

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting

January 27, 1965

4:00 P.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney

Mayor Palmer announced this was a Special Called Meeting of the City Council to discuss some land transactions.

The City Attorney reported he had been in touch with the representative of the Suburban Alcoholics Foundation Saturday morning, and on Monday through Wednesday. The best transaction is the exchange of land discussed last week with all the restrictions placed on the property, and a cash consideration of \$27,500. Mr. Trueman O'Quinn, Attorney, is authorized to close the transaction, and they would not have to proceed with the condemnation suit set for tomorrow afternoon.

Councilman LaRue asked for a review of the restrictions on this property. The City Attorney listed them stating the Foundation's east line generally would be the center of Shoal Creek; the City would reserve easements for drainage, public utilities and an easement 50' wide for the use of the public along their east property line, with covenants against obstructing such use; together with the right of the City to review and approve their plans for improvements on the property, and a right in the City to repurchase the property for \$1.00 more than the highest bona fide offer in the event the Foundation decided to sell the property deeded to them by the City.

Councilman Shanks inquired about the right of repurchase, and if this restriction would hurt the Foundation's borrowing power. The City Attorney explained in previous cases, there was no trouble in borrowing money. The City Attorney explained in detail the City's right to purchase in that the City would receive notice that a sale were intended. This restriction is a recorded instrument and any prospective purchaser would know he could not buy the property until the City had exercised its right to either buy or refuse. If the City is in disagreement with the price, it still has the right of eminent domain.

After discussion, Councilman White moved that the City Manager be authorized to exchange property and pay \$27,500 in cash to the Foundation for its 2.427 acres out of the George W. Spear League in exchange for the City's 5 acres out of the James P. Davis Survey. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney made a report on the Brient-McCandless property on Town Lake. Mr. McCandless informed him the day before that the offer Mr. Fowler had made him several weeks back was an acceptable figure. Mr. McCandless had overlooked this matter and had failed to report it to Mr. Brient. Councilman Long inquired about Mrs. Dickson's property.

There being no further business Councilman Long moved that the Council adjourn. The motion, seconded by Councilman LaRue, carried by the following vote:

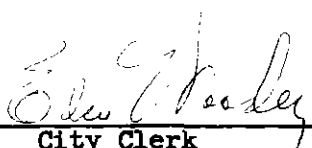
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council adjourned at 4:20 P.M. subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk