

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 26, 1961

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Palmer presiding.

Roll call:

Present: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Absent: Mayor Miller

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by FATHER MAURICE POWERS, St. Mary's Cathedral.

The Council had before it the Minutes of the Meetings of January 5, 12, and 19th. Councilman Bechtol inquired about the Longhorn-Chisholm Trail Marker, discussed in the meeting of January 19th, and stated he did not want the adoption of the Minutes to mean that the Manufacturer of these replicas would keep the original marker. Mayor Pro-tem Palmer agreed that the original marker should be kept and placed back at its location at 11th and Congress, and Councilman White likewise agreed. It was agreed also that the markers be painted. Councilman White moved that the Minutes of the Meetings of January 5th, 12th, and 19th, 1961 be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

MRS. C. M. JAMES, March of Dimes, asked permission for a Motorcade in which the new car dealers were willing to enter a car and have a parade from the bridge to 7th and Congress Avenue, February 4, at 11:30. The Chief of Police stated this could be worked out satisfactorily. Councilman White moved that the request be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilman Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

MR. RAYMOND R. RICE appeared before the Council regarding the showing of immoral films in the City, and the permitting of children to enter the theatres during the periods of showing. He stated nothing could be done through the County Attorney's Office nor the Police Department. He asked that the City of Austin permit a reviewing board to be composed of laymen and the clergy of various faiths for reviewing films on which they receive complaints or upon their own initiative, and that prosecution under the Criminal Code 527 of the owner and manager of the theatre showing these immoral films, be started to prove that the bill is right and just. Mayor Pro-tem Palmer thanked Mr. Rice for coming before the Council.

The Director of Aviation submitted a list of committees for the Dedication Ceremonies for the Air Terminal for approval of the Council. He said the dedication would be Saturday, April 22, and Open House would be held Sunday April 23rd. It was suggested that the Director of Public Works and the Assistant Director of Public Works be added to the Arrangements Committee, and that members of the City Airport Committee be added. The Director of Aviation reviewed the program for the services, and the finances which will be provided from sources outside of the city's finances. Councilman White moved that Colonel Murphy's recommendations be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

(Recommendation not on file in City Clerk's Office)

Councilman White moved the Council authorize the mailing of the letters to Vice President Lyndon B. Johnson, and for requesting the Blue Angels. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Perry

The City Manager submitted the plan of the plaques for the Terminal Building as to size, lettering and placing. It was noted that one of the names was misspelled. Councilman Bechtol moved that the plaques be approved with the correction of the misspelling of JOHNSTON. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Perry

The Council had before it a request of exchange of property facing on Manor Road for Mr. Hubbert's property near the Airport. MR. HERBERT SMART represented Mr. Hubbert and Mr. J. T. Baumgardner. After a very lengthy and

detailed discussion, Councilman Bechtol moved that the City Manager be authorized to enter into a contract for the exchange of this land on the basis of 325' depth measured along the south property line of Mr. Hubberts property, and that the exchange of property will be consummated on the proposition that it will go to the south property line of Mr. Hubbert's property, subject to the filing of the restrictive covenants. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

MR. NELSON PUETT appeared asking the Council to annex Allandale Terrace, Section 2, and Allandale Terrace, Section 2, Phase 2, stating however, if the Council was not agreeable to annexing both subdivision, that it go ahead with Section 2, leaving out Phase 2. He was not agreeable to his engineer's amended plat. The City Manager said the matter involved the City's buying some property from Mr. Puett on the north line where the creek makes its bend. Discussion followed regarding the necessity of having two bridges; and it was stated if it were found that the two bridges were needed, then the City would acquire land from Mr. Puett on Shoal Creek and Shoal Creek Boulevard in order to straighten out the channel. Mayor Pro-tem Palmer reviewed the meeting with Mr. Puett held on Saturday, January 21st, and read the agreement which Mr. Puett said was substantially correct. Mr. Puett said he would dedicate the right-of-way for one bridge and pay one-half of the bridge, but he wanted just one bridge, as the other would be a waste of everybody's money and would damage his land. Now, he said he would consider giving the City this tract of land, which is the prettiest piece of land left on Shoal Creek, if it would make a little park on it; or he would not object to its even selling the lots off. Mr. Puett said he did not want to sign anything, except that whatever he agreed to would happen only when and if he subdivided this tract; and then he would be willing to do practically anything, even to giving the city this land. He said he would sign a letter if it contained a provision to protect him from the city's claiming his land, or clouding his title, or taking any easements. Councilman Bechtol stated the City was proposing to buy the land and build one bridge at the City's expense. Mayor Pro-tem Palmer stated this bridge at Twin Oaks was an immediate necessity. Councilman Bechtol, repeating his statement that Mr. Puett should participate in one bridge, and the City should pay for the other, asked Mr. Puett if he would give a lien on the land for half of the contract of this bridge (at Twin Oaks) so that the city could put the bridge in and dedicate the strip from Treadwell Boulevard to Shoal Creek. Mr. Puett stated he would be glad to talk to him about it, but he was not going to do it on the basis of approval or disapproval of this matter under consideration this morning. He said if the Council wanted two bridges it would have two and he was sure he would pay one-half of one and give the right-of-way for one, all of which he said he would do when he subdivided his land, but that that was not now. After much more discussion, Mayor Pro-tem Palmer suggested annexing Section 2, leaving out Phase 2. Councilman Perry introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.10 ACRES OF LAND, MORE OR LESS, SAME BEING ALL OF ALLANDALE TERRACE, SECTION 2, BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the first time and Councilman Perry moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Councilman Bechtol again asked Mr. Puett if he would work out the bridge proposition, and Mr. Puett stated he preferred going this route and get started; and if someone did not hold up a refund contract, he was sure he would be willing to work out something more than fair.

