



MEMORANDUM

TO: Parks Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: September 28, 1993

SUBJECT: Ballfield Naming

An application for the naming of the practice baseball field located adjacent to Austin High School has been submitted for your review. Mrs. June (Thorp) Rade has requested this unnamed field be dedicated in honor of her late father, R.D. Thorp. Attached you will find the application and history on Mr. Thorp. Mr. R.D. Thorp was Austin Police Chief for 30 years. He played baseball for the "Texas League" and remained an active supporter of the Austin Police Association's little league for many years.

The original Thorp Field was dedicated in honor of the Police Chief in 1957 by the Austin Police Association's little league after the field usage was given to the Association by the Civitan Club. The original Thorp Field was located where the I.H. 35 bridge was built. Later Thorp Field was located near the Holly Street Power Plant at Riverview and Robert T. Martinez, Jr. Streets in the complex known as Roy G. Valasquez, Sr.

Through every means known to be available, to include the Austin History Center, there seems to be a gap in historical documentation as to when these fields were built and how they became known as Thorp. What we do know is that the land where these fields are located was included in a massive land purchase along Town Lake by the City around 1975, and we believe it was sometime after this purchase that two fields were either built or currently located at this location and became known, either by dedication or other means as Thorp Field. A Thorp Field sign remained on the complex for many years. Mrs. Rade was out of the country during the first dedication and after the fields at Riverview and Robert T. Martinez, Jr. Streets became known as Thorp.

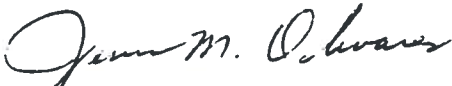
On March 24, 1992, the Parks Board officially named the complex Roy G. Valasquez, Sr., and the fields for Thorp, Castillo and Martinez Field. The minutes to the meeting read, "Eliza May moved and Albert Black seconded a motion to name the softball complex containing Thorpe Field, Castillo Field and Martinez Field for Roy G. Velasquez." Since this meeting, a field was completed and is now referred to by the Greater East Austin Youth Association Little League as the Robert Mendoza Field. The complex no longer has any indication that the complex or a field is named Thorp.

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Mrs. Rade would like a field dedicated in honor of her father; however, she does not want to cause any ill feelings at the Roy G. Valasquez, Sr. Complex and is honored that one of the fields is named after a Police Officer. Since the City owns the land adjacent to Austin High School where the school practices, and that field has never been dedicated, she has submitted a request to dedicate the field as R.D. Thorp. The school district has been notified and they concur the proposed dedication site is City of Austin property and the City has naming rights. We have reassured the school district that the use of the field will not change and that the school has sole use during the school year for programming as per a previous written agreement.

I am recommending the Parks Board consider dedicating the practice baseball field adjacent from Austin High as R.D. Thorp.

Please let me know if I may provide you with additional information.



for, Michael J. Heitz, AIA, Director
Parks and Recreation Department

MJH:kjm

Attachments

APPLICATION FOR FACILITY NAMING

I/we Mrs. June (Thorp) Rade request that the name of
R. D. THORP FIELD be considered for the
Person

city owned property (Varsity Field) facility located at
or near Austin High School, 1715 W. 1st Street.

Biographical Synopsis: PLEASE SEE ATTACHED SYNOPSIS

WITH PICTURES.

Justification: _____

Estimated cost for replacement of signs and plaques _____.

I/we will pay full cost _____ or will participate _____ % in the
cost.

Submitted to the Public Works Department this 12th day of August,
1993.

June Thorp Rade, Daughter.
Signature
Mrs. R. H. Rade
511 Barton Blvd.
Austin, Texas 78704
Ph# 442-8241

Biographical Synopsis

Born: January 26, 1891
Died: February 1, 1975

R. D. 'Boss' Thorp was a second generation Austinite whose paternal and maternal grandparents settled in Travis County when Texas was a Republic. Hyde Park was his home as a boy and he attended Baker School. As an Army Sergeant during World War I in the Field Artillery (36th Division) he was a master at 'breaking horses' for duty. He was discharged a 1st Lieutenant at war's end. In the early 1920's he played baseball (pitcher) for the Texas League, and earned the title of 'strikeout king' by pitching a double header without any hits. He joined the Port Arthur Police Department in 1922 where he became attracted to fingerprint identification. There, he studied this new field under the late Bob Ellis and soon became proficient in this endeavor. He came to Austin in 1924 to set up the Police Department's first Fingerprint Bureau of Identification at the request of Austin's Commissioner, Harry Nolen. In 1928 he was appointed Chief of Police, a position he held for thirty years, never regretting his decision. In 1957 a Little League baseball field was named in his honor. The dedication was attended by the late Mayor, Tom Miller, city council members and other Austin dignitaries, including 'Rip' Collins and T.O. Lang. (Pictures enclosed) Because of the construction of the second I-35 bridge, the field was moved and lost its identity as R.D. Thorp Field. QUESTION - [REDACTED] dedicated field become un-dedicated?

I feel that [REDACTED] served Austin for over thirty years through the great depression, two major floods, World War II with its difficult aftermath and many other crises along the way deserves to be remembered. When he left us, he thought a baseball field was named after him, and I believe an injustice was done to his memory. But it is not too late to right the wrong.



The 1962 Police Department annual report is dedicated to Raymond D. Thorp in tribute to his distinguished career in Law Enforcement and service to the City of Austin.

Known and highly respected far beyond the borders of his native home and state, "Boss" Thorp, has been widely commended as the "Law Enforcement Officer's Lawman" by distinguished representatives both within and outside the profession.

As Chief of Police and Administrator of the Austin Police Department for 30 years before his retirement, he was recognized as "Dean of Texas Police Chiefs", an honor bestowed by the Texas Law Enforcement Foundation for the longest tenure of office of any Police Chief in the State.

Chief Thorp's police career began in Port Arthur in 1920 when he signed on as a Motorcycle Patrolman under a long time friend, then Night Captain Leslie Fox. Fascinated by the work being done by W. R. "Bob" Ellis in the relatively new science of fingerprint identification, Thorp found a philosophy in fingerprint identification that was to serve as his guiding light in the Law Enforcement and Crime Detection field for the next 40 years. Asked in 1924 to return to Austin and set up a Fingerprint Bureau for the Austin Police Department, Thorp did not hesitate in accepting the offer to return to his native Travis County. Four years later, upon the tragic death of Chief J. N. Littlepage, he was named Chief and confirmed in the post six months later.

As President of the Texas Police Association in 1934, Thorp worked for legislation which the next year created the Texas Department of Public Safety. Although Chief Thorp surrendered a diamond king's reputation in baseball to become a policeman, his two life-long passions were memorialized in 1957 when the Police Little League Baseball Park was renamed "R. D. Thorp Field". Two years prior to his retirement Chief Thorp was named Assistant Director of Public Safety for the City of Austin.



Picture taken 1957...

Seated front row left to right:

Mayor Tom Miller, Chief Thorp, 'Rip' Collins, Sheriff T.O. Lang

Circa 1920's... or shortly
after World War I.

/Boss' Thorp shown pitching
for Texas League baseball.



Police Chief Was 'Boss'

Thorp Traded Baseball for Police Blues

The seed of Raymond D. Thorp's destiny must have sprouted in 1895, when the four-year-old's father gave him the nickname that stayed with him through 40 years of law enforcement.

"Boss" Thorp, who died Saturday morning, became a distinguished and respected lawman after a reluctant start in the field.

He served as Austin's chief of police for 30 years, leaving the post in 1958 to fill the newly-created city job of assistant director of public safety. He retired from public service in 1961.

Thorp began his law enforcement career as a motorcycle patrolman in Port Arthur, but he and his wife, Fae, came home to Austin in 1924 at the request of the local department, which sought his expertise in establishing a fingerprint bureau.

Thorp was a pioneer of that relatively new science of criminal investigation, which

predecessor was killed in the line of duty. After only a month in that position, his appointment as chief was confirmed.

Police Chief Bob Miles, who entered the force during Thorp's tenure, remembered Saturday that the Austin Police Department had "excellent rule under 'Boss' Thorp."

Charles Goodnight Sr., owner of Hill's Cafe which Thorp frequented, described him as a "firm, hard, fair person," and a "man of vision."

"He was just what they called him, a boss," said Lt. Lowell Morgan, who heads the APD theft detail. "Everybody had a high respect for him."

Morgan recalled his initial interview with Thorp, when he applied to join the force in 1948.

Because the two men found they had common acquaintances — Morgan's

grandfather was Thorp's friend — "we sat and talked about family more than him asking me a lot of questions," Morgan said. "He was a great humanitarian."

While the chief was known for his strict control, the officers "weren't afraid of him, because if you were right he was with you," Morgan noted.

Although Thorp hung up his baseball glove to become a cop, his love for the sport did not die. It was memorialized in 1957 when Austin's Little League park was named for him.

After his 1913-15 city league seasons, Thorp had an offer from a professional ball club. But World War I intervened, and Thorp exchanged his baseball cap for a sergeant's uniform, and came home with a first lieutenant's bars.

Before he had time to break in a pair of pro pants, though, he found a policeman's blue fit him best of all.

Little League Ball Park Named for Boss Thorp

Austin policemen joined with civic leaders and friends Friday in ceremonies dedicating a Little League baseball park to Chief of Police R. D. "Boss" Thorp.

The field was organized and developed in 1949 by the Austin Civitan Club, on the north bank of the Colorado River just east of the Interregional Bridge, for youngsters of the 10th Ward. Last year the Civitans turned the field over to the Austin Police Association on a temporary basis, and after a year under its direction were so pleased with the efficient manner in which it was being operated that they decided to withdraw all provisions for its return.

The decision to hand over the field to the Austin Police Association was made over a month ago and almost everyone in town, with the exception of Boss Thorp, knew of plans to rename it in his honor.

Friday afternoon Thorp was brought to the field expecting only opening of a new session for the team which he sponsors in the Little League. He was met by a large group of dignitaries and friends headed by Mayor Tom Miller and Sheriff T. O. Lang.

In the ball park being named "R. B. Thorp Field," he was honored not only for his long career as head of the Austin police force but also for the second pas-

sion of his life, baseball. He relinquished a promising career as a major league baseball player in 1920 to become a cop. Eight years later he was appointed chief of police of the City of Austin and has held the post continuously since.

Formal transfer of the field to the Police Association was made at the ceremonies by Mace Thurman, past president of the Civitan Club.

Lieutenant M. M. Lee, president of the Austin Police Association, accepting the field on behalf of his fellow police officers, pledged to continue to devote every energy to improvement and development of the field for use by youngsters in the area.

Mayor Miller praised the work of Thorp's department in keeping crime here in Austin below the average of other American cities.

The invocation was given by Father Frank of the Briganti Christo Rey Church after an honor guard of airmen from Bergstrom Air Force Base raised the flag to open the program.

'BOSS' THORP

He Didn't Want Job But Stayed With It

By V. H. TORRANCE

The first week in September a one-time cafe man and ball player who had no desire to be a policeman, and who was particularly averse to being chief, had been carrying a lawman's pistol 37 years and Thursday of last week he had been Austin's chief of police 30 years.



R. D. "BOSS" THORP
... Chief was 67 Friday.

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He referred to members of the Chicago White Sox barred from baseball for throwing the 1919 World Series to Cincinnati.

Before he could get his recruiting program under way he received instructions to belay everything. Mexico had levied a new tax, and a heavy curtailment in operations had followed.

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Another native of Austin, L. J. Fox, police warrant officer here (See JOB, Page 9)

Thorp became chief. Thorp and his nights. Both Fox and C. B. B. Wort tried to persuade Thorp to join the police department.

"I was a cafe man," Thorp said. "I know about cafes, but I didn't know anything about police work. I wasn't interested, and I had no desire to be a policeman."

Chief Wort and Fox talked Thorp into helping out at a popular amusement park Labor Day.

"I was wearing a seersucker suit, low-quarter shoes, and a hard, flat, straw hat. They gave me one of Fox's old Ranger hats and a badge that big." He indicated the circumference of a soup plate. "I pinned that badge under my lapel."

The next day was pay day, and Thorp was astonished when Chief Wort presented him a check. It paid not only for helping out at the park, also for riding with Fox. Whether he desired to be a policeman or not, he was a member of the Port Arthur police department.

He developed the identification bureau there, and in 1924 was asked to come home and establish such a bureau here.

"I didn't miss a pay day," the chief recalled gleefully.

It was a one-man department when Thorp went to San Antonio early in October, 1928 to attend a convention of the American Legion. Oct. 10 City Manager Adam Johnson ordered him home to be acting chief. "... until I can get a chief."

The day before Chief J. N. Littlepage had been killed by a berserk Negro who, a short time before, had killed several other persons.

When Johnson appointed him city marshal and chief of police, Thorp sat right back in the breeching and dragged his feet. He objected on two points. One was financial. Chief Littlepage was paid \$208 a month. As the one-man identification bureau, Thorp was getting \$150. He was paid \$50 more for conducting a police school.

"You want me to take on responsibility for the entire department for \$8 a month," he accused the city manager.

Thorp asked for \$300 but settled for \$250.

"Police chiefs are like street cars," Thorp told Johnson, bringing up the second point. "They come and go. When this administration goes out of office, the chief goes with it. Nobody will bother me in the identification bureau."

Johnson didn't believe that. He had a persuasive way of making a man see things his way. R. D. Thorp became chief of police. He was the second of his family in that office. An uncle, A. J. Thorp, was chief and city marshal at the beginning of the century when the job was elective. A. J. Thorp had been a sergeant under Austin's notorious badman-killed city marshal, Ben Thompson.

When Thorp took over, the department numbered about 30 men.

Thorp became chief. Thorp's police force included Captain George Rogers, Lieutenant W. F. Flow, Lieutenant Fred Estep, Sergeant Joe Taylor, Detectives W. D. Waggoner and Albert Renck, and Lake Patrolman Joe Lightsey.

Lt. Flow is the only man still living who was on Chief Littlepage's posse at the time he was killed.

Chief Thorp is known to nearly all law enforcement officers in Texas, and to hundreds of others, as "Boss," but there is neither political nor police authority implied in that name.

When he was a small boy his father John Thorp called him Boss-Hoss. In deference to this mechanical age, Thorp dropped the Hoss. Thereby he unwittingly removed temptation for some outraged motorist to refer to it as a one-hoss police department. You know, some efficient jasper who has timed himself at exactly seven minutes and 19 seconds home to office, and who ran a stop sign in complete confidence that the nearest policeman was in Mc. Klavenhauser's drug store a mile away.

"You know the ways of criminals," it was submitted to the chief, "and the whys and wherefores of criminals. Would you say that the increase in sex crimes is due to women running around 97 per cent naked in public?"

The chief leaned back and thoughtfully licked his hand-rolled cigaret. "H-m-m-m." he sidestepped. "I don't know whether I ought to say that."

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"Well . . . You've got a point there," the chief conceded. "That ought to be developed."

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"Yes, sir," the chief said emphatically. "Police work is becoming a recognized profession. Schools like those of the Texas Department of Public Safety and the FBI Academy are hurrying the day."

The chief's interest in baseball has not waned, but it centers now more on young boys than on professionals. He has his reward for this in a Little League park that bears his name. His fondness for hunting and fishing are also sustained, and bigger fish are caught in his office than were ever taken from the lakes.

The Thorps have a daughter, Mrs. Raymond Rade, now of Baltimore. A few weeks ago the chief took his 11-year-old twin grandsons, Bruce and Brent on their first dove hunt.

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Chief Thorp was 67 Friday, and it is regrettable that he didn't, in his youth, find a job he desired. He might have stayed with it per-

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Thorp was a pioneer of that relatively new science of criminal investigation, which

he studied during his tenure in Port Arthur.

As he often told the story, his accidental entry into police work caused him to trade a major league baseball uniform for a badge and gun.

Thorp had been on his way to a Tampico, Mexico, team after establishing his reputation as "Iron Man Thorp," strikeout king of the Austin City Baseball League, when he detoured into the career which brought him distinction.

While waiting for the next ship to leave for Tampico, Thorp passed his time riding night patrol with his childhood friend, Leslie Fox, who was then night captain for the Port Arthur force.

Two weeks later, he was handed a pay check, assigned a motorcycle beat and launched into his lifetime work.

Four years after his return to Austin, he was promoted to acting chief, when his

predecessor was killed in the line of duty. After only a month in that position, his appointment as chief was confirmed.

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When Thorp took over, the department numbered about 30 men. Now it has 204 and seven of them

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Lt. Flow is the only man still living who was on Chief Littlepage's posse at the time he was killed.

Chief Thorp is known to nearly all law enforcement officers in Texas, and to hundreds of others, as "Boss," but there is neither political nor police authority implied in that name.

When he was a small boy his father John Thorp called him Boss-Hoss. In deference to this mechanical age, Thorp dropped the Hoss. Thereby he unwittingly removed temptation for some outraged motorist to refer to it as a one-hoss police department. You know: some efficient jasper who has timed himself at exactly seven minutes and 19 seconds home to office, and who ran a stop sign in complete confidence that the nearest policeman was in Mc. Klavenhauger's drug store a mile away.

"You know the ways of criminals," it was submitted to the chief, "and the whys and the wherefores of criminals. Would you say that the increase in sex crimes is due to women running around 97 per cent naked in public?"

The chief leaned back and thoughtfully licked his hand-rolled cigaret. "H-m-m-m." he sidestepped. "I don't know whether I ought to say that."

"Would you say the increase in what we call juvenile delinquency comes from mothers working and turning the kids out to browse with sitters?"

"Well ... You've got a point there," the chief conceded. "That ought to be developed."

"Would you advise a young man to enter police work as a career?"

"Yes, sir," the chief said emphatically. "Police work is becoming a recognized profession. Schools like those of the Texas Department of Public Safety and the FBI Academy are hurrying the day."

The chief's interest in baseball has not waned, but it centers now more on young boys than on professionals. He has his reward for this in a Little League park that bears his name. His fondness for hunting and fishing are also sustained, and bigger fish are caught in his office than were ever taken from the lakes.

The Thorps have a daughter, Mrs. Raymond Rade, now of Baltimore. A few weeks ago the chief took his 11-year-old twin grandsons, Bruce and Brent on their first dove hunt.

"They out-shot me one day," he boasted happily.

