

N. 20°28' E. 105.38 feet;
N. 2°23' W. 365.10 feet;
N. 7°16' E. 386.90 feet; and
N. 87°04' E. 143.05 feet to a point of termination

in the west line of Lake Austin Boulevard, which point of termination is in a line that is 12 feet north of and parallel to the westerly prolongation of the south line of Park Street.

BE IT FURTHER RESOLVED:

THAT the City of Austin reserves the right, and same shall be a covenant running with the land, should it be hereafter conveyed or sold by said City of Austin, or its successors or assigns, to hold the right to construct and maintain said sanitary sewer perpetually, together with the rights and privileges at any and all times to enter said premises, or any part thereof, for the purpose of constructing and maintaining said sanitary sewer, and for making connection therewith, all upon the condition that the said City of Austin, in the event it has parted title to said land, will at all times, after doing any work in connection with the construction and repair of said sanitary sewer, restore said premises to the condition in which same were found before said work was undertaken, and that in the use of said rights and privileges herein granted, the City of Austin will not create a nuisance, or do any act that will be detrimental to said premises.

BE IT FURTHER RESOLVED:

THAT the City Clerk of the City of Austin is hereby authorized and directed to have a certified copy of this resolution duly recorded in the office of the County Clerk of Travis County, Texas.

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, M. H. Crockett, owner of property out of the Isaac Decker League within the City of Austin, Travis County, Texas, which property herein referred to being situated at the southeast corner of the intersection of Barton Springs Road and Riverside Drive, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the south sidewalk area of Barton Springs Road and to set the curb back on the south side of said Barton Springs Road adjacent to the above described property; and

WHEREAS, a plan has been prepared showing the layout of said driveway and setback, which plan is hereto attached marked 2-C-926 and made a part hereof; and

WHEREAS, said request and map have been reviewed and considered by the City Council of the City of Austin; therefore,

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

THAT M. H. Crockett, owner of property out of the Isaac Decker League within the City of Austin, Travis County, Texas, which property herein referred to being situated at the southeast corner of

the intersection of Barton Springs Road and Riverside Drive, is hereby granted permission to set the curb back from the established curb line on the south side of Barton Springs Road and to build a commercial driveway across the south sidewalk area of said Barton Springs Road adjacent to the above described property.

Permission to construct the above described curb setback and commercial driveway is granted, subject to the same's being constructed in accordance with the plans approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-C-926 and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback area on Barton Springs Road shall be carried out in accordance with the accompanying plan, marked 2-C-926, and that all such widened area, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2 $\frac{1}{2}$ parts of sand, and 4 parts of screened gravel or rock.
- (3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than $\frac{3}{4}$ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-926.
- (4) That all such expansion joints shall be of the pre-moulded type.
- (5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (6) That the applicant shall be required to clean the newly created ramp area at least twice per week, and shall dispose of the debris at his expense.
- (7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

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

The following resolution was introduced by Councilman Alford:

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

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

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

A telephone pole line in ARDENWOOD ROAD from East Avenue easterly three blocks, the centerline of which pole line shall be $5\frac{1}{2}$ feet north of, and parallel to, the south property line of said Ardenwood Road.

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

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

The following resolution was introduced by Councilman Alford:

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 TOWNES LANE from a point 170 feet west of Dormarion Lane westerly 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 Townes Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in INDIAN TRAIL from a point 66 feet east of Keating Lane easterly 158 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 Indian Trail.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in SPRING LANE from a point 32 feet north of Bowman Avenue northerly 365 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 Spring Lane.

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 a point 50 feet west of Dormarion Lane westerly 1025 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 HOLLYWOOD AVENUE from a point 138 feet north of Edgewood Avenue southerly 79 feet, the centerline of which gas main shall be $12\frac{1}{2}$ feet west of, and parallel to, the east property line of said Hollywood Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (6) A gas main in KERBEY LANE from a point 65 feet south of West 33rd Street southerly 94 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 Kerbey Lane.

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

The following ordinance was introduced by Councilman Alford:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING CERTAIN PORTIONS OF PECOS STREET, OR NAVAJO DRIVE, AND SCOTTSWOOD LANE, LOCATED IN MONTE VISTA SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RELINQUISHING THE CONTROL OF SAME BY THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

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

The ordinance was read the second time and Councilman Alford moved that the rules be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and

Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

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

Mayor Pro Tem. Wolf declared the ordinance finally passed.

The following ordinance was introduced by Councilman Alford:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING APACHE TRAIL AND COMANCHE TRAIL LOCATED IN MONTE VISTA ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RELINQUISHING THE CONTROL OF SAME BY THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

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

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

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

Mayor Pro Tem. Wolf declared the ordinance finally passed.