MR. JAKE A. NEWBORN expressed his interest in buying or leasing some property which the city has owned for over 30 years, and which he said it had acquired from tax suits. The property is in an area south of 10th Street and west of West Avenue. He asked for an acre and a half to use for a stub antenna for a modified broadcasting system. He said this activity would not be disturbing to the people or television or radio reception. The City Manager said the property was acquired in connection with a plan to develop Shoal Creek Boulevard to tie into Henderson, but later Lamar Boulevard was constructed. He said there was still a possibility that this might be needed for a roadway in the area at some future date, beyond the present bond program. The City Manager stated that the land generally along old Shoal Creek Boulevard was purchased with funds called Park and Boulevard Funds, and this particular tract would have to be checked to see if its purchase were included in those funds. Mr. Newborn asked if it could be leased, stating he would like a five-year lease with an option. Mayor Pro-tem Palmer suggested that the Council take a look at the land, and that it would then clear through the Legal Department.

The Council had before it an ordinance annexing SOUTHERN OAKS, Section 4. It was pointed out that this was in Water District No. 5, and that this information was noted on the plat. Also pointed out was the fact there was an existing lease on this land, and the status of the property at this time. After discussion, Mayor Pro-tem Palmer suggested that since this was in some type of

litigation, that it be requested that any refund contract be held up until the litigation is cleared. Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 3.51 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL SURVEY NO. 18, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement traversing Block A of Monte-Vista, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Monte-Vista of record in Book 3 at page 121 of the Plat Records of Travis County, Texas, was retained by the City Council of the City of Austin by Resolution dated October 11, 1945, which resolution vacated an alley traversing Block A, Monte-Vista; and,

WHEREAS, the owner of the hereinafter described premises has requested that the hereinafter described public utility easement located on such premises be released; and,

WHEREAS, the hereinafter described public utility easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the public utility easement located on the hereinafter described premises, to wit:

1000 square feet of land, same being out of and a part of that certain easement for public utilities traversing Block A of Monte-Vista, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Monte-Vista of record in Book 3 at page 121 of the Plat Records of Travis County, Texas, which certain public utility easement was retained by the City Council of the City of Austin by Resolution dated October 11, 1945, which Resolution vacated an alley traversing said Block A, Monte-Vista; said 1000 square feet of land is to be released from the public utility easement retained in said resolution and is more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said Lot 12 Block A, Monte-Vista, same being a point in the west line of Hillview Road and which point of beginning is the northeast corner of the herein described tract of land;

THENCE, with the south line of said Lot 12, same being the north line of the herein described tract of land, same being the north line of said alley vacated by said resolution dated October 11, 1945, in a westerly direction, 100.00 feet to the southwest corner of said Lot 12, same being the northwest corner of the herein described tract of land;

THENCE with the southerly prolongation of the west line of said Lot 12 in a southerly direction, 10.00 feet to the southwest corner of the herein described tract of land;

THENCE with a line ten (10.00) feet south of and parallel to the south line of said Lot 12 in an easterly direction 100.00 feet to a point in the southerly prolongation of the east line of said Lot 12;

THENCE with the southerly prolongation of the east line of the said Lot 12 in a northerly direction, 10.00 feet to the point of beginning.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

After studying the plans, Councilman White offered the following resolution and moved its adoption with the understanding that he stay on the shore line with his wall and not go out in the river:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of two boat docks on the property owned by Henry Renfert as described in the Travis County Deed Records and known as part of a tract of land 200 x 462.25 conveyed to William A. Swearingen by Capital National Bank on the shore of Lake Austin, and hereby authorizes the said Dr. Henry Renfert to construct, maintain and operate these boat docks subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of these boat docks after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Dr. Henry Renfert has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 26, 1961

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Dr. Henry Renfert, owner, through his agent, John W. Placek, of property abutting on that part of Lake Austin lying upstream $1\frac{1}{2}$ miles from the westerly extension of the south line of Windsor Road, the same being a part of a tract of land 200 x 462.25 conveyed to William A. Swearingen by Capital National Bank, as recorded in the Travis County Deed Records, for permission to construct and maintain two boat docks, Dock #1 projecting out into the lake approximately 40 feet beyond the normal high water level and Dock #2 projecting out into the lake approximately 25 feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Dr. Henry Renfert is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) Dick T. Jordan
Building Official"

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

(Upon inspection on Friday, January 27, 1961, City agreed to the original request of Dr. Renfret, the original request being to go out in the lake with the retaining wall)

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Anita Drive and various other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilman Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

The Council had before it an appeal from MR. MILTON TURNER from decision of Planning Commission in approval of Special Permit for the City of Austin Utility Plant (South Austin Service Center, South 2nd and Center Street). Councilman Perry moved that the Council set a hearing of this appeal for 10:30 A.M., February 9, 1961. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Council had the request of C. T. USELTON that hearing on the zoning application of HERBERT BOHN & J. D. WILLIS, 3711 Jefferson and 1605-1607 West 38th Street, from "A" to "GR" be postponed, and held in suspense until it is determined what right-of-way will be needed at the intersection of Jefferson and West 38th. Councilman White moved that the request be granted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. January 17,
1961

Tabulated by: O.G. Brush, Purchasing Agent

"BIDS FOR CHEMICALS - FILTER PLANTS"

Sodium Hexametaphosphate,
per City Specifications

Quantity	Maintenance Engineering Corp.	Dearborn Chemical Co.	Mineral Prod. Div. Food Mach. & Chem. Corp.	Low Bid June 24, 1960
50,000# car	\$6,370.00	\$6,320.00	\$6,370.00	\$7,035.00
				Maintenance Engr. Co.

"Mr. Ullrich states that he is able to store a 50,000 pound carload and recommends we purchase in that quantity, which is about a six months supply.

"RECOMMENDATION: Recommend contract be awarded Dearborn Chemical Company for one 50,000 lb. car load by rail as lowest and best bid at a total price of \$6,320.00.

"W. T. Williams, Jr. City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 17, 1961, for the furnishing a 50,000 lb. car load of Sodium Hexametaphosphate, for use at the Water Treatment Plants; and,

WHEREAS, the bid of Dearborn Chemical Co. in the sum of \$6,320.00 was the lowest and best bid therefor; and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Dearborn Chemical Company in the sum of \$6,320.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City of Austin with said Dearborn Chemical Company.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and

safe speed for the operation of vehicles at the following location during the times stated is less than thirty (30) miles per hour when pedestrians are present, due to the proximity of said street to schools; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles on school days during the hours 7:30 A.M. to 4:30 P.M. when pedestrians are present is twenty (20) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Wheeles Lane	North Hampton Drive	Peggy Street

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager called attention to the filing of the Status of Water and Sanitary Sewer Contract Projects as of January 1, 1961.

Letter-petition regarding opposition to zoning application on land fronting the west side of the Interregional Highway from Woodland Avenue to Olendorf Boulevard, was noted and filed. It was noted this application had been withdrawn.

The City Manager stated he had a letter from Mr. Jack Staples, District Right-of-way Engineer of the State Highway Department, stating that on March 17th or 18th, bids for the construction of Loop 275 along Anderson Lane to intersection of Highway 183 would be received. It would be necessary to have the right-of-way by then, and Mr. Staples stated the Assistant City Attorney had replied that he would seek City Council approval at its meeting on January 26th to condemn the remaining tracts for this project; and that Commission hearings would be scheduled and the right of entry obtained on February 15th. The City Manager stated the Highway Department wanted to maintain that schedule. The Assistant City Attorney displayed a strip map of the area and explained negotiations for right-of-way with each property owner, and each property owner's answer, and gave his recommendation on each tract. Detailed information as to prices offered was given. Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of an East-West thoroughfare to

connect North Lamar Boulevard with Interstate 35 along the general location of Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads within the City of Austin; and,

WHEREAS, the City Council has found the determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of Anderson Lane, to be known as Highway 183, Loop 275; and,

WHEREAS, the City of Austin has negotiated with the owner of said tract of land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

2.694 acres of land, more or less, same being out of and a part of that certain 19.360 acre tract out of the James P. Wallace Survey No. 57, Abstract No. 789 in Travis County, Texas, which 19.360 acre tract was conveyed to Mart Realty Company of Austin, Inc. by deed dated December 31, 1958, of record in Volume 1944, page 433, Deed Records of Travis County, Texas, which 2.694 acres of land, more or less, is more particularly described by metes and bounds as follows:

BEGINNING at a point in the southeast line of said 19.360 acre tract of land 743.4 feet South $31^{\circ} 38'$ West of the east corner thereof for the east corner of said 2.694 acre tract of land, said point also being in the northeast right of way line of the proposed location of U. S. Highway 183 100.0 feet left of Survey Station 394/83.1 thereof;

THENCE South $31^{\circ} 38'$ West 100.0 feet along the southeast line of said 19.360 acre tract to the south corner thereof, same being the west corner of the adjoining Brentwood Church of Christ tract said corner also being in the northeast right of way line of present 80.0 feet wide Anderson Lane at centerline Survey Station 394/81.0 of said U. S. Highway 183;

THENCE North $59^{\circ} 37'$ West approximately 1,077.6 feet along the southwest line of said 19.360 acre tract same being the northeast line of present Anderson Lane same being the centerline of the proposed location of U. S. Highway 183, to a point in the southeast right of way line of present Loop 275 for the west corner of said 19.360 acre tract said point also being 0.3 feet right of Survey Station 384/03.4 of U. S. Highway 183 and 50.0 feet right of Survey Station 150/21.9 of present Loop 275;

THENCE in a northeasterly direction along the northwest line of said 19.360 acre tract same being the southeast right of way line of present Loop 275 along a curve to the right of 7,589.49 feet radius, sub-chord bearing North $39^{\circ} 06'$ East 488.2 feet an arc distance of 488.3 feet to a point 50.0 feet right of Survey Station 155/00.0 of present Loop 275;

THENCE South $34^{\circ} 01'$ West 199.6 feet along the proposed revised southeast right of way line of present Loop 275 to a point 71.5 feet right of Survey Station 153/00.0 thereof;

THENCE South $27^{\circ} 36'$ West 120.3 feet continuing along the proposed revised southeast right of way line of present Loop 275 to a point 95.3 feet right of Survey Station 151/80.7 thereof and 150.0 feet left of Survey Station 384/69.1 of the proposed location of U. S. Highway 183;

THENCE South $16^{\circ} 01'$ East 72.4 feet along the northeast right of way line of the proposed location of U. S. Highway 183 to a point 100.0 feet left of Survey Station 385/21.5 thereof;

THENCE South $59^{\circ} 37'$ East 961.6 feet along the said northeast right of way line of proposed location of U. S. Highway 183 to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilmen Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of an East-West thoroughfare to connect North Lamar Boulevard with Interstate 35 along the general location of Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of Anderson Lane, to be known as Highway 183, Loop 275; and,

WHEREAS, the City of Austin has negotiated with the owner of said tract of land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

0.792 of one acre of land, more or less, same being out of and a part of that certain original 36.37 acre tract of land out of the James P. Wallace Survey No. 57, Abstract No. 789 in Travis County, Texas, which original 36.37 acre tract of land was conveyed to S. Webb Ruff et ux,

Myrtle Neal Ruff by deed dated August 29, 1929, of record in Volume 442, Page 125, Deed Records of Travis County, Texas, said 0.792 of one acre of land, more or less in two parcels, more recently being out of and a part of Block A, Northway Crest - Section One (1), a sub-division to the City of Austin, Travis County, Texas, according to a map or plat of said sub-division of record in Book 6, Page 2, Plat Records of Travis County, Texas, which 0.792 of one acre tract of land, more or less in two parcels, is more particularly described by metes and bounds as follows:

Parcel 3A

BEGINNING at a point in the southwest right of way line of the proposed location of U. S. Highway 183, 100.0 feet right of Survey Station 394 / 08.7 thereof; said point being in the west line of Guadalupe Street, Block "A", Northway Crest - Section No. One, a subdivision to the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 6, Page 2, Plat Records of Travis County, Texas, and from which point of beginning the south center of said original 36.37 acre tract of land and the west corner of Austin Public Free Schools original 8.0 acre tract bears (1) South $59^{\circ} 37'$ East, 70.0 feet and (2) South $31^{\circ} 38'$ West, 520.5 feet;

THENCE North $59^{\circ} 37'$ West, 100.0 feet from and parallel to the centerline of the proposed location of U. S. Highway 183, 20.0 feet from and parallel to the southwest right of way line of present Anderson Lane 905.4 feet to a point right of Survey Station 385 / 03.3;

THENCE South $81^{\circ} 49'$ West, 78.2 feet along the southwest right of way line of the proposed location of U. S. Highway 183 to a point 148.7 feet right of Survey Station 384 / 42.3 thereof and 105.3 feet right of Survey Station 148 / 77.0 of present Loop 275;

THENCE South $44^{\circ} 08'$ West, 353.3 feet, continuing along the proposed southeast right of way line of present loop 275 to a point in the present southeast right of way thereof, 50.0 feet right of Survey Station 145 / 25.0;

THENCE in a northeasterly direction along the northwest line of said original 36.37 acre tract same being the northwest line of Block "A", Northway Crest - Section No. One subdivision, same being the present southeast right of way line of said Loop 275, along a curve to the right of 7,589.49 feet radius, sub-chord bearing North $35^{\circ} 12'$ East, 412.9 feet, an arc distance of 412.9 feet to a point 50.0 feet right of Survey Station 149 / 40.6 of present Loop 275 and 80.9 feet right of Survey Station 383 / 98.4 of the proposed location of U. S. Highway 183 said point also being the north corner of Block "A" of said Northway Crest - Section No. One, subdivision at the point of intersection of the southwest right of way line of present Anderson Lane and the southeast right of way line of present Loop 275;

THENCE South $59^{\circ} 37'$ East along the southwest right of way line of present Anderson Lane, 80.0 feet from and parallel to the centerline of the proposed location of U. S. Highway 183, 994.5 feet to a point right of Survey Station 393 / 88.6 the P. C. of Curve 52 of the Plat of Northway Crest - Section No. One subdivision;

THENCE in a southerly direction along Curve 52 of said subdivision of 20.0 feet radius, sub-chord bearing South $14^{\circ} 05'$ East, 28.6 feet, an arc distance of 31.86 feet to the point of beginning and containing 0.787 of one acre of land, more or less.

Parcel 3B

BEGINNING at a point in the southwest right of way line of the proposed location of U. S. Highway 183, 100.0 feet right of Survey Station 394 + 78.9 thereof, said point also being in the southeast line of aforesaid Northway Crest - Section No. One, subdivision same being the northwest line of adjoining Austin Public Free Schools original 8.0 acre tract and from which point of beginning the south corner of said original 36.37 acre Northway Crest tract same being the west corner of said Austin Public Free Schools original 8.0 acre tract bears South $31^{\circ} 38'$ West 520.5 feet;

THENCE North $59^{\circ} 37'$ West, 100.0 feet from and parallel to the center-line of the proposed location of U. S. Highway 183, 20.0 feet from and parallel to the southwest right of way line of present Anderson Lane, 10.0 feet to a point in the east line of Guadalupe Street, of said sub-division;

THENCE North $31^{\circ} 38'$ East along the east line of said Guadalupe Street, 20.0 feet to the point of intersection of Guadalupe Street and the southwest right of way line of present Anderson Lane;

THENCE South $59^{\circ} 37'$ East along the southwest right of way of present Anderson Lane 10.0 feet to the east corner of Block "A", Northway Crest - Section No. One, subdivision, same being the north corner of the present Austin Public Free Schools tract;

THENCE South $31^{\circ} 38'$ West, 20.0 feet to the place of beginning and containing 0.005 of one acre of land, more or less.

Total for two parcels containing 0.792 acre of land, more or less.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pre-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of an East - West thoroughfare to connect North Lamar Boulevard with Interstate 35 along the general location of Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of Anderson Lane, to be known as Highway 183, Loop 275; and,

WHEREAS, the City of Austin has negotiated with the owner of said tract of land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

0.574 of one acre of land, more or less, same being out of and a part of that certain 1.000 acre of land out of the James P. Wallace Survey No. 57, Abstract No. 789 in Travis County, Texas, which 1.000 acre of land was conveyed to Brentwood Church of Christ of the City of Austin, Travis County, Texas, by deed dated September 2, 1955 of record in Volume 1634, page 109, Deed Records of Travis County, Texas, said 0.574 of one acre of land, more or less, is more particularly described by metes and bounds as follows;

BEGINNING at a point in the southeast line of said 1.000 acre tract of land 74.25 feet South $31^{\circ} 38'$ West of the east corner thereof for the east corner of said 0.574 of one acre tract of land, more or less, said point also being in the northeast right of way line of the proposed location of U. S. Highway 183 100.0 feet left of Survey Station 397/33.1 thereof;

THENCE South $31^{\circ} 38'$ West 100.0 feet along the southeast line of said 1.000 acre tract of land to the south corner thereof, same being a west corner of adjoining Roadmac Corporation 13.00 acre tract of land, said corner also being in the northeast right of way line of present 80.0 feet wide Anderson Lane at centerline Survey Station 397/31.0 of said U. S. Highway 183;

THENCE North $59^{\circ} 37'$ West 250.0 feet along the southwest line of said 1.000 acre tract same being the northeast right of way line of Anderson Lane same being the centerline of the proposed location of U. S. Highway 183, to the west corner of said 1.000 acre tract of land same being the south corner of adjoining Mart Realty Company of Austin, Texas, Inc., 19.36 acre tract of land at Survey Station 394/81.0 of said U. S. Highway 183;

THENCE North $31^{\circ} 38'$ East 100.0 feet along the northwest line of said 1.000 acre tract to a point in the north right of way line of the proposed location of said U. S. Highway 183 said corner being 743.4 feet South $31^{\circ} 38'$ West of the east corner of adjoining Mart Realty Company, Austin, Texas, Inc. 19.36 acre tract and 100.0 feet left of Survey Station 394/83.1;

THENCE South $59^{\circ} 37'$ East 100.0 feet from and parallel to the southwest line of said 1.000 acre tract 250.0 feet to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of an East-West thoroughfare to connect North Lamar Boulevard with Interstate 35 along the general location of Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of Anderson Lane, to be known as Highway 183, Loop 275; and,

WHEREAS, the City of Austin has negotiated with the owners of said tract of land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

0.543 of one acre of land, more or less, same being out of and a part of that certain original 34.83 acres of land out of the James P. Wallace Survey No. 57, Abstract No. 789, in Travis County, Texas, which original 34.83 acres were conveyed to Jack C. Adams, Trustee, by deed dated November 1, 1957, of record in Volume 1921, Page 424, of the Travis County Deed Records, said 0.543 of one acre of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at a point in the southeast line of said 12.03 acre tract of land, same being the northwest line of the adjoining N. J. Wonsley 45.179 acre tract and from which point of beginning the south corner of said 12.03 acre tract of land bears South 23° 09' West 486.5 feet, said point of beginning also being in the southwest right of way line of the proposed location of U. S. Highway 183, 100.0 feet right of Survey Station 410 / 61.5 thereof and 53.3 feet South 23° 09' West of the east corner of said 12.03 acre tract of land, said east corner being in the south line of an 80.0 foot wide right of way secured by the City of Austin for the construction of a street;

THENCE in a Northwesterly direction 100.0 feet from and parallel to the centerline of said proposed location of U. S. Highway 183 along the southwest right of way line thereof, same being along a curve to the left of 2,764.93 feet radius sub-chord bearing North $55^{\circ} 12'$ West 426.2 feet an arc distance of 426.6 feet to a point 100.0 feet right of Survey Station 406/19.6, the P. C. of a $2^{\circ} 00'$ centerline curve to the right of $22^{\circ} 48'$ central angle;

THENCE North $59^{\circ} 37'$ West 533.0 feet continuing along the southwest right of way line 100.0 feet from and parallel to the centerline of the proposed location of said U. S. Highway 183 and 20.0 feet from and parallel to the northeast line of said 12.03 acre tract, same being the southwest line of said 80.0 foot right of way to a point in the northwest line of said 12.03 acre tract, same being the southeast line of adjoining Austin Public Free Schools 7.54 acre tract, said point also being 100.0 feet right of Survey Station 400/86.6 and 519.5 feet North $31^{\circ} 35'$ East of the West corner of said 12.03 acre tract;

THENCE North $31^{\circ} 35'$ East 20.0 feet, along the northwest line of said 12.03 acre tract to the north corner thereof, same being in the southwest right of way line of present Anderson Lane 80.0 feet right of Survey Station 400/87.0 of said proposed U. S. Highway 183;

THENCE South $59^{\circ} 37'$ East 311.0 feet, 80.0 feet from and parallel to the centerline of the proposed location of U. S. Highway 183 along the southwest right of way line of present Anderson Lane to a point for the beginning of the 80.0 foot wide right of way secured by the City of Austin for the construction of a street;

THENCE continuing South $59^{\circ} 37'$ East 222.0 feet, 80.0 feet from and parallel to the centerline of the proposed location of U. S. Highway 183 along the southwest right of way line of the 80.0 foot wide right of way secured by the City of Austin to a point 80.0 feet right of Survey Station 406/19.6 the said P. C. of a $2^{\circ} 00'$ centerline curve to the right of $22^{\circ} 48'$ central angle;

THENCE continuing South $59^{\circ} 37'$ East 418.0 feet along the Southwest right of way line of said 80.0 foot wide right of way secured by the City of Austin for the construction of a street to the east corner of said 12.03 acre tract of land, said corner being 48.7 feet right of Survey Station 410/46.6;

THENCE South $23^{\circ} 09'$ West 53.3 feet along the southeast line of said 12.03 acre tract to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of an East-West thoroughfare to

connect North Lamar Boulevard with Interstate 35 along the general location of Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of Anderson Lane, to be known as Highway 183, Loop 275; and,

WHEREAS, the City of Austin has negotiated with the owner of said tract of land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

1.350 acres of land, more or less, same being out of and a part of that certain 9.8 acre tract out of the James P. Wallace Survey No. 57, Abstract No. 789 in Travis County, Texas, which 9.8 acre tract of land was conveyed to Gethsemane Lutheran Church by deed dated June 9, 1958 of record in Volume 1940, page 150 Deed Records of Travis County, Texas, which 1.350 acre tract of land, more or less, is more particularly described by metes and bounds as follows:

BEGINNING at a point in the northwest line of said 9.8 acre tract of land same being the southeast line of Purnell Street, said point also being in the north right-of-way line of the proposed location of U. S. Highway 183 100.0 feet left of Survey Station 403/97.6 and 320.0 feet south $30^{\circ} 23'$ West of the P. C. of a curve in the southeast right-of-way line of Purnell Street;

THENCE South $59^{\circ} 37'$ East 222.0 feet 100.0 feet from and parallel to the centerline of the proposed location of U. S. Highway 183 along the northeast right-of-way line thereof to a point 100.0 feet left of Survey Station 406/19.6 the P. C. of a $2^{\circ} 00'$ centerline curve to the right of $22^{\circ} 48'$ central angle;

THENCE in a southeasterly direction continuing 100.0 feet from and parallel to the centerline of said proposed location of U. S. Highway 183 along the northeast right-of-way line thereof same being along a curve to the right of 2,964.93 feet radius, sub-chord bearing South $55^{\circ} 46'$ East 399.3 feet an arc distance of 399.5 feet to a point 100.0 feet left of Survey Station 410/05.6 in the southeast line of said 9.8 acre tract, same being the N. J. Wonsley 45.179 acre tract and from which point the east corner of said 9.8 acres bears North $23^{\circ} 09'$ East 632.5 feet and North $23^{\circ} 16'$ East 152.5 feet;

THENCE South $23^{\circ} 09'$ West 73.7 feet along the southeast line of said 9.8 acre tract of land to the south corner thereof 28.9 feet left of Survey Station 510/24.5 said point also being in the northeast line of an 80.0 foot wide right-of-way secured by the City of Austin for the construction of a street;

THENCE North $59^{\circ} 37'$ West 407.6 feet, along the northeast right-of-way line of said 80.0 feet wide right-of-way to a point on the centerline of the proposed location of U. S. Highway 183 at Survey Station 406/19.6 the P. C. of a $2^{\circ} 00'$ curve to the right of $22^{\circ} 48'$ central angle;

THENCE continuing North $59^{\circ} 37'$ West, 222.0 feet along the centerline of said location of U. S. Highway 183, same being the northeast line of said 80.0 foot wide right-of-way, same being the southwest line of said 9.8 acre tract to the south corner of said 9.8 acre tract in the southeast line of Purnell Street at centerline Survey Station 403/97.6;

THENCE North $30^{\circ} 23'$ East 100.0 feet along the northwest line of said 9.8 acre tract to the place of beginning.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of an East-West thoroughfare to connect North Lamar Boulevard with Interstate 35 along the general location of Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of Anderson Lane, to be known as Highway 183, Loop 275; and,

WHEREAS, the City of Austin has negotiated with the owner of said tract of land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

4.741 acres of land, more or less, same being out of and a part of that certain original 75.51 acre tract of land out of the James P. Wallace Survey No. 57, Abstract No. 789 in Travis County, Texas, which 75.51 acre tract of land was conveyed to N. J. Wonsley et ux by deed dated October 9, 1929 of record in Volume 442, page 321, Deed Records of Travis County, Texas, which 4.741 acres of land, more or less, is more particularly described by metes and bounds as follows:

BEGINNING at a point in the northwest line of said original 75.51 acre tract of land same being the southeast line of adjoining Roadmac Corporation 12.03 acre tract of land and from which point of beginning the west corner of said original 75.51 acre tract of land bears South $23^{\circ} 09'$ West 486.5 feet, said point of beginning also being in the southwest right-of-way line of the proposed location of U. S. Highway 183 100.0 feet right of Survey Station 410/61.5 thereof;

THENCE North $23^{\circ} 09'$ East along the northwest line of said original 75.51 acre tract at 53.3 feet the southwest line of an 80.0 foot wide right-of-way secured by the City of Austin for the construction of a street, at 104.0 feet Survey Station 410/32.5 on the centerline of the proposed location of U. S. Highway 183, at 133.9 the northeast line of said 80.0 foot wide right-of-way, in all 207.6 feet to a point 100.0 feet left of Survey Station 410/05.6 in the northeast right-of-way line of said proposed location of U. S. Highway 183;

THENCE in a southeasterly direction 100.0 feet from and parallel to the centerline of said proposed location of U. S. Highway 183 along the northeast right-of-way line thereof same being along a curve to the right of 2,964.93 feet radius sub-chord bearing South $51^{\circ} 54'$ East 778.0 feet an arc distance of 780.3 feet to a point 100.0 feet left of Survey Station 417/59.6 the P. T. of a $2^{\circ} 00'$ centerline curve to the right of $22^{\circ} 48'$ central angle;

THENCE South $36^{\circ} 49'$ East 1,123.5 feet continuing 100.0 feet from and parallel to the centerline of said proposed location of U. S. Highway 183 to a point 100.0 feet left of Survey Station 428/83.1 thereof and 441.8 feet right of Survey Station 563/94.6 of present Interstate Highway 35 for a point in the revised northwest right-of-way line thereof;

THENCE South $53^{\circ} 11'$ West 46.9 feet along the said northwest right-of-way limits of Interstate Highway 35 same being the southwesterly most right-of-way limits of U. S. Highway 183, to a point in the southwest line of said original 75.51 acre tract from which point the south corner thereof bears South $59^{\circ} 51'$ East 310.4 feet;

THENCE North $59^{\circ} 51'$ West along the southwest line of said original 75.51 acre tract same being the northeast line of adjoining Louis C. Page 15.68 acre tract of land, at 91.5 feet the northeast line of an 80.0 foot wide right of way secured by the City of Austin for the construction of a street, at 135.6 feet Survey Station 427/57.9 the centerline of the proposed location of said U. S. Highway 183 in all 391.7 feet to a point 100.0 feet right of Station 425/22.9;

THENCE North $36^{\circ} 49'$ West 763.4 feet along the southwest right of way line of the proposed location of said U. S. Highway 183, 100.0 feet from and parallel to the centerline thereof to a point 100.0 feet right of Survey Station 417/59.6 the P. T. of said $2^{\circ} 00'$ centerline curve;

THENCE in a northwesterly direction continuing 100.0 feet from and parallel to the centerline of said proposed location of U. S. Highway 183 along the southwest right of way thereof same being along a curve of 2,764.93 feet radius sub-chord bearing North $50^{\circ} 47'$ West 672.0 feet an arc distance of 673.7 feet to the point of beginning;

SAVE AND EXCEPT that portion of an 80.0 foot wide right of way out of the above said tract of land secured by the City of Austin for the construction of a street and described as the SECOND TRACT in that certain deed from Roadmac Corporation to the City of Austin dated February 26, 1958 of record in Volume 1916, page 349-353, Deed Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The City Manager discussed with the Council the construction of fire stations and the accommodations of the dormitories, stating it was the trend in other cities, and the recommendation of the Chief that the dormitories provide space for one shift. He stated this fire station now being designed will house all the equipment ever needed, and will house two companies of 18 people, nine to a shift. He asked if the Architect should be told to design the dormitory for nine people. Councilman White stated he thought that was all right. Mayor pro-tem Palmer stated he would go along with Chief Dickerson's recommendation to cut down on this area. The City Manager asked then if he should tell the Architect to design the dormitory to accommodate beds for one shift, and the Council informally agreed.

No action was taken on removing a portrait that was temporarily placed at the Auditorium until it was determined who hung it there and who authorized the placing of it.

No action was taken on the request of the Heart Association to place a six or seven foot heart on the balcony of 7th and Congress.

The Assistant City Manager reviewed the discussions before the Council on August 11th and on December 8th regarding the fall-out shelter survey, and the authority to contact an architectural firm to see what it would propose in the survey. A contract would be made between the City and the Federal government concerning the funds to conduct the survey, and a contract would be made with Page, Southerland and Page as a subcontractor. This has been approved tentatively by the Federal Government. The City Manager stated about six firms made proposals, but the only one that really submitted a proposition was Page, Southerland and Page. After discussion, Councilman Perry moved that the City Manager be authorized to execute a contract with PAGE, SOUTHERLAND AND PAGE, subject to the approval of the U. S. Office of Civil and Defense Mobilization and State of Texas Division of Defense and Disaster Relief. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Assistant City Manager reported on some research on an ordinance concerning ambulances. The City Manager stated that a gentlemen's agreement between the funeral directors was reached in that all emergency calls would be

cleared through the Police Department. Councilman Perry inquired about zoning the city, and the Police Department would call the closest ambulance. The City Manager stated the funeral directors were in favor of this, with the exception of one. Mayor Pro-tem Palmer stated if the group came up next Thursday on a voluntary basis it would be the best thing.