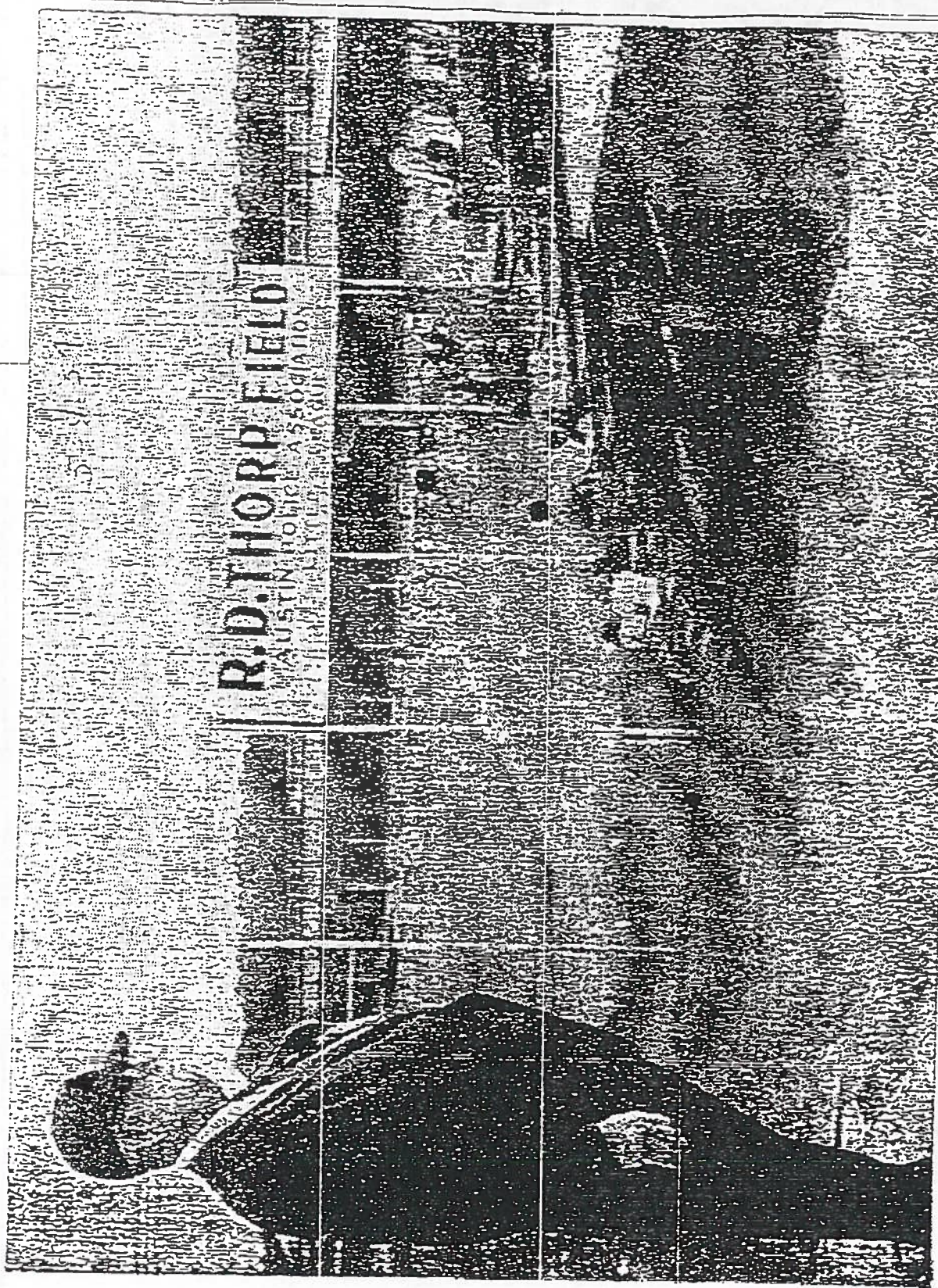
Chief Thorp was 67 Friday, and it is regrettable that he didn't, in his youth, find a job he desired. He might have stayed with it permanently.

Friday, October 13, 1973

Comments

There is a lot of talk in an environment where toughness and roughness were ways of life . . . and where prejudice was a way of life too. But he was big enough . . . wise enough . . . to transcend these regional barriers and dealt with every man for what he was . . . a human being. We have never been more aware of the need to exercise authority with restraint . . . to respond with wisdom, not passion. Boss Thorp had these traits. He also had the courage to buck those higher up the line who would take his devotion to his principles lightly. He endowed the Austin Police Department with many of these attributes and the community has been the beneficiary. I use the past tense in referring to Boss Thorp only in reference to his work. Austin has been blessed. He is very much alive to us with a good police department. This is not an accident. Much of the credit should go to Raymond "Boss" Thorp who was our Chief of Police for many years before Chief Miles took over. Chief Miles inherited a good good job. He kept it that way. He also inherited a tradition that Boss helped form. The Thorp influence, which is still obvious in the force, comes from his unique personality. He was a stern man. But his sternness was tempered by compassion. He was a totally fair man. . . and most important, a reasonable man. He was reared

