

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 31, 1962  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Absent: None

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

Invocation was delivered by REV. WILLIAM A. CROSLAND, First Southern Presbyterian Church.

MR. MAURICE QUIGLEY, 2nd Vice President, Junior Chamber of Commerce; and MR. HARRY BENGSTON, President, presented a Resolution of Commemoration honoring TOM MILLER, Mayor Emeritus, to Tom Miller, Jr.

MR. AMOS HEROLD appeared before the Council asking for about 20 minutes some time in June to go over some of the injustices involved in the garbage collection rates, as pertained to families who could not afford the extra charge. The Mayor pointed out the additional revenue to be derived from the commercial concerns that had been rendered daily service and this service previously had been paid by the tax payers. He said not one single person had told him he could not afford to pay the garbage fee.

MRS. JAMES LANCASTER, League of Women Voters, read a statement regarding the urban renewal projects, recommending that if an Urban Renewal Agency is created that it include a truly representative cross section of all the voters, and that careful consideration be made so that adequate representation is given to people who live on the East side of town, both minority groups; and while the Agency would certainly need advice and cooperation of real estate firms and home financing firms, that the Agency also include those whose business interests could in no way conflict with the program. The statement also recommended attention to Section 18 of H.B. 70; and that the Agency consist of nine members. Mrs. Lancaster, President of the League, stated it had observed closely the staff of

the Urban Renewal office under the direction of Wayne Golden and had utmost confidence in the professional ability and integrity of the professional staff and stated they knew the Council would want to create an Urban Renewal Agency that would match in ability the staff so that Austin would be in a position to rebuild the decaying parts of the city and eliminate the fire hazards, reduce disease and unpaved streets so that all the city would constitute a beautiful, healthful place to live. MAYOR PALMER stated he regretted to see one section of Austin set against another section; that any person serving on any agency or commission of the City, if he could not look at the good of all of Austin, and if he represented just one section, the Committee could not function at all. The Mayor stated the Council looked at the City as an entire city. Any man appointed would look to the overall good of the whole city. He stated after reviewing the whole Urban Renewal Matter, he wanted to point out there were five to seven months' planning that still had to be done, and many more months before the program could actually be accomplished. He stated the program, however, had never stopped.

MR. VICTOR ROBERS, representing Merchants Collection Services, and Fidelity Credit Bureau, Inc., appeared before the Council, concerned with the delinquent accounts by the employees of the City, and asked if there were any method or assistance that could be rendered to the professional men and merchants of the City of Austin. He stated it seemed unfair to require the merchants to pay taxes and subsidize the employees who have not paid them. Councilman Shanks stated he had not lost a penny on city employees; and he always checked credit ratings. He stated when people gave credit, they knew they were taking a risk. The Mayor explained the City's position in this matter. The City Manager stated some employees were underpaid; and with this increase in wage, he believed the matter would be helped out. He explained the policy the Administration follows in working with the personnel. Councilman White stated the City did not want to be a credit collection agency, but he thought if there were a great number of employees that owe something, they should be reminded. Councilman Armstrong stated when his employees started with his Company they were informed about this, and they had very little trouble. He believed if companies would use good business judgment in the beginning, there would not be so much trouble in the end.

MR. H. P. ALLEN appeared regarding the garbage collection fee and stated if this was going to be discussed at length at some future date he would reserve his remarks until then. The Mayor stated he would discuss this with the Council to see if it will be opened up for public hearing.

Councilman Perry moved that the Minutes of the Meeting of May 17, 1962, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOTS 7 AND 8, BLOCK 139, ORIGINAL CITY OF AUSTIN, FROM "O" OFFICE DISTRICT TO "C" COMMERCIAL DISTRICT; (2) LOT 4, BLOCK 3, GROOMS ADDITION, FROM "B" RESIDENCE DISTRICT TO "IR" LOCAL RETAIL DISTRICT; (3) THE NORTH 75 FEET OF LOT 17, BENGENER'S SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (4) A 2.02 ACRE TRACT OF LAND FRONTING 965 FEET ON THE WEST RIGHT-OF-WAY LINE OF BURNET ROAD, LOCALLY KNOWN AS 8418-8546 BURNET ROAD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (5) LOTS 1, 12 AND 13, DIXIE TERRACE AND AN ADJOINING TRACT, LOCALLY KNOWN AS 8217-8241 BURNET ROAD; 2801-2815 OHLEN ROAD AND 8216-8218 BOWLING GREEN DRIVE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT; (6) A TRACT OF LAND FRONTING 303.7 FEET ON THE WEST RIGHT-OF-WAY LINE OF AIRPORT BOULEVARD AND 29.61 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF GOODWIN AVENUE, LOCALLY KNOWN AS 1130 AIRPORT BOULEVARD AND 3609 GOODWIN AVENUE, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (7) AN IRREGULAR SHAPED TRACT OF LAND FRONTING 162.32 FEET ON THE EAST RIGHT-OF-WAY LINE OF MANOR ROAD AND 50 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF EAST 51ST STREET, LOCALLY KNOWN AS 2213 EAST 51ST STREET AND 5022-5026 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (8) (A) LOTS 3 AND 4, ASSMAN'S ADDITION, AND (B) THE NORTH 110 FEET OF LOTS 1 AND 2, ASSMAN'S ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (9) THREE TRACTS OF LAND FRONTING 174 FEET ON THE WEST RIGHT-OF-WAY LINE OF LEON STREET AND 163 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF WEST 24TH STREET, LOCALLY KNOWN AS 2306-2310 LEON STREET AND 1101-1105 WEST 24TH STREET, FROM "A" RESIDENCE AND "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (10) LOTS 11-13, BLOCK 3 OF THE SUBDIVISION OF OUTLOTS 63 AND 68, DIVISION D, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; AND (11) AN INTERIOR TRACT OF LAND CONTAINING AN AREA OF 2640 SQUARE FEET OF LAND, LOCALLY KNOWN AS 4136 EAST 12TH STREET, FROM "IR" LOCAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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 and instructed to execute on behalf of the City of Austin that certain construction contract identified as Contract No. GS-07-B-5752, dated May 24, 1962 between the City of Austin and General Services Administration for relocating utilities and lowering the grade of Trinity Street required by the construction of the new United States Post Office and Federal Office Building, at a cost not to exceed \$24,349.75, which said contract has been exhibited to the City Council by the City Manager.