The Council recessed until 3:30 P.M.

RECESSED MEETING

3:30 P.M.

At 3:30 P.M. the Council resumed its business.

The City Manager discussed working out a contract with Mr. W. C. COTTON in connection with the development of the Missouri Pacific Boulevard. After a very detailed discussion, Councilman Bechtol moved the City Manager be authorized to enter into a contract with W. C. COTTON for the preliminary design and construction phase of the Missouri Pacific Boulevard from 6th Street to 35th Street as set forth in the present bond program, and that the preliminary design of the entire Missouri Pacific project be included on a per diem basis north of 35th Street and in the vicinity of 6th Street to the South. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Attorney stated the Chief of Police had asked for an opinion on the Wrecker Ordinance concerning the Wrecker Rotation list, and he explained his opinion to the Chief. He reviewed a situation of a purchaser of two wreckers from one company, and the moving of these wreckers to another body-shop company which was in the wrecker business also. The purchaser wants to be placed on the rotation list, and filed a sworn statement that no one owned any interest in that shop except himself. It was noted when calls were made to the wrecker company, either company might answer. The City Attorney stated that ever since this particular application was filed, the owner of the body shop company had been calling and had come up, in the interest of getting the applicant on the rotation list. The City Attorney reviewed the Wrecker Ordinance and stated he had given the Chief of Police an opinion that where two or more companies are acting in concert; operating to a common end, where they are associating themselves together, they are entitled to one spot on the rotation list, and one spot only. He said these two operators were located at the same address, and operating from the same location. He stated other wrecker operators were expressing an interest in this and were prepared to get as many places on the rotation list as they could. The City Attorney stated if his opinion were construed any other way, the ordinance would be torn down. Councilman White stated he would like to look into this matter.

The City Attorney brought up the question of a butane gas service station in the City, stating there was a state regulation prohibiting one from engaging in the sale of butane gas without approval of the Railroad Commission, and the application for a permit from the Commission requires that the applicant

present a written waiver approved by the Governing Body of the City. The Council discussed the Spillar Butane Company which had been granted a temporary permit, and which had now been closed by the Commission pending such waiver. After more detailed discussion, Councilman White moved that the letter state "subject to the applicant's meeting the minimum requirements of the Railroad Commission and of existing or future ordinances of the City of Austin, that the City waive any objections to the granting of a permit by the Railroad Commission to the applicant." The motion, seconded by Mayor Pro-tem Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller
 Not in Council Room when vote was taken: Councilman Perry

The City Manager stated that Mr. Ullrich had been contacted by the University asking him to teach a class again this spring, and he was told that unless the Council had some objection, to go ahead. The City Manager stated that teaching this course served also as a refresher in this line.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NELSON PUETT, JR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller
 Not in Council Room when vote was taken: Councilman Perry

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council on March 1, 1961.

J. H. DUNCAN	1901-03 E. 14th St. 1307-11 Chicon	From "A" Residence To "LR" Local Retail
MRS. JULIA B. CLARK	1214-1218 Cotton St. 1190-1190½ San Bernard	From "A" Residence To "O" Office
MRS. VIRGINIA MUNSON & C. E. MUNSON, Owners RUTH NEW and INSL VARNELL Purchasers, by Horace Glass	3801-Duval 500-04 East 38th St.	From "A" Residence To "O" Office

ROY F. BEAL, By the E. F. EVANS, CO., INC.	2317-2409 Thornton Rd.	From "A" Residence To "C" Commercial
RICHARD G. AVENT	2401-2413 W. 12th St.	From "A" Residence To "B" Residence
MRS. JOHN L. MURTHA & MRS. ALMA ANN LASSETER	2301 Leon 1010-1012 W. 23rd St.	From "A" Residence To "B" Residence
THOMAS C. WOMMACK	5301-05 Cameron Rd.	From "GR" General Re- tail To "C-1" Commercial
ARTHUR N. LEVIEN	5501 Airport Blvd.	From "C" Commercial To "C-2" Commercial
O. D. DENSON, By Alvis Vandygriff	1205 Baylor St.	From "B" Residence To "C" Commercial
MRS. BEATRICE COCKRELL	1501 Lorrain 1210-1212 Enfield Rd.	From "B" Residence To "O" Office
ROBERT A. COWAN	5614-16 Montview 2201-2203 Northland Dr.	From "A" Residence To "O" Office
H. G. LINSOMB, By Trueman O'Quinn	2519-2707 Thornton Rd.	From "A" Residence To "C" Commercial

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Perry

The Council adjourned at 5:40 P.M. subject to the call of the Mayor.

APPROVED

W. L. E. Palmer
Mayor Pro-tem

ATTEST:

Elsie Mossley
City Clerk