Boss - John Henry Davis
I write this for once I want to



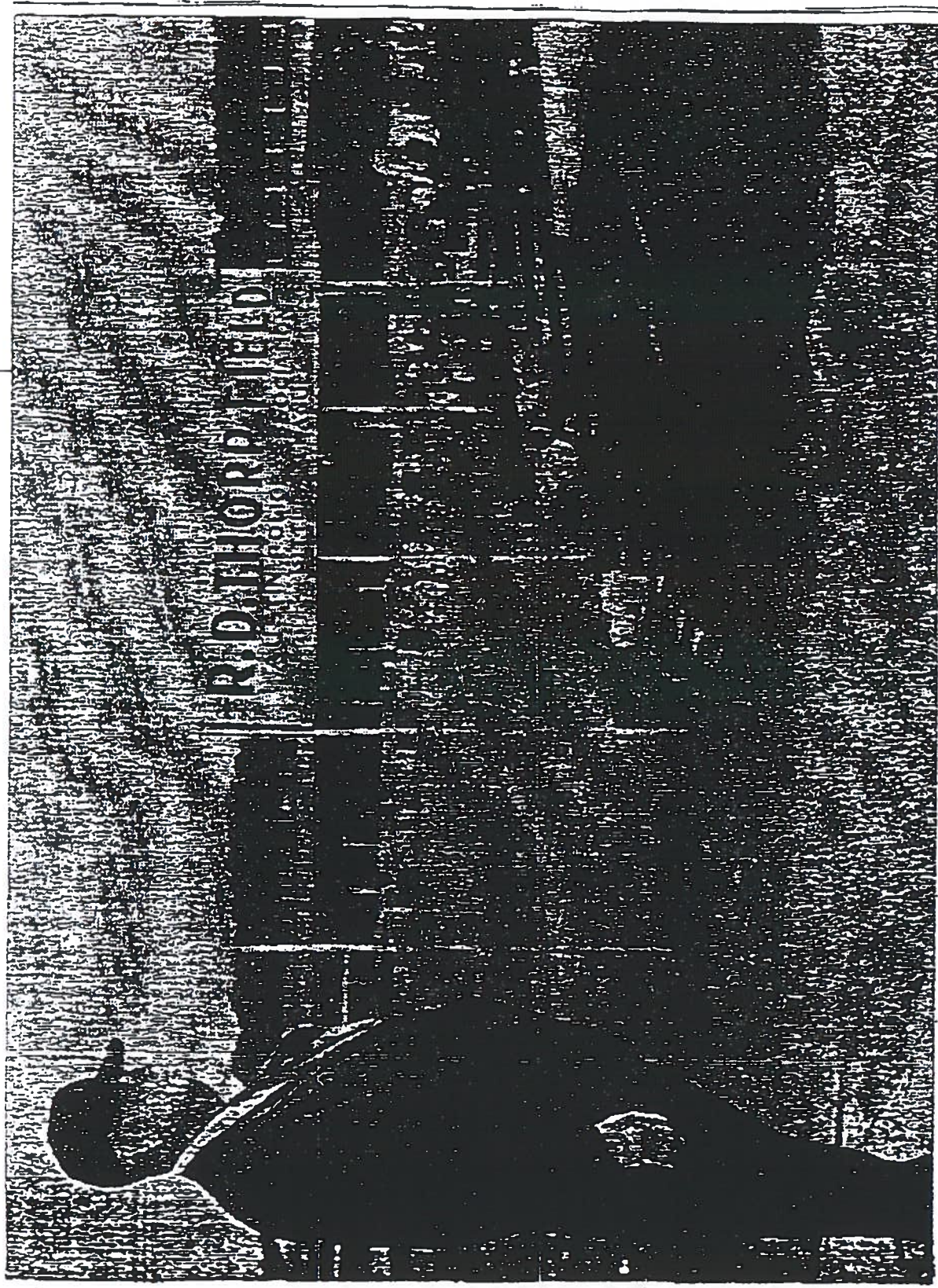
R.D. THORP FIELD

AUSTIN POLICE ASSOCIATION

BOSS HONORED—The Civitan Little League baseball field was renamed R.D. Thorp Field in ceremonies honoring Austin's Chief of Police Friday. The Austin Civitan Club handed over the field to the Austin Police Association after a year under temporary operation by police officers. The field was de-

ed to Thorp in recognition of his many years of service as Chief of Police in support of Little League baseball. Thorp has been looking over the field during career in which he has been kept away from his duties by police officers.

Austin Statehouse-United Press



BOSS HONORED—The Civilian Little League, baseball field was, renamed R. B. Thorp Field, in ceremonies honoring Austin's Chief of Police Friday. The Austin Civilian Club handed over, the field to the Austin Police Association after a year under temporary operation by police officers. The field was ded-

Austin Statewide-United Press

icated to Thorp in recognition of his many years of service as Chief of Police and support of Little League baseball. Thorp is seen here looking over the field during ceremonies which had been kept secret from him until Friday's dedication.

Little League Ball Park Named for Boss Thorp

Austin policemen joined with civic leaders and friends Friday in ceremonies dedicating a Little League baseball park to Chief of Police R. D. "Boss" Thorp.

The field was organized and developed in 1949 by the Austin Civitan Club, on the north bank of the Colorado River just east of the Interregional Bridge, for youngsters of the 10th Ward. Last year the Civitans turned the field over to the Austin Police Association on a temporary basis, and after a year under its direction, were so pleased with the efficient manner in which it was being operated that they decided to withdraw all provisions for its return.

The decision to hand over the field to the Austin Police Association was made over a month ago and almost everyone in town, with the exception of Boss Thorp, knew of plans to rename it in his honor.

Friday afternoon Thorp was brought to the field expecting only opening of a new session for the team which he sponsors in the Little League. He was met by a large group of dignitaries and friends headed by Mayor Tom Miller and Sheriff T. O. Lang.

In the ball park being named "R. B. Thorp Field," he was honored not only for his long career as head of the Austin police force but also for the second pas-

sion of his life, baseball. He relinquished a promising career as a major league baseball player in 1920 to become a cop. Eight years later he was appointed chief of police of the City of Austin and has held the post continuously since.

Formal transfer of the field to the Police Association was made at the ceremonies by Mace Thurman, past president of the Civitan Club.

Lieutenant M. M. Lee, president of the Austin Police Association, accepting the field on behalf of his fellow police officers, pledged to continue to devote every energy to improvement and development of the field for use by youngsters in the area.

Mayor Miller praised the work of Thorp's department in keeping crime here in Austin below the average of other American cities.

The invocation was given by Father Frank of the Brigidine Christo Rey Church after an honor guard of airmen from Bergstrom Air Force Base raised the flag to open the program.

February 10, 1975


MEMO TO: John Baylor, Assistant Public Property Manager
Property Management Department

FROM: Jack W. Robinson, Director.

SUBJECT: Agreement with Austin Independent School District on
Town Lake School Site

In answer to your memo of February 3, 1975, I am sending you a copy of the contract the City of Austin has with the Austin Independent School District on the Austin High School site. The Austin Independent School District is planning to build a ball park facility on city owned land east of the school site as originally called for and with our approval. We currently have the easement along Town Lake south of the school site and are satisfied with the area and its use.

Should you have any further questions, please contact my office.



Jack W. Robinson, Director
AUSTIN PARKS AND RECREATION DEPARTMENT

JWR:TLA:bb

Attachment

THE STATE OF TEXAS

COUNTY OF TRAVIS

I

I

FILE

4520-

THIS CONTRACT made and entered into this day by and between the City of Austin, Travis County, Texas, a municipal corporation, hereinafter called SELLER, and the Austin Independent School District, an independent school district existing under the Constitution and Laws of the State of Texas, situated in Travis County, Texas, hereinafter called PURCHASER, as follows:

1. For and in consideration of One Dollar (\$1.00) cash in hand paid by PURCHASER to SELLER, the receipt of which is hereby acknowledged, and other good and valuable consideration as hereinafter specifically described in Paragraph 2 hereof, SELLER hereby gives and grants the exclusive option, subject to the terms and conditions herein stated, to purchase the following described property:

32.26 acres out of the property described in Volume 482, page 173, Deed Records, Travis County, Texas, and said 32.26 acres being more particularly described on the attached Exhibit "A" and said Exhibit "A" is made a part hereof for all intents and purposes and for convenience said 32.26 acres is hereinafter referred to as "School Site."

for a total cash consideration of \$749,250.00, plus the additional acts, terms, and considerations to be performed as hereinafter provided.

2. Said consideration of One Dollar (\$1.00) described in Paragraph 1 shall constitute the entire consideration for PURCHASER'S right to exercise its option if this transaction is closed within three months from the date of this contract. In the event PURCHASER has not completed all acts necessary hereunder to close this transaction, including payment of said cash consideration of \$749,250.00 within three months from the date of this contract,

PURCHASER shall pay to SELLER as additional consideration for such option, the amount of six per cent (6%) per annum on said amount of \$749,250.00 from the end of three months from the date of this contract to the date that this transaction is finally closed and PURCHASER has paid said cash consideration of \$749,250.00 to SELLER. However, PURCHASER may relinquish its exclusive option at any time upon written notice to SELLER, in which event PURCHASER shall pay said amount of six per cent (6%) per annum on said sum of \$749,250.00 for only the period that its option was in effect, exclusive of the first three months. Said additional option consideration shall be paid at closing or upon relinquishment, as the case may be.