It was moved by Councilman Gillis that the application of Willie Otto Wagner, 116 East Fifth Street for a taxicab driver's permit be granted, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

It was moved by Councilman Bartholomew that the following applications for private boat licenses be approved, subject to the approval of same by the Lake Austin Navigation Board:

| <u>Name and Address of Applicant</u> | <u>Description of Boat</u> |
|--------------------------------------|--|
| Andrews, Billy - 3613 Windsor Road | Home-made, Outboard, 1941 Model, Champion, 2-passenger |
| Miller, Henry - 1500 West Avenue | Walsh, Outboard, 3 years, Johnson, 4-passenger |
| Morris, J.O. - 1709 East 1st Street | Home-made, Metal Outboard, New, 3-passenger |
| McGwier, W. A. - 807 Brazos Street | Wolverine, Outboard, 1939 Model, Johnson, 4-passenger |

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

A written communication from Gillespie Stacy, tendering his resignation as a member of the Parks and Recreation Board by reason of his having moved from the City, was received. Mayor Pro Tem. Wolf moved that the resignation be accepted with regret, and that the City Clerk be instructed to write Mr. Stacy to this effect, expressing the hope of the City Council that he will, at sometime in the future, make Austin his home again. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The following resolution was introduced by Councilman Gillis:

WHEREAS, Guiton Morgan, City Manager, has reported that the Nurses Home Addition to Frackenridge Hospital has been completed by the Rex D. Kitchens Construction Company, except for a small amount

of grading work at the rear of the building, which will be completed when another contractor has finished his work; and

WHEREAS, the Associated Hospital Architects report that all other work has been completed in accordance with the plans and specifications and change orders; and

WHEREAS, the Rex D. Kitchens Construction Company has filed a letter with the City of Austin, dated July 26, 1941, stating that the Rex D. Kitchens Construction Company approves the withholding of final payment on the new north wing addition to the Hospital until all grading work has been completed on the Nurses Home Addition in the event the same is still incomplete when all work has been completed on the new north wing; and

WHEREAS, the Associated Hospital Architects have recommended that final payment be made on the Nurses Home Addition; and

WHEREAS, the City Council is of the opinion that the Nurses Home Addition should be finally accepted; now, therefore,

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

THAT said contract and the works thereunder is hereby accepted, and the City Manager is hereby authorized and directed to pay the final estimate, including all authorized change orders, for the Nurses Home Addition to the Rex D. Kitchens Construction Company.

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

The following resolution was introduced by Councilman Alford:

WHEREAS, the City Council deems it advisable and necessary to borrow money for the purpose of the improvement, enlargement, betterment, extension, and repair of the water, light, and power works and system, or any part of same, owned by the City of Austin, within the corporate limits of the City of Austin, and to issue revenue notes, as authorized by Article XXI of the Charter of the City of Austin, and to provide for an interest and sinking fund out of the receipts, revenues, and income derived from the operation of the water, light, and power works and system of said City sufficient to pay said notes at maturity; and

WHEREAS, it is proper and necessary that the City give notice of its intention to issue such interest bearing revenue notes; wherefore,

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

THAT the Mayor Pro Tem. be, and he is hereby, authorized, ordered and instructed to do all things necessary and convenient to have published the notice required by Chapter 163, Acts of the Regular Session of the 42nd Legislature of Texas; that said notice shall signify the intention of the City Council of said City to pass an ordinance on September 4, 1941, authorizing the issuance of not exceeding \$500,000.00 of interest bearing revenue notes to mature on or before four (4) years from their date, to bear interest at the rate of one and one-fourth per cent (1-1/4%) per annum from date, with the option on the part of the City of Austin to pay all, or any part, of said notes at any time before maturity, in installments of \$20,000.00, or multiples thereof, and said notes to be payable out of the receipts, revenues, and income derived from the operation of the water, light and power works and system of said City, such revenue notes to be issued for the purpose of securing funds to be used for the purpose of the improvement, enlargement, betterment, extension, and repair of the water, light, and power works and system, or any part of same, owned by the City of Austin, within the corporate limits of the City of Austin.