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 13 OF THE AUSTIN CITY  
CODE OF 1954 TO PERMIT PLASTIC AND METAL GARBAGE  
CANS TO BE USED; AND DECLARING AN EMERGENCY.  
(Also changing size of cans)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE WITH RESPECT TO THE PETITION OF SOUTHERN UNION GAS COMPANY FOR AN INCREASE IN ITS RATES FOR NATURAL GAS SERVICE IN THE CITY OF AUSTIN; DETERMINING AND FIXING MAXIMUM RATES TO BE CHARGED BY SUCH COMPANY WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; MAKING IT UNLAWFUL FOR SOUTHERN UNION GAS COMPANY, OR ANY OTHER PERSON, FIRM, CORPORATION, RECEIVER OR LESSEE OPERATING A GAS DISTRIBUTION SYSTEM, OR ENGAGED IN THE BUSINESS OF FURNISHING NATURAL GAS SERVICE IN THE CITY OF AUSTIN, OR ANY OFFICER, AGENT, REPRESENTATIVE OR EMPLOYEE THEREOF TO DEMAND, EXACT OR COLLECT FROM ANY CONSUMER ANY CHARGE FOR NATURAL GAS IN EXCESS OF THE RATES FIXED HEREIN; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE OF NOT LESS THAN \$50.00 NOR MORE THAN \$200.00 FOR EACH OFFENSE; REPEALING THE GAS RATE ORDINANCE PASSED AND APPROVED DECEMBER 8, 1955; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, BUT ONLY INSOFAR AS THE SAME MAY BE IN CONFLICT.

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 Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer  
Noes: Councilman Perry

The City Attorney stated there was a discussion about eliminating the deposit and making an installation or service connection fee. He explained as far as the service charge is concerned, the Gas Company will have to have its franchise amended, and suggested that the Company submit a draft of the exact language it thinks appropriate for this amendment. No amendment regarding the deposit will be needed. Councilman White moved that the Council recognize and approve the practice of refunding the original deposit and of not requiring future deposits after June 1, 1962, in order to obtain gas service. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in PORTER STREET from a point 263 feet east of Vasquez Street easterly 44 feet the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PORTER STREET.

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

- (2) A gas main in SAN GABRIEL STREET from a point 11 feet north of West 18th Street northerly 96 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SAN GABRIEL STREET.

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

- (3) A gas main in EAST 19TH STREET from a point 104 feet west of Greenwood Avenue, westerly 490 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 19TH STREET.

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

- (4) A gas main in COVENTRY LANE from a point 272 feet south of Sweeney Lane, southerly 177 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said COVENTRY LANE.

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

- (5) A gas main in EXETER DRIVE from a point 171 feet north of Roxmoor Drive northerly 108 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said EXETER DRIVE.

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

- (6) A gas main in LANSBURY DRIVE from Coventry Lane to Exeter Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LANSBURY DRIVE.

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

- (7) A gas main in the SANDHURST CIRCLE from a point 462 feet north of Rogge Lane northerly and westerly 65 feet, the centerline of which gas main shall be 6.5 feet west of, south of and parallel to the east and north property lines of said SANDHURST CIRCLE.

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

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement, five feet in width, for public utility purposes, was granted the City of Austin in, upon and across Lots 1 through 9, inclusive, Block A, of the Herman Brown Addition No. 2, Section One, a subdivision of a portion of the Daniel J. Gilbert Survey No. 8, in the City of Austin, Travis County, Texas, according to a map or plat of said Herman Brown

Addition No. 2, Section One, of record in Book 8 at page 176 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of said above described property have heretofore granted an electric easement at another location and have requested the City Council of the City of Austin to release that portion of above described easement for electric purposes only; and,

WHEREAS, the City Council has determined that the portion of above described easement for electric purposes, only, is not now needed and will not be required in the future; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a release of the following described easement for electric purposes, only, to wit:

A strip of land five (5.00) feet in width, same being all of the north five (5.00) feet of Lots 1 through 9, inclusive, Block A, of the Herman Brown Addition No. 2, Section One, a subdivision of a portion of the Daniel J. Gilbert Survey No. 8 in the City of Austin, Travis County, Texas, according to a map or plat of said Herman Brown Addition No. 2, Section One, of record in Book 8 at page 176 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT The Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in SAN JACINTO STREET, from a point 131 feet south of East 10th Street, southerly to a point 45 feet south of the south line of East 9th Street, the centerline of which underground telephone conduit shall be 14 feet east of and parallel to the west property line of said SAN JACINTO STREET.



- (2) An underground telephone conduit in EAST 8TH STREET ALLEY, from San Jacinto Street westerly 120.0 feet, the centerline of which underground telephone conduit shall be 3.0 feet north of and parallel to the south property line of said EAST 8TH STREET ALLEY.
- (3) An underground telephone conduit in EAST 9TH STREET ALLEY, from San Jacinto Street westerly 33.0 feet, the centerline of which underground telephone conduit shall be 3.0 feet south of and parallel to the north property line of said EAST 9TH STREET ALLEY.

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

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman Perry offered the following resolution and moved its adoption:

(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 property situated on the north side of Manor Road as a private gasoline plant consisting of one (1) 550 gallon tank and one (1) electric pump for the sole purpose of servicing their own motore equipment, and from which no gasoline is to be sold, which property is designated as the Mary C. Miley Tract, in Outlot 27, Division C., of the City of Austin, Travis County, Texas, and hereby authorizes the said Middleton Plumbing Company to operate a private gasoline plant consisting of one (1) 550 gallon tank and one (1) electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated 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 operation of this private gasoline plant after full compliance with all the provisions of this resolution, and 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, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Middleton Plumbing Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
May 25, 1962

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

"Dear Sir:

"I, the undersigned, have considered the application of Middleton Plumbing Company, for permission to operate a private gasoline plant consisting of one (1) 550 gallon underground tank and one (1) electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of Manor Road, which property is designated as the Mary C. Miley Tract, in Outlot 27, Division C. in the City of Austin, Travis County, Texas, and locally known as 1612 Manor Road.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,  
s/ Dick T. Jordan  
Building Official"

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

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 ANNEXA-  
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

15.85 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY, 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 Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

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 Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.30 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL SURVEY NO. 21, 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 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 Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

The Mayor announced that the ordinance had been finally passed.

MAYOR PALMER asked the City Manager to make a study to see if it would be practical to handle the approval of private gasoline plants administratively without their having to be presented to the Council for action, since there were certain technical aspects that had to be checked out anyway through administrative channels.