3. If PURCHASER elects to exercise this option, PURCHASER shall give SELLER written notice of the exercise of this option on or before fifteen months from the date of this contract. Any notice hereunder shall be mailed or delivered in person to the Mayor, or a copy delivered to the Mayor, at the Municipal Building, Austin, Texas. If PURCHASER fails to exercise this option within fifteen months from date of this contract, SELLER shall retain or be paid, as consideration for said option and as liquidated damages, the cash payments provided in Paragraph 1 and Paragraph 2, as applicable, above and no further liability or obligation shall arise out of this contract for the use and benefit of either party hereto.

4. IF this option is exercised by PURCHASER, the parties hereto agree that as part of the consideration for this transaction this option shall be subject to the terms and conditions herein set forth.

5. PURCHASER shall make application for a certificate of guaranty on School Site issued by any company approved by PURCHASER'S attorney and authorized in the State of Texas to issue title guaranties and maintaining

an office or agent in Travis County, Texas. Said title guaranty shall show that SELLER has good and marketable title to the above described property and said title guaranty shall contain no exceptions except, if a survey is not furnished, discrepancies, conflicts, or shortages in area or boundary lines. SELLER shall pay for title policy. SELLER shall at SELLER'S cost and expense cure all objections to the title to the above described property shown by title company in Owner's Title Commitment or title policy. In the event it should be necessary in order to clear title, or should it be desirable, at the election of either SELLER or PURCHASER, PURCHASER shall, at its expense, institute and prosecute eminent domain proceedings to acquire said premises. In the event eminent domain proceedings are instituted, SELLER and PURCHASER shall, and do hereby, for any such purposes, stipulate that the cash market value of said premises, subject to necessary utility easements for the sewer and electric lines hereafter mentioned, with the hereinafter described sewer line in place is \$749,250.00; or, after substantial relocation or letting of contract by SELLER to relocate said sewer line as hereinafter described, a cash market value of \$937,250.00; or if any work shall have been done by SELLER toward the relocation of such sewer line without SELLER having substantially relocated or contracted to relocate same, a cash market value of \$749,250.00 plus all amounts expended or contracted to be expended by SELLER toward such relocation. Further, only for such purposes of eminent domain, SELLER and PURCHASER shall, and do hereby, stipulate that the paramount public use of said premises is as a school site.

6. Time shall be of the essence of this contract and this transaction shall be closed within thirty (30) days after written notice that PURCHASER desires to exercise its option, unless a longer period shall be

necessary to clear title and/or complete acquisition through eminent domain proceedings.

7. Possession of the above described property shall be given to PURCHASER simultaneously with closing of this transaction. However, SELLER shall, if PURCHASER elects, earlier permit PURCHASER to enter upon such premises for such site clearance, improvements, grading and filling as may be mutually agreed upon in writing. Such work shall be at PURCHASER'S risk and expense and shall not result in any right to reimbursement from SELLER.

8. SELLER shall, at SELLER'S cost and expense, remove all parties in possession and pay all claims of said parties and deliver possession of School Site at time of closing free and clear of any claims of adverse possession.

9. This contract shall be closed at such site as may be mutually agreed upon, or, if not so agreed upon, at the office of the title company issuing the title policy in this transaction and at said closing the title company shall deliver a certificate of title meeting the requirements of this contract on the above described property and SELLER shall deliver to PURCHASER a general warranty deed to the above described property reserving the necessary easements for the electric and sewer lines hereafter mentioned, in exchange for the consideration above mentioned. If acquisition is through eminent domain proceedings, the consideration and title shall be delivered as provided by law applicable thereto.

10. After delivery of title, SELLER shall cause to be dedicated, for street purposes, all of the right-of-way for access from Lake Austin Boulevard easterly under the proposed Mo-Pac Interchange and continuing easterly to where it connects with the above described premises, with a width

of not less than sixty (60) feet; EXCEPT, however, that PURCHASER shall reimburse SELLER for any necessary right-of-way which SELLER does not present own. Said access street is shown on the map marked Exhibit "B" and said Exhibit "B" is made a part hereof for all intents and purposes.

11. At closing, SELLER will deliver an easement or other mutually agreeable right to have access and construct a roadway over that area shown cross-hatched in red, to the east of School Site, on Exhibit "B." Said easement or other right shall require that PURCHASER construct a roadway to regular specifications of SELLER and properly perpetually maintain same. Further, PURCHASER shall be obligated to perpetually maintain the areas between the access roads on both the north and south side of West First Street just east of School Site, as shown on Exhibit "B." In the event of PURCHASER'S failure to so maintain said roadway or other areas, SELLER may do so at PURCHASER'S expense.

12. After delivery of title and payment by PURCHASER of all amount due hereunder, SELLER shall, after notice and payment therewith of the sum of \$188,000.00 by PURCHASER, remove the sewer line and electric line now running through School Site and relocate said lines in the area cross-hatched in black on Exhibit "B" or at other location which SELLER and PURCHASER mutually agree on, and said sewer line and electric line shall be moved within six (6) months from the date of said notice and payment. Provided, said notice to relocate and payment therefor shall be accomplished within one month after closing or neither party shall have any further right or obligation in connection therewith. In any event PURCHASER shall reserve or be granted, as appropriate, the necessary easements for said electric and sewer lines.

13. The timetable for the construction of the Town Lake Interchange and the connecting streets and the construction of any other necessary street

and other work to () the School Site accessible to students, teachers, and other personnel. A high school is scheduled to be completed not later than June 1974. SELLER and PURCHASER shall cooperate with each other, the State of Texas and all departments thereof and all other necessary government agencies in a good-faith effort to meet this goal.