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

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, the City of Austin desires to secure for public purposes the hereinafter described land to be used in the expansion and development of the Municipal Airport; and

WHEREAS, the City Council and the owners of said land have reached an agreement as to the terms and consideration of such purchases, and the City Council deems such terms and considerations reasonable in relation to the value of said properties; 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 to purchase for the City of Austin from Dudley Looker, for the consideration of Two Hundred and Forty-five Dollars (\$245.00), seven-tenths (0.7) of one acre of land, more particularly described as follows:

Being out of the J. C. Harrelson Survey, in Travis County, Texas, and being the west 90 feet of that certain tract or parcel of land acquired by the said Dudley Looker by two separate deeds of conveyance, one deed being of record in Volume 490, at page 627, and the other deed of record in Volume 459, at page 593, of the Deed Records of Travis County, Texas, each of said deeds conveying a one-half interest to said Dudley Looker in said property.

BE IT FURTHER RESOLVED;

THAT the City Manager be, and he is hereby, authorized and directed to purchase for the City of Austin from Bascom Giles and wife, Effie Dean Giles, for the consideration of Twenty-nine Hundred and Thirteen Dollars (\$2913.00) (which sum includes \$200.00 to pay for rebuilding a stone entrance gate and moving a wire fence adjacent to East Avenue), two certain tracts of land out of the Thomas Hawkins Survey more particularly described as follows:

Tract No. 1. Four and twenty-nine one-hundredths (4.29) acres of land, the same being out of and a part of that certain 41.49 acre tract or parcel of land out of the Thomas Hawkins Survey No. 9, and which 41.49 acre tract of land was conveyed to Jas. Bascom Giles and wife, Effie Dean Giles, by T. H. Lockhart by deed of date April 1, 1940, recorded in Volume 644, at page 451, of the Deed Records of Travis County, Texas, and which 4.29 acre tract of land is more particularly described by metes and bounds as follows:

Beginning at an iron stake in the east line of the said 41.49 acre tract of land, same being also a southwest corner of the Austin Municipal Airport tract of land, and from which iron stake a 12" elm tree marked X bears N. 23° W. 27.4 feet and a 15" Post Oak tree marked X bears S. 66° W. 43.6 feet, and from which iron stake another iron stake at the most easterly southeast corner of the said 41.49 acre tract of land bears S. 30° 13' W. 485.05 feet;

Thence following the east line of the said 41.49 acre tract of land N. 30° 13' E. 334.35 feet to an iron stake;

Thence continuing along the east line of the said 41.49 acre tract of land N. 31° 26' E. 59.71 feet to an iron stake, and from which iron stake a 10" cedar tree marked X bears S. 20° W. 76.2 feet and a nail in a 5" hackberry tree bears S. 36° W. 56.5 feet, said stake being also the northeast corner of the aforementioned 41.49 acre tract of land and the southeast corner of a 41.49 acre tract of land conveyed to the City of Austin by Lillie D. Gibson and Elissa R. Gibson by deed of date December 31, 1940, of record in Volume 665, at pages 95 to 96 of the Deed Records of Travis County, Texas;

Thence along the north line of the said Giles 41.49 acre tract of land as previously referred to, same being the south line of the aforementioned Gibson to City of Austin tract of land N. 60° 04' W. 950.0 feet to an iron stake, and from which iron stake a nail in a 6" triple Hackberry tree bears S. 24° W. 20.6 feet and a nail in a 6" Hackberry tree bears S. 12° E. 30.1 feet;

Thence S. 37° 28' E. 1025.51 feet to the place of beginning.

Tract No. 2. Approximately three (3) acres of land out of the Thomas Hawkins Survey situated within the City of Austin, Travis County, Texas, and being a strip of land irregular in shape but whose average width is approximately 45 feet, the west side of said strip being the present east line of East Avenue or Cameron Road, and said strip of land is to begin at the north line of the 41.49 acre tract of land referred to in Tract No. 1 above, and is to extend in a southerly direction a distance of approximately 2520 feet to the south line of the property of the said Bascom Giles. It being the intention to describe a parcel of land of sufficient area to provide a right-of-way width of 100 feet for East Avenue when used in conjunction with the present right-of-way of said East Avenue,

and it being further understood that any part of this area heretofore conveyed for public roadway purposes is specifically excluded herefrom.