The City Manager submitted the following:

"May 25, 1962

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, May 25, 1962 at the Office of the Director of Water and Sewer Department for the construction of a 24-inch Water Main in Springdale Road, from East 12th Street to East 19th Street. Bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>Amount</u>	<u>Working Days</u>
Austin Engineering Company	\$37,607.65	70
Capitol City Utilities Company	40,431.50	40
Bland Construction Company	41,291.25	90
Fairey-Simons Company, Incorporated	41,333.75	50
Karl Wagner, Incorporated	43,734.75	60
F and S Company	45,040.75	90
Walter W. Schmidt	45,248.25	50
McKenzie Construction Company, San Antonio, Texas	59,996.25	-

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$37,607.65 with 70 working days.

"Yours truly,  
s/ Victor R. Schmidt, Jr., Superinten-  
dent Water Distribution  
s/ Albert R. Davis, Director  
Water and Sewer Department"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 25, 1962, for the construction of a 24-inch water main in Springdale Road, from East 12th Street to East 19th Street; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$37,607.65, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department 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 Austin Engineering Company, in the sum of \$37,607.65, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Austin Engineering Company.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"May 29, 1962

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids for steel frames for barges for Recreation Department

"The following bids were received by Mr. Sheffield of the Recreation Department for equipping 20 barges with steel frames for the Water Parade during Aqua Festival Days:

James Boyce Iron Works	\$5212.20
Deans Welding Service	5800.00
O. B. McKowen Jr. (Verbally)	6000.00
Tips Iron and Steel Co.	6925.20

"Recommend low bid of James Boyce Iron Works be awarded contract.

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

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin for the furnishing of steel frames for barges for the Recreation Department; and,

WHEREAS, the bid of James Boyce Iron Works, in the sum of \$5212.20 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Recreation 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 James Boyce Iron Works, in the sum of \$5212.20 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with said James Boyce Iron Works.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

CITY OF AUSTIN  
BIDS ON TRUCKS & BODIES  
ELECTRIC DISTRIBUTION

Sealed bids opened 3:00 P.M. May 24, 1962  
By City Council

Tabulated by: O. G. Brush, Purchasing Agent

BID #	DESCRIPTION	QUAN.	DEPENDABLE MOTORS	CAPITOL CHEVROLET	INTERNATIONAL HARVESTER	COMMERCIAL BODY CORP.	HOLAN BODY CO.	KOENIG IRON WKS.	HOBBS TRAILERS
9834	2½ ton Dump Truck per Spec. 16 (no trade-in)	1 ea.	\$3738.41	\$3670.00	* 3640.00				
9835	2 ton Stake Bed Truck per Spec. 15 (1 trade-in)	1 ea.	2419.45	2300.00	2579.38				
9836	¾ ton Pick-up per Spec. 14 (1 trade-in)	1 ea.	1755.07	1657.54	1572.50				
9837	¾ ton Cab & Chassis per Spec. 5 (2 trade-ins)	2 ea.	3427.44	3261.00	2820.00				
9838	Meter Service & Maintenance Body per Spec. 13	1 ea.				\$845.50	\$730.29	\$780.30	\$835.00
9839	Service & Mainten- ance Body per Spec. 12	1 ea.				701.00	730.29	695.52	730.00

\*Bid 9834 International Harvester does not meet specification #16 since they did not submit specifications on the unit bid - unable to determine which body & hoist they bid on.

NOTE: All prices are net totals and less trade-in on trucks where trade-ins are shown.

## "CITY OF AUSTIN BIDS ON TRUCKS &amp; BODIES ELECTRIC DISTRIBUTION

## "RECOMMENDATIONS:

- BID 9834 - Recommend Capitol Chevrolet as lowest bidder meeting specifications @ \$3670.00  
BID 9835 - Recommend Capitol Chevrolet as low bidder @ \$2300.00  
BID 9836 - Recommend International Harvester as low bidder @ \$1572.50  
BID 9837 - Recommend International Harvester as low bidder @ \$2820.00  
BID 9838 - Recommend Holan Body Co. of Griffin, Georgia as low bidder @ \$730.29  
BID 9839 - Recommend Koenig Iron Works of Houston as low bidder @ \$695.52

"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 May 24, 1962, for the purchase of trucks and bodies for use by the Electric Distribution Division of the City of Austin; and,

WHEREAS, the bids of Capitol Chevrolet, in the sum of \$3670.00, for one 2 1/2 ton Dump Truck; and in the sum of \$2300.00 and one trade-in, for one 2 ton Stake Bed Truck, were the lowest and best bids for said described trucks; and,

WHEREAS, the bids of International Harvester, in the sum of \$1572.50 and one trade-in, for one 3/4 ton Pick-up; and in the sum of \$2820.00 and two trade-ins, for two 3/4 ton Cabs and Chassis, were the lowest and best bids for said described truck, cabs and chassis; and,

WHEREAS, the bid of Holan Body Company, in the sum of \$730.29, for one Meter Service and Maintenance Body was the lowest and best bid for said body; and,

WHEREAS, the bid of Koenig Iron Works, in the sum of \$695.52, for one Service and Maintenance Body was the lowest and best bid for said body; and,

WHEREAS, the acceptance of such bids 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 bids of Capitol Chevrolet, in the sum of \$3670.00; and in the sum of \$2300.00 and one trade-in; and the bids of International Harvester, in the sum of \$1572.50 and one trade-in; and in the sum of \$2820.00 and two trade-ins; and the bid of Holan Body Company, in the sum of \$730.29; and the bid of Koenig Iron Works, in the sum of \$695.52, for the above described trucks and bodies, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to enter into contracts with said companies.

The motion, seconded by Councilman Perry, carried by the following vote:  
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman PERRY suggested that a study be made on an ordinance prohibiting any child who could not swim from coming to a swimming pool without adult supervision; whether the ordinance should be such that the people in charge of these pools are not to let the children in, or whether the ordinance should be drawn in such a way that it would be directed towards the parents. He stated it was unfair to the children and unfair to the life guards, for children who cannot swim to be sent to the pools without adult supervision. He said he would like to have an ordinance presented. The City Attorney stated he would draft an ordinance and present it to the Council. The Mayor stated the Council asked the City Attorney to draft an ordinance along these lines.

The City Manager reported as a matter of information that MR. W. H. BULLARD had submitted a plan for Pecan Grove Subdivision in Govalle, and it has been approved by the Planning Commission and arrangements have been made for water and sewer. There was a question concerning drainage. This particular land lies in a pocket where surface water does not drain, and there is a drainage system in the area now under construction. Local water which falls will be drained out, but there is a remote possibility that this property could be flooded or inundated from back up water from Boggy Creek. The grades for curb lines in the street are set for  $9\frac{1}{2}$ ", .8 of a foot above the present grade of the ground. He stated Mr. Bullard proposed to put in some fill on the ground, and it was the City's recommendation for future protection of people who build in the area that there be a restriction either on the plat or with reference to the subdivision that no house will be built with a floor level less than 10" above the height of the curb. Mr. Bullard stated that was acceptable to him, and he read a set of restrictions he was filing with the plat. The Mayor stated this was a fine thing to try to safeguard these things as much as possible.

The City Manager reported that a number of doctors had requested a study of the hospital needs, and the Council had suggested a steering Committee composed of the Staff of Brackenridge Hospital, business men, the Hospital Board, and representatives of other hospitals in the City to determine what approach should be taken and to ascertain when more hospital beds would be needed and what type, and who should provide them. The Steering Committee was formed and met throughout the last year or so. It in turn appointed a subcommittee to make detailed studies as to what sort of advice or technical advice might be needed and whether or not Federal Funds or some sort of foundation or endowment funds might be available. It was found there was no source of this type of funds, except those provided by the City and other hospitals to provide the technical skills and make the study. He stated he had a report which contained a recommendation since there is not only Brackenridge Hospital, but Seton, Holy Cross, St. Davids, and the State Hospitals involved in what future requirements might be needed, that the Community Council be asked to undertake this study and to name other people to a larger committee which could represent all other possible interests in the community in regard to community health. It was the City Manager's recommendation that it would be better for the Community Council to take over the operation of this study, than for the Hospital Board to take the lead; because whether they are privately owned or tax supported, the hospitals have equal interest, and no one would be dominating. He stated the Community



Council was not in a position to hire people to make the technical studies, and they would have to call on the City and other hospitals to provide that. He listed 13 items that would be covered in the study that all agencies in the Community would be interested in, as well as specific questions that the City and other hospitals should have answered before a determination was made as to what future needs would be made and before any tax money is spent on future construction. The Mayor stated Brackenridge Hospital was the only one that had an emergency room, and it caught the highway accidents, the stabbings, and a large percentage of the charity work. He said it might be that some of the rooms were occupied by people who could be in a convalescent type of hospital rather than in a general hospital. Austin does not have the philanthropy that some other cities have. He stated whether or not it was up to the City to provide these beds would be something this committee should study. The Mayor stated the Community Council would be a fine group to make this determination; and if they needed some professional help or expert advice, they could report back to the Council as to what is involved and how much money, and possibly that could be distributed between the hospitals for such need. After discussion, Councilman Shanks moved that this study be assigned to the Community Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager reviewed the matter of construction of the farm-to-market road from Manchaca to Matthews Lane, stating the Travis County Water Control District was now in position to remove the water lines from the roadway and relocate them. The area north of Matthews Lane is close to the City limits, and 80 acres have already been acquired just south of Stassney Lane for a combined school site and District Park; and as it is anticipated there will be rapid growth in the area, the City Manager suggested not removing the lines north of Matthews Lane, and that the Highway Department be assured that the City intended to pave the street with the regular city-type of paving. The Director of Public Works stated two of the County Commissioners had agreed they would buy the right-of-way needed as originally planned down to Williamson Creek. The City Manager stated the Highway Department suggested that the City add a request that when it rebuilt the road from Williamson Creek out to Matthews Lane, that the Highway Department take over the maintenance, and he believed that would be granted. Councilman Armstrong moved that the City Manager be authorized to execute this agreement with the Highway Department subject to final action by the Commission, and that there is no specific date involved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager reported Nelson Puett had offered a lot at 802 County Road to the City, and the Council had authorized him to notify Mr. Puett that the City would accept the offer. The City Manager reported the deed had been received by him.

The City Manager brought up for discussion the establishment of a branch library as requested by a group of people from Northeast Austin recently. Their suggestion was leasing space from MR. WALTER BOHN in the Community Center, but Mr. Bohn says there is no space available. He could construct a 2000 square foot building, and proposed a lease for 10 years at \$200.00 a month. As to the Library expenditures, the City Manager stated the Librarian said the budget for this branch operation would be no greater than the personnel she would have to add in other sites rather than this site. The City Attorney stated later plans had developed and he had not had a change to discuss them. The Mayor suggested the possibility of building a branch library with City funds. The City Manager discussed this, explaining the problem of locating a site in this area, and providing utilities. The Mayor suggested continuing talking with Mr. Bohn, and try to arrive at a reduction in the amount of the lease and for a shorter term agreement.

MR. DeLASHWAH stated when his street was widened he had 170' hand carved rock which he was going to use for his drive-in, but the rock was taken out without his knowledge. He was not asked whether he wanted to buy it, or sell it. He thought he was entitled to this rock. The Director of Public Works reported the contractor did take the rock away, but there was stone in the street and bridge operations that he could have. Mr. DeLashwah was referred to the Director of Public Works.

The City Manager made a report on the opening of Ohlen Drive, which he had hoped to get dedicated and opened to serve Lanier School. He stated there were two pieces of property which needed to be crossed to provide access from east of the railroad track to the school. One property owner, MR. TOM ATTAL, has been subdividing his land and wants to get the street opened, and he has talked to the other property owner, MR. KARL WAGNER, who will go along with him. The City Manager recommended that if they would dedicate the right-of-way and pave the street, the City could install whatever utilities necessary in the street before it was paved. He pointed out a drainage problem that was necessary; and stated the City would make that installation and offer to them the installation of the utilities which will be required in the street if they will dedicate the right-of-way and pay for the paving of the street. The Mayor suggested going ahead and proceeding with this, and try to get the Railroad Company to pay for the signaling of the railroad crossing.

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

The Mayor read a letter from FRANK E. HARVICK, JR., commending Police Officer Reedy who gave him a warning ticket.

The Council informally authorized the payment of \$500.00 for membership in the U.S. Conference of Mayors.

The Mayor read two letters from LAWRENCE R. OWENS asking if it would be permissible to carry garbage to the disposal plant, from his addresses 2909 E. 12th Street, 1189 and 1197 Hargrave Street.

The City Manager had a recommendation from the Hospital Board that the Resident Doctors at the Hospital, who get a small amount of payment in lieu of salaries, be increased \$50.00 a month as a supplement if they are married, to take care of house rent. Councilman Shanks moved that the Council authorize this \$50.00 per month extra for these physicians. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager stated there was a proposal from a group about naming the base ball field next to Downs Field. The Recreation Director stated the Parks and Recreation Board suggested naming the Field for GEORGE MABSON. Councilman Armstrong moved that the Council name the field GEORGE MABSON FIELD. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

Councilman White moved that MRS. CLAUDE HILL be appointed as UNITED NATIONS DAY Chairman for Austin. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Manager reported there were stop signs on the north and south sides of Speedway and 38th Street; but it was found necessary to install some stop signs with flashing red lights, and he would like to give this a try.

The City Manager stated another inquiry about traffic controls at 24th and Red River was made, and the Traffic Engineer had made a study and did not recommend any changes be made at this time.

The City Attorney submitted a proposal for purchase of land on Tillery and First Street which is necessary for the extension of Second Street. He stated the contract signed by all three of the property owners was for the entire property; and it was believed the remaining part of the property after the street is put in will be worth that amount, and it was the recommendation that the entire tract be purchased. He stated there would be 88' on one side; 72' on Tillery, and 125' on Second Street. Councilman Armstrong moved that the purchase of the property be authorized. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney made a report on the signs on city property leased to Duplex Sign Company, Ed St. John, stating he had talked to Judge Thurman who represented the Watermans, about purchasing the property. Judge Thurman stated the price was very high and made a counter proposal that the land be purchased by the Center for \$1,500, and the City retain the right to buy it back at any time it was needed for public purposes of any kind for \$1,500 without interest or any other enhancement, and with the future assurance that the Waterman Estate will either make a lease agreement satisfactory to the sign company or refund the amount of money they have been out. Councilman Perry moved that the property be sold to the Watermans for \$1,500 with the following two qualifications:

(1) That the City have a perpetual option (that will not cost us) to buy it back at \$1,500 regardless of improvements without interest or additional costs of any kind; and (2) that they will satisfy MR. ED St. JOHN who put his posts up there in good faith, by either reimbursing him for expenses of costs or making a satisfactory lease for a sign with him. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: Councilman Armstrong

Councilman Armstrong stated MR. BILL CUMMINGS, State School System, said there would be someone here to ask for unused bleachers the City owns that they could borrow for the Little League.

The Council informally agreed on permitting the Schools and Superior Dairies to work out their parking lots on Sabine Street and Second Street as submitted by the City Manager and Director of Public Works.

At this point Councilman Armstrong left the meeting.

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

4.173 acres of land, same being out of and a part of those certain five (5) tracts of land out of the J. C. Tannehill League in the City of Austin, Travis County, Texas, which together with other property were conveyed to Lois D. Thrasher, a feme sole, by the following four (4) warranty deeds: (1) dated January 9, 1947 of record in Volume 828 at Page 519 of the Deed Records of Travis County, Texas, and referred to as first tract in said deed; (2) dated February 10, 1943 of record in Volume 712 at Page 572 of the Deed Records of Travis County, Texas, and referred to as second and third tracts in said deed; (3) dated November 29, 1941 of record in Volume 688 at Page 146 of the Deed Records of Travis County, Texas, and referred to as second tract in said deed; (4) dated November 7, 1941 of record in Volume 683 at Page 302 of the Deed Records of Travis County, Texas, and referred to as first tract in said deed; said 4.173 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the southwest corner of the herein described tract of land, same being at the point of intersection of the proposed south right of way line of State Highway No. 71 with the west line as fenced of the said Thrasher tract of land described as First Tract in the aforementioned deed of record in Volume 828 at Page 519 of the Deed Records of Travis County, Texas, and from which point of beginning an iron stake at the southwest corner of the said First Tract as described in the aforementioned deed of record in Volume 828 at Page 519 of the Deed Records of Travis County, Texas, bears S 22° 03' W 140.60 feet;

THENCE, with the west line, as fenced, of the said Thrasher tract N 22° 03' E 221.22 feet to a point, same being the northwest corner of the herein described tract of land;

THENCE, S 82° 39' E 72.85 feet with the north line of the said Thrasher tract, same being the existing south right of way line of State Highway 71 to a point, said point being the point of curvature of a curve to the right whose radius is 1860.08 feet;

THENCE, continuing with said south right of way line and said curve to the right, the sub-chord of which arc bears S 73° 52' E 336.77 feet to a point;

THENCE, S 60° 22' E 207.70 feet with the said south right of way line to a point, same being the point of curvature of a curve to the right whose radius is 1860.08 feet;

THENCE, continuing with said south right of way line and said curve to the right, the sub-chord of which arc bears S 49° 40' E 252.51 feet to a point, said point being the northeast corner of the said Thrasher tract;

THENCE, S 29° 48' W 207.66 feet with the east line of the said Thrasher tract to a point, said point being the southeast corner of the said Thrasher tract, and said point also being an intermediate point on a curve to the left having an angle of intersection of 72° 38', a tangent distance of 805.59 feet and a radius of 1096.01 feet;

THENCE, with said curve to the left an arc distance of 665.36 feet, the subchord of which bears N 61° 39 1/2' W, 655.20 feet to an iron stake;

THENCE, N 79° 03' W 175.75 feet to the point of beginning.  
(Lois D. Thrasher)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

2.016 acres of land, same being out of and a part of that certain tract of land out of the Santiago Del Valle Grant which lies partly within and partly without the corporate limits of the City of Austin, Travis County, Texas, which was conveyed to Paul J. Willhoite by the following two (2) Deeds: (1) Warranty Deed dated April 15, 1931 of record in Volume 486 at Page 380 of the Deed Records of Travis County, Texas; (2) Deed of Gift dated March 30, 1942 of record in Volume 693 at Page 492 of the Deed Records of Travis County, Texas; said 2.016 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner as fenced of the herein described tract of land, same being the point of intersection of the present east right of way line as fenced of U. S. Highway No. 183 with the south line as fenced of Hergotz Lane same being at the northeast corner of that certain tract of land conveyed to the State of Texas for right of way purposes by Right of Way Deed dated November 14, 1939 of record in Volume 634 at page 28 of the Deed Records of Travis County, Texas;

THENCE, with the north line as fenced of the said Willhoite tract of land, same being the south line of Hergotz Lane N 54° 11' E at 145.41 feet passing an iron stake on the Corporate Limit Line of the City of Austin as adopted by the City Council of the City of Austin by Ordinance dated December 20, 1951, in all a distance of 273.35 feet to an iron stake on the proposed east right of way line of U. S. Highway No. 183, same being at the northeast corner of the herein described tract of land and from which iron stake at the northeast corner of the said