14. SELLER presently owns premises situated to the east of subject tract. In order to develop said premises for public recreation purposes, SELLER and PURCHASER agree, upon consummation of this transaction, that PURCHASER will construct substantial, permanent recreational facilities satisfactory to SELLER on that portion of such property of SELLER extending approximately 800 feet easterly from the eastern boundary of subject tract and to the south of the roadway cross-hatched in red on Exhibit "B." SELLER shall reserve an easement for a public "hike and bike" trail and "greenbelt" over an area 50 feet in width along the southerly (Town Lake) boundary of subject tract and shall reserve a similar area 50 feet in width for the same purposes along the southern boundary of its adjacent tract. PURCHASER shall, at all times, maintain and keep in good repair such recreational facilities, easement and the adjacent grounds within such areas for a period of twenty-five years. During such twenty-five-year period, SELLER shall have the exclusive right to use such recreational facilities on SELLER'S tract and recreational facilities, exclusive of the school building proper, on the subject tract for general public recreational activities during the summer months and during the other nine months of the year, at such times as such facilities, both on the subject tract and on SELLER'S tract, are not scheduled for school-related recreational activities. PURCHASER shall have the exclusive right to use such recreational facilities, both on the subject tract and on SELLER'S tract, during such twenty-five-year period, for all school-related recreational activities during the nine months of the year other than the summer months. At the end of twenty-five years from the consummation of this agreement, such joint recreational usage agreement may be re-negotiated and extended if mutually agreeable

DATED this the 25th day of June, 1971.

CITY OF AUSTIN, TEXAS

BY *L. H. Andrews*
L. H. Andrews
City Manager

ATTEST:

Elise Hassley
City Clerk

SELLER

AUSTIN INDEPENDENT SCHOOL DISTRICT

BY *Will D. Davis*

PURCHASER

PURCHASER hereby exercises the option to purchase the above described property in accordance with the terms and provisions above and SELLER hereby acknowledges that SELLER received notice of the exercise of said option within the time provided for in said contract.

CITY OF AUSTIN, TEXAS

BY *L. H. Andrews*
L. H. Andrews
City Manager

ATTEST:

City Clerk

SELLER

AUSTIN INDEPENDENT SCHOOL DISTRICT

BY _____

PURCHASER

DATED: _____

03JUN71
DRB:bn



MEMORANDUM

*H. B. will manage
123 at their
expense + liability*

TO: Parks and Recreation Board

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: September 22, 1993

SUBJECT: Proposed Harris Branch MUD Consent Agreement Amendments
Regarding Parks and Recreational Facility Requirements

CURRENT REQUIREMENTS

Harris Branch MUDs (now known as Austin MUDs 1, 2 & 3) consist of approximately 2100 acres located within the northeastern City limits, south of Pflugerville, as shown on Attachment A. When the MUDs were created in 1987, the park and recreation requirements of the Consent Agreement, based on the PARB MUD Park Standards, were as follows:

- (1) Dedication to the City of approximately 222 acres of park and greenbelt as shown on the Land Plan; and
- (2) Donation of \$200/LUE for the construction of recreational facilities within the dedicated parkland. At the time, this requirement anticipated a maximum of 13,118 LUEs which would translate to a value of \$2,623,600 for park development.

*Pop.
22,200*

PROPOSED NEW REQUIREMENTS

Due to reduced population projections and changing market conditions, in particular the decision not to locate a new airport in Manor, PARD and Harris Branch management began discussions to renegotiate the Consent Agreement park and recreational facility requirements. The proposed new requirements are as follows:

- (1) The total number of required park acres will be lowered to 179 to reflect reduced ultimate population projections of 17,900.
- (2) The 179-acre park system will be composed of the following:
 - (a) One 56-acre parcel to be dedicated to the City for public park purposes;

- (b) The remaining minimum of 123 acres will be composed of most of the greenbelt areas as shown on the current Land Plan, and will be privately owned, developed and maintained; and
- (c) A pathway system linking the private and public parks will be open to the public but privately owned, developed and maintained.

d) private park system

Most of the proposed private park acreage is located in the floodplain and therefore will be developed as greenbelts or as lakes. The pathway system will connect many, if not all, of the park acreage, private and public, and will therefore make many of the private parklands accessible to the public. The facilities which will be private for the residents of Harris Branch will be those where access can be controlled, such as the tennis courts, swimming pool and recreation center.

- (3) Harris Branch will be obligated to donate \$1.5 million to the City for development of the 56-acre public park. The donation will be paid in installments which parallel population growth, as follows:
 - (a) \$500,000 on or before the platting or approval of the 2,500th dwelling unit in Harris Branch;
 - (b) \$500,000 on or before the platting or approval of the 5,000th dwelling unit in Harris Branch; and
 - (c) The balance of \$500,000 payable in increments of \$100,000 for each increment of 500 dwelling units platted in excess of 5,000.
- (4) The reduction in the \$200/LUE donation from the original estimated \$2.6 million to the proposed \$1.5 million is due to the following:
 - (a) The maximum number of LUEs has been lowered to correspond to reduced ultimate population projections; and
 - (b) PARD is allowing partial credit for the cost of constructing the pathway system since the public will have full use of it without assuming any maintenance costs.

RECOMMENDATION

I recommend approval of the proposed Harris Branch Consent Agreement amendments regarding parks and recreational facility requirements. Staff has worked for several years with Harris

Parks and Recreation Board
Harris Branch MUD Consent Agreement Amendments
September 22, 1993
Page 3

Branch management to develop terms satisfactory to both parties. The public will have access to numerous acres of open spaces and parks, as well as the pathway system, at no cost to the City. In addition, the City will be able to develop and operate a regional park within the Harris Branch development.

Carolyn D. Nelson
for Michael J. Heitz, AIA, Director
Parks and Recreation Department

ATTACHMENT A

July -
For PAPER
memo on Harris
Branch -
Sarah



HARRIS BRANCH MUDS LOCATION MAP



MEMORANDUM

TO: Mayor and Council Members
Planning Commission
Environmental Board
Water and Wastewater Commission
Urban Transportation Commission

FROM: Michael J. Heitz, AIA, Director
Parks and Recreation Department

DATE: September 15, 1993

SUBJECT: Recommendation by the Parks and Recreation Board regarding
Barton Creek MUDs 3-9

At their regularly scheduled meeting on September 15, 1993, the Parks and Recreation Board reviewed the proposed Barton Creek MUDs 3-9 and passed the following resolution:

RESOLUTION

WHEREAS the Barton Creek Greenbelt offers unique recreational opportunities to the City of Austin, and

WHEREAS the Greenbelt will have little value to the citizens of Austin if they do not have convenient access to it, and

WHEREAS it is the official policy of the Parks and Recreation Department and Board that public access should be provided at an average of every two (2) miles along the Barton Creek Greenway;

THEREFORE, be it resolved the Parks and Recreation Board strongly recommends to the City Council as follows:

1. That Freeport-McMoran be required to provide three (3) additional access points to the Barton Creek Greenbelt as shown on the enclosed map, and

2. That the Barton Creek Greenbelt be deeded and dedicated to the City of Austin as parkland and managed by the City of Austin Parks and Recreation Department for appropriate public use with respect to the surrounding environment, and

3. That it not be included within the BCCP preserve area or be subject to the BCCP management guidelines.

The vote was 8-0.