BE IT FURTHER RESOLVED:

THAT the City Manager be, and he is hereby, authorized and directed to purchase for the City of Austin from Emmett R. Schieffer and wife, Jeannette Schieffer, for a consideration of Four Hundred Dollars (\$400.00) an acre, the following described property:

Twenty-five and fifty-eight one-hundredths (25.58) acres of land, the same being out of the J. C. Harrelson Survey and the Thomas Hawkins Survey, in Travis County, Texas, and being out of and a part of that certain 97.5 acre tract or parcel of land conveyed to Emmett R. Schieffer by Mrs. Augusta Schieffer, by deed of date June 9, 1926, of record in Volume 393, at page 114, of the Deed Records of Travis County, Texas, which 25.58 acres of land is to be conveyed to the City of Austin, and is more particularly described by metes and bounds as follows:

Beginning at an iron stake set for the northeast corner of the said Schieffer tract and the northeast corner of the tract of land herein described, which point of beginning is the southeast corner of a 100 acre tract of land conveyed to the City of Austin by J. M. Patterson et al. by deed dated March 1, 1941, of record in Volume 668, pages 396-397, of the Deed Records of Travis County, Texas, and from which point of beginning, a Hackberry tree 10" in diameter marked "X" bears N. 60° W. 3.2 feet, and a Hackberry tree 6" in diameter marked X bears S. 30° W. 4.3 feet.

Thence following the common line between the aforementioned Patterson to City tract, and the said Schieffer tract, N. 60° 08' W. 1466.53 feet to an iron stake in the east line of the proposed state highway;

Thence following the east line of said proposed highway, S. 5° 13' E. 1229.0 feet to an iron stake in the south line of the said Schieffer tract, same being the north line of East 38 $\frac{1}{2}$ Street;

Thence following the south line of said Schieffer tract, and the north line of 38 $\frac{1}{2}$ Street, S. 60° 43' E. 757.75 feet to an iron stake at the southeast corner of Schieffer's tract;

Thence following the east line of said tract, N. 29° 55' E. 996.54 feet to the point of beginning.

Such purchases conditioned that the owners shall deliver to the City of Austin their respective general warranty deeds, conveying such tracts or parcels of land to the City of Austin, free from all liens and encumbrances.

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

The following resolution was introduced by Councilman Alford:

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 consideration of the payment of all taxes involved in Suit No. 40232, styled City of Austin vs. Joe C. Kerboy, in the District Court of Travis County, Texas, owing to the City of Austin, upon the property hereinafter described, to execute a quitclaim deed, quitclaiming to Mrs. Ethel J. Roc, of Travis County, Texas, all right, title, and interest of the City of Austin in the East 91 feet of Lots 13, 19, 20, and 21, in Block 10, Glenridge Subdivision, in the City of Austin, Travis County, Texas, including all such right, title, and interest which the City of Austin acquired in said property by reason of the aforesaid suit, the judgment of foreclosure therein, and the sale of such property to the City of Austin thereunder.

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

Upon motion, seconded and carried, the meeting was recessed at 10:55 A. M., subject to call of the Mayor.

Attest:

Harriet M. Kellan
City Clerk

Approved: Richard S. Wolf
Mayor Pro Tem.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 7, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, August 7, 1941, at 10:30 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 meeting of July 31, 1941, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mrs. Claude De Van Watts, State President, and Mrs. Thos. E. Jensen, State Secretary, respectively, of the Women's Christian Temperance Union, came before the Council on behalf of Carrie E. Martin, colored, State Organizer for the Women's Christian Temperance Union's work among the Negroes, who presented a petition, signed by a large number of residents living between East 12th Street and East 19th Street, and Chestnut Street and the Northwestern Railroad, asking that the sale of intoxicating drinks be not allowed in this vicinity. The petition was received and ordered filed.

The City Manager submitted to the Council a letter from Mr. Max Starcke, General Manager of the Lower Colorado River Authority, recommending that the restricted area below the Marshall Ford, or Mansfield, Dam be reduced to four hundred feet.

The following ordinance was then introduced by Councilman Wolf:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE PROHIBITING ANY UNAUTHORIZED PERSON FROM APPROACHING CLOSER THAN THE LIMIT OF CERTAIN DEFINED ZONES TO ANY DAM ACROSS THE COLORADO RIVER, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; REQUIRING THE ERECTION OF SIGNS MARKING THE PROHIBITED ZONES SURROUNDING SUCH DAMS, AND WARNING PERSONS AGAINST ENTERING SUCH ZONES; BUT PROVIDING THAT THE ABSENCE OF SUCH SIGNS SHALL NOT BE A DEFENSE IN A PROSECUTION FOR VIOLATION OF ANY OTHER PART OF THIS ORDINANCE; PRESCRIBING PENALTIES; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL JUNE 26, 1941, AND IS RECORDED IN ORDINANCE BOOK "L", PAGES 136-137, BY AMENDING SECTION 1 OF SAID ORDINANCE SO AS TO PROVIDE A NEW DOWNSTREAM BOUNDARY FOR THE PROHIBITED ZONE AT THE MARSHALL FORD OR MANSFIELD DAM; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rules be suspended