Willhoite tract of land bears N 54° 11' E 51 feet more or less;

THENCE, with the proposed east right of way line of U. S. Highway No. 183 S 15° 15' E 35.92 feet to an iron stake;

THENCE, continuing with the proposed east right of way line of U. S. Highway No. 183 S 19° 36' E 86.88 feet to an iron stake on a curve whose angle of intersection is 67° 34', whose radius is 123.15 feet, and whose tangent distance is 82.39 feet;

THENCE, continuing with the proposed east right of way line of U. S. Highway No. 183 along said curve to the right an arc distance of 145.23 feet, the subchord of which arc bears S 14° 11' W 136.96 feet to an iron stake;

THENCE, continuing with the proposed east right of way line of U. S. Highway No. 183 S 9° 17' W at 11.77 feet passing an iron stake on the Corporate Limit Line of the City of Austin as adopted by the City Council of the City of Austin by Ordinance dated December 20, 1951, in all a distance of 82.40 feet to an iron stake on a curve whose angle of intersection is 5° 34', whose radius is 3219.17 feet, and whose tangent distance is 156.51 feet;

THENCE, continuing with the proposed east right of way line of U. S. Highway No. 183 along said curve to the left an arc distance of 312.76 feet, the subchord of which arc bears S 27° 07' E 312.42 feet to an iron stake at the point of tangency of said curve;

THENCE, continuing with the proposed east right of way line of U. S. Highway No. 183 S 29° 52' E 59.76 feet to an iron stake on the most southerly line as fenced of the said Willhoite tract of land as described in the aforementioned deed of record in Volume 693 at Page 492 of the Deed Records of Travis County, Texas, same being at the southeast corner of the herein described tract of land;

THENCE, with the most southerly line as fenced of the said Willhoite tract of land, same being the most southerly line of the herein described tract of land, S 37° 27' W 86.31 feet to a point on the present east right of way line as fenced of U. S. Highway No. 183, same being at the southeast corner of that certain tract of land conveyed to the State of Texas for right of way purposes by Right of Way Deed of record in Volume 632 at page 467 of the Deed Records of Travis County, Texas;

THENCE, with the present east right of way line as fenced of U. S. Highway No. 183, same being the west line of the herein described tract of land, with the following two (2) courses:

- (1) N 29° 56' W 562.30 feet to a concrete right of way marker;
- (2) N 32° 48' W 97.17 feet to the point of beginning.

(Paul J. Willhoite)

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

0.003 of one acre of land, same being out of and a part of Lot 1 of the John M. Edwards Estate Subdivision, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said John M. Edwards Estate Subdivision of record in Book 7 at Page 128 of the Plat Records of Travis County, Texas, which Lot 1, together with other property, were conveyed to Walker A. Edwards by Partition Deed dated December 2, 1955 of record in Volume 1679 at Page 147 of the Deed Records of Travis County, Texas, said 0.003 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake on the southwest corner of the herein described tract of land, same being the proposed west line of Montopolis Drive from which iron stake the southwest corner of the said Lot 1 bears N 60° 31' W 183.42 feet;

THENCE, with the proposed west line of Montopolis Drive N 37° 22' E 67.25 feet to an iron stake on the present west line of Montopolis Drive;

THENCE, with the east line of the herein described tract of land, same being the present west line of Montopolis Drive S 33° 48' W 66.87 feet to an iron stake;

THENCE, with the south line of the herein described tract of land, same being the south line of Lot 1 N 60° 31' W 4.21 feet to the point of beginning.

(Walker A. Edwards Estate)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong



Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

Two tracts of land: The tract of land hereinafter described as No. 1 containing 0.335 of one acre of land, same being all of that certain tract of land shown as Reserve in Block 1 of Bergstrom Downs No. 1 and a portion of Lot 1, Block 1 of said Bergstrom Downs No. 1 being a subdivision, which lies partly within and partly without the Corporate Limits of the City of Austin, Travis County, Texas; by the grantor herein of a portion of the Santiago Del Valle Grant, according to a map or plat of said Bergstrom Downs No. 1 of record in Book 5 at Page 2 of the Plat Records of Travis County, Texas; the tract of land hereinafter described as No. 2 containing 0.273 of one acre of land out of and a part of that certain tract of land shown as Reserve of Block 2 of the said Bergstrom Downs 1 and out of and a part of Lot 1, Block 2 of the said Bergstrom Downs No. 1: Each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

NO. 1 BEGINNING at an iron stake at the northeast corner of the herein described tract of land, same being at the point of intersection of the proposed east right of way line of U. S. Highway No. 183 with the north line of the said Lot 1, Block 1 of Bergstrom Downs No. 3, and from which point of beginning an iron stake at the northeast corner of the said Lot 1 Block 1 bears N 45° 17' E 192.64 feet;

THENCE, with the east line of the herein described tract of land, same being the proposed east right of way line of U. S. Highway No. 183, S 25° 13' E 153.57 feet to an iron stake on the south line of the said Lot 1 Block 1, same being the north line of Patton Avenue;

THENCE, with the north line of Patton Avenue, same being the south line of the said Block 1 S 45° 17' W 100.59 feet to a point on the present east right of way line of U. S. Highway No. 183, same being at the southwest corner of that certain tract of land shown as Reserve of the said Block 1;

THENCE, with the present east right of way line of U. S. Highway No. 183, same being the west line of the said Reserve tract of Block 1, N 25° 16' W 153.54 feet to the northwest corner of the said Reserve tract of Block 1;

THENCE, with the north line of the said Block 1, same being the north line of the said Bergstrom Downs No. 1, N 45° 17' E at 50.00 feet passing an iron stake at the northwest corner of the said Lot 1 Block 1, in all a distance of 100.69 feet to the point of beginning.