In additional action on this issue, Eleanor McKinney moved the Board express their concerns to the Mayor, City Council Members, and other Boards and Commissions about the Barton Creek MUDs 3-9 agreement. The concerns are as follows:

1. There are ten (10) lift stations noted on the plan, some of which are along Barton Creek. The Board is concerned about their placement along Barton Creek.

2. The Board did not receive enough information about the habitat areas as they relate to the specific parkland that would be dedicated as part of the MUD agreement.

3. The Board did not receive enough information regarding neighborhood park needs on the Lantana Tract across Southwest Parkway or within the Barton Creek development.

4. The Board is concerned about the transfer of enviromental problems from one creek area to another, Barton Creek to Williamson Creek, as a result of the development.

5. The Board is concerned about the relationship between the proposed private and public parks in the development and public access to both.

6. The Board is concerned about the lack of information it received regarding the MUD agreement, particularly the water and wastewater line placement.

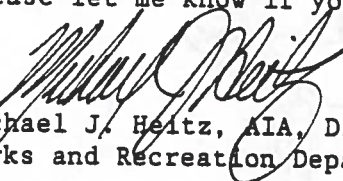
7. The Board is also concerned that there is no clear designation made in the July 9, 1993 agreement that was accepted by the City Council regarding the use of the parkland which would be dedicated. The agreement states the land could be used as "habitat preserve, water quality buffer, and/or parkland for the enjoyment, enhancement and protection of Barton Creek."

Parks Board Recommendation
Page 3

The motion was seconded by Ron Cartlidge.

The vote was 8-0.

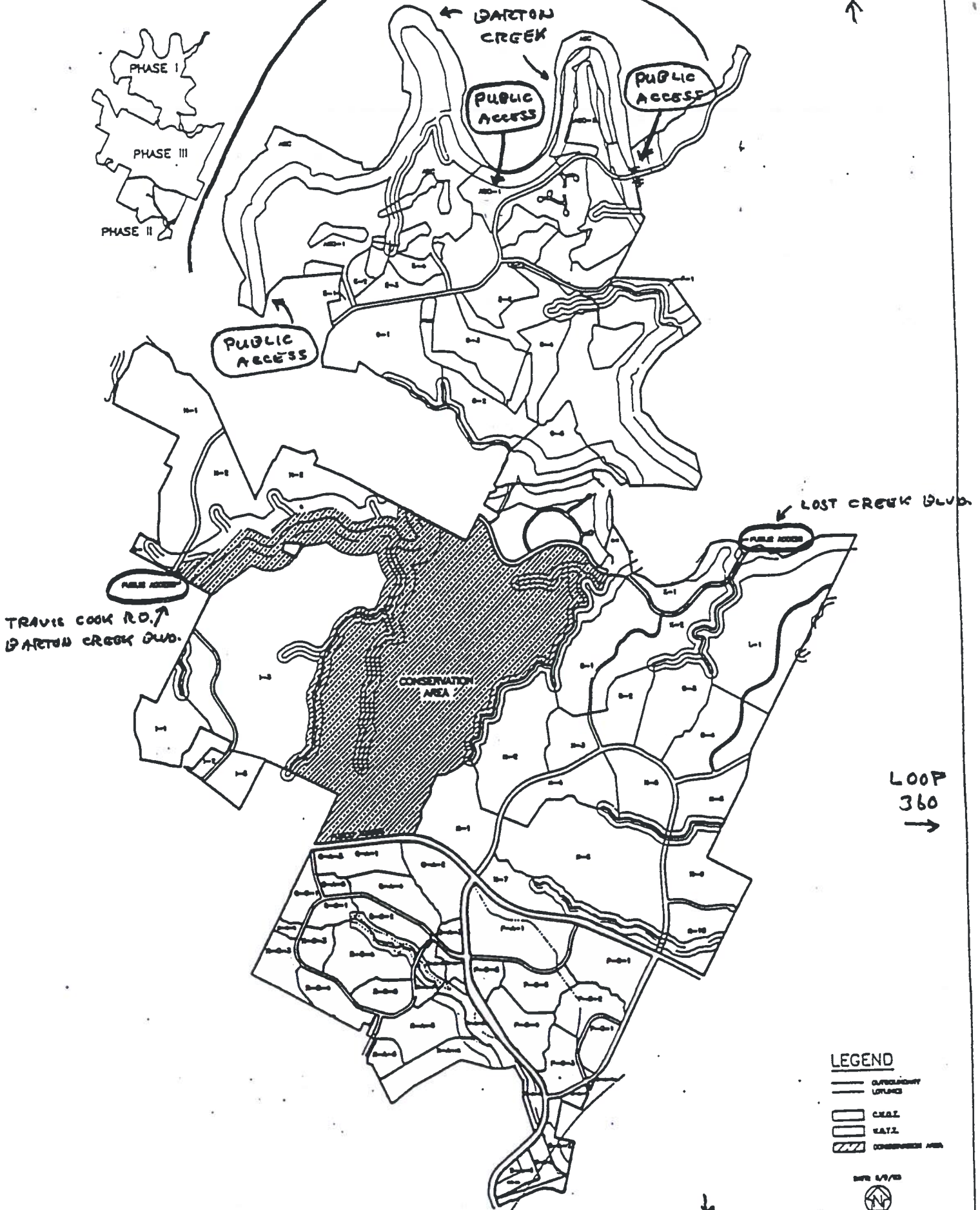
Please let me know if you need additional information.


Michael J. Heitz, AIA, Director
Parks and Recreation Department

MJH:drp

GREENBELT

↑ N



EXHIBIT

1.01/1.01E

**PARKS AND RECREATION BOARD
LAND AND FACILITIES COMMITTEE**

**September 28, 1993
5:30 p.m.**

The following items are on the Parks and Recreation Board agenda for consideration and have been referred to the Land and Facilities Committee for consideration:

1. Make Recommendation to Council Regarding Approval of the Balcones Canyonlands Conservation Plan Phases II and III
2. Make Recommendation to Council Regarding Approval of Naming the Practice Baseball Field Adjacent to Austin High School for R. D. Thorpe
3. Make Recommendation to Council Regarding Approval of Proposed Harris Branch MUD Consent Agreement Amendments Regarding Parks and Recreation Facility Requirements