NO. 2 BEGINNING at the northwest corner of that certain tract of land shown as Reserve of the said Block 2 of Bergstrom Downs No. 1, same being at the point of intersection of the south line of Patton Avenue with the present east right of way line of U. S. Highway No. 183;

THENCE, with the south line of Patton Avenue, same being the north line of the said Block 2, N 45° 17' E at 50.00 feet passing an iron stake at the northwest corner of the said Lot 1, Block 2, in all a distance of 282.55 feet to an iron stake at the point of curvature of the proposed curving east right of way line of U. S. Highway No. 183, said curve having an intersection angle of 70° 29', a radius of 452.68 feet, and a tangent distance of 319.82 feet;

THENCE, with the proposed curving east right of way line of U. S. Highway No. 183 along said curve to the right an arc distance of 365.41 feet with the sub-chord bearing S 22° 04 1/2' W, 356.49 feet to an iron stake, and from which iron stake another iron stake at the southeast corner of the said Reserve tract of Block 2 bears N 45° 19' E 44.75 feet;

THENCE, with the south line of the said Reserve tract of Block 2 S 45° 19' W 5.30 feet to the southwest corner of the said Reserve tract of Block 2, same being on the present east right of way line of U. S. Highway No. 183;

THENCE, with the present east right of way line of U. S. Highway No. 183, same being the west line of the said Reserve tract of Block 2, N 25° 07' W 148.41 feet to the point of beginning.

(T. C. Steiner)

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

0.297 of one acre of land, same being out of and a part of that certain tract of land out of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas which was conveyed to C. W. Frensley by Warranty Deed dated October 4, 1944 of record in Volume 745 at Page 414 of the Deed Records of Travis County, Texas, said 0.297 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the eastern most corner of the herein described tract of land, from which point of beginning an iron stake at the southwest corner of a tract of land conveyed to Ed Fisher by Warranty Deed dated January 16, 1947 of record in Volume 830, Page 93 of the Deed Records of Travis County, Texas, bears S 74° 35' E 52.15 feet;

THENCE, S 59° 07' W along the southeastern property line of the said Frensley tract a distance of 157.64 feet to a point, said point being the southern most point of said tract of land, and also being on the existing east right of way line of U. S. Highway 183;

THENCE, N 30° 33' W along the southwestern property line of the said Frensley tract, same being the existing east right of way of U. S. Highway 183, a distance of 164.00 feet to a point, same being the western most corner of the herein described tract of land;

THENCE N. 74° 35' E 226.87 feet along the northern property line of the said Frensley tract to the point of beginning.

(C. W. Frensley)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

0.432 of one acre of land, same being out of and a part of Lots 1 and 2, Block 1 of Mohle Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Mohle Addition of record in Book 4 at Page 315 of the Plat Records of Travis County, Texas, which Lots 1 and 2, together with other property, were conveyed to S. B. Wingfield by Warranty Deed dated March 4, 1957 of record in Volume 1793 at Page 111 of the Deed Records of Travis County, Texas, said 0.432 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument at the northeast corner as fenced of the said Lot 1, same being a point on the present west right of way line of U. S. Highway No. 183;

THENCE, with the present west line as fenced of U. S. Highway No. 183, same being the east line of the said Lots 1 and 2, S 27° 19' E 149.06 feet to an iron stake at the southeast corner as fenced of the said Lot 2;

THENCE, with the south line as fenced of the said Lot 2, S 58° 16' W 115.65 feet to an iron stake in the proposed west right of way line of U. S. Highway No. 183;

THENCE, with the proposed west right of way line of U. S. Highway No. 183 N 33° 59' W 153.67 feet to an iron stake on the north line as fenced of the said Lot 1; and from which iron stake the northwest corner of the said Lot 1 bears S 60° 24' W 78.12 feet;

THENCE, with the north line as fenced of the said Lot 1 N 60° 24' E 133.25 feet to the point of beginning.

(S. B. Wingfield)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

1.101 acres of land, same being out of and a part of that certain tract of land out of the J. C. Tannehill League in the City of Austin, Travis County, Texas, which was conveyed to J. A. Caperton et ux Clara Belle Caperton by Warranty Deed dated June 22, 1959 of record in Volume 2054 at page 239 of the Deed Records of Travis County, Texas, said 1.101 acres of land being more particularly described by metes and bounds as follows:

BEGINNING, at an iron stake at the southeast corner of the herein described tract of land, same being the point of intersection of the east line as fenced of the said Caperton tract of land with the proposed south right of way line of State Highway No. 71 and from which point of beginning an iron stake at the southeast corner of the said Caperton tract of land bears S 22° 03' W 140.60 feet;

THENCE, with the south line of the herein described tract of land, same being the proposed south right of way line of State Highway No. 71, with the following two (2) courses:

- (1) N 79° 03' W 191.17 feet to an iron stake;
- (2) N 18° 21' W 20.01 feet to an iron stake at the most westerly southwest corner of the herein described tract of land, same being on the west line as fenced of the said Caperton tract of land, and from which iron stake another iron stake at the southwest corner of the said Caperton tract of land bears S 22° 00' W 130.15 feet;

THENCE, with the west line as fenced of the said Caperton tract of land, same being the west line of the herein described tract of land, N 22° 00' E

206.80 feet to an iron stake at the northwest corner of the herein described tract of land;

THENCE, with the north line of the herein described tract of land, S 78° 09' E 204.00 feet to an iron stake at the northeast corner of the herein described tract of land;

THENCE, with the east line as fenced of the herein described tract of land, same being the east line of the said Caperton tract of land, S 22° 03' W 221.22 feet to the point of beginning.

(J. A. Caperton, et ux)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

0.5814 of one acre of land, same being out of and a part of that certain tract of land out of the Santiago Del Valle Grant which lies partly within and partly without the corporate limits of the City of Austin, Travis County, Texas, which was conveyed to L. J. Luedecke by the following two (2) warranty deeds: (1) Dated January 11, 1952 of record in Volume 1216, at Page 277 of the Deed Records of Travis County, Texas; (2) Dated October 17, 1946 of record in Volume 816 at Page 580 of the Deed Records of Travis County, Texas; said 0.5814 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING, at an iron stake at the northeast corner of the herein described tract of land, same being at the point of intersection of the proposed

east right of way line of U. S. Highway No. 183 with the north line as fenced of the said Luedecke tract of land as described in the aforementioned deed of record in Volume 1216 at page 277 of the Deed Records of Travis County, Texas, and from which point of beginning the northeast corner of the said Luedecke tract of land as described in the aforementioned deed of record in Volume 1216 at page 277 of the Deed Records of Travis County, Texas, bears N 45° 59' E 273 feet more or less;

THENCE, with the east line of the herein described tract of land, same being the proposed east right of way line of U. S. Highway No. 183, S 25° 13' E at 86.27 feet passing an iron stake on the south line as fenced of the said Luedecke tract of land as described in the aforementioned deed of record in Volume 1216 at page 277 of the Deed Records of Travis County, Texas, in all a distance of 267.77 feet to an iron stake at the southeast corner of the herein described tract of land, same being on the north line of Lot 1, Block 1 of Bergstrom Downs Number 1, a subdivision of record in Book 5 at page 2 of the Plat Records of Travis County, Texas, same being the south line of the said Luedecke tract of land as described in the aforementioned deed of record in Volume 816 at page 580 of the Deed Records of Travis County, Texas;

THENCE, with the south line of the said Luedecke tract of land as described in the aforementioned deed of record in Volume 816 at page 580 of the Deed Records of Travis County, Texas, same being the north line of the said Bergstrom Downs Number 1 S 45° 17' W at 50.69 feet passing an iron stake at the northwest corner of the said Lot 1, Block 1 of Bergstrom Downs Number 1 in all a distance of 100.69 feet to a point on the present east right of way line of U. S. Highway No. 183, same being at the southwest corner of the said Luedecke tract of land, same being the northwest corner of that certain tract of land shown as Reserve of Block 1 of the said Bergstrom Downs Number 1;

THENCE, with the present east right of way line of U. S. Highway 183, same being the west line of the said Luedecke tract of land, N 25° 14' W 267.18 feet to the northwest corner of the said Luedecke tract of land as described in the aforementioned deed of record in Volume 1216 at page 277 of the Deed Records of Travis County, Texas.

THENCE, with the north line as fenced of the said Luedecke tract of land N 44° 59' E 100.98 feet to the point of beginning.

(L. J. Luedecke)

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen Perry, Shanks, White, Mayor Palmer  
Noes: None  
Absent: Councilman Armstrong

Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide

for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

0.205 of one acre of land, same being out of and a part of the Santiago Del Valle Grant, which lies partly within and partly without the corporate limits of the City of Austin, Travis County, Texas, which was conveyed to Ocie McCandless by Warranty Deed dated February 28, 1954 of record in Volume 1448 at Page 138 of the Deed Records of Travis County, Texas, said 0.205 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the southeast corner of the herein described tract of land, same being on the proposed east right of way line of U. S. Highway 183, and from which point of beginning an iron stake at the southwest corner of a tract of land conveyed to Ed Fisher by Warranty Deed dated January 16, 1947 of record in Volume 830, page 93 of the Deed Records of Travis County, Texas, bears N 73° 04' W 7.59 feet;

THENCE, S 56° 01' W 198.39 feet with the south property line of the said McCandless tract to a point, same being the southwest corner of the herein described tract of land and said point being on the existing right of way line of U. S. Highway 183;

THENCE, N 30° 33' W with the said existing right of way line and the east property line of the said McCandless tract a distance of 55.00 feet to a point, same being the northwest corner of the herein described tract of land;

THENCE, N 59° 07' E 157.64 feet along the north property line of the said McCandless tract to an iron stake, same being the northwest corner of the herein described tract of land;

THENCE, S 73° 04' E 59.74 feet with the east property line of the said McCandless tract to the point of beginning.

(Ocie McCandless)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong



Councilman Perry 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 Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area 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 said section of Highway; 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:

Being two (2) tracts of land: The tract of land hereinafter described as No. 1 containing 2.171 acres of land, same being out of and a part of that certain tract of land out of the J. C. Tannehill League in the City of Austin, Travis County, Texas, which together with other property, was demised to Mary Cloud Howard by Last Will and Testament of Eugene Howard dated March 27, 1954, Cause No. 19,618 of record in Book 206 at Page 279 of the Probate Minutes of Travis County, Texas, and referred to as Tract 2 of Item 2 in said Last Will and Testament; the tract of land hereinafter described as No. 2 containing 6.004 acres of land, same being out of and a part of those certain tracts of land out of the J. C. Tannehill League in the City of Austin, Travis County, Texas, which, together with other property, were demised to Mary Cloud Howard by the aforementioned Last Will and Testament and referred to as Tract 1 and Tract 2 of the said Item 2; each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

TRACT NO. 1. BEGINNING at an iron stake at the northwest corner of the herein described tract of land, same being at the point of intersection of the north line of the said Tract 2 of Item 2 with the present east right of way line of U. S. Highway No. 183, same being at the southwest corner of that certain tract of land conveyed to Travis Howard by Warranty Deed of record in Volume 869 at Page 510 of the Deed Records of Travis County, Texas, and referred to as Tract No. 1 in said deed;

THENCE, with the north line of the herein described tract of land, same being the north line of the said Tract 2 of Item 2, with the following two (2) courses;

- (1) S 59° 32' E 77.80 feet to an iron stake;
- (2) S 59° 37' E 95.62 feet to a point on the proposed east right of way line of U. S. Highway No. 183, same being at the northeast corner of the herein

described tract of land, and from which point an iron stake at the northeast corner of the said Tract 2 Item 2 bears S 59° 37' E 303.83 feet;

THENCE, with the east line of the herein described tract of land, same being the proposed east right of way line of U. S. Highway No. 183; S 7° 39' E 498.66 feet to a cross (x) cut in concrete on the east line of the said Tract 2 of Item 2;

THENCE, continuing with the east line of the herein described tract of land, same being the east line of the said Tract 2 of Item 2, S 29° 54' W 253.52 feet to an iron stake on the present east right of way line of U. S. Highway No. 183, same being at the most southerly corner of the herein described tract of land;

THENCE, with the present east right of way line of U. S. Highway No. 183, same being the west line of the herein described tract of land, N 6° 22' W 806.82 feet to the point of beginning.

#### TRACT 2.

BEGINNING at a concrete right of way marker at the point of intersection of the west right of way line of U. S. Highway No. 183 with the north line of East 7th Street, same being at the northeast corner as fenced of that certain tract of land conveyed to the State of Texas for right of way purposes by Right of Way Deed dated September 10, 1947 of record in Volume 871 at page 98 of the Deed Records of Travis County, Texas;

THENCE, with the north line as fenced of East 7th Street, same being the most southerly south line of the herein described tract of land, same being the north line of the said tract of land conveyed to the State of Texas for right of way purposes, N 53° 42' W 429.87 feet to an iron stake at the most easterly southwest corner as fenced of the herein described tract of land, same being at the northwest corner of the said tract of land conveyed to the State of Texas for right of way purposes, which iron stake is also on the west line of the said Tract 2 of Item 2;

THENCE, with the west line as fenced of the said Tract 2 of Item 2, same being the most southerly west line of the herein described tract of land, N 31° 31' E 409.67 feet to an interior ell corner of the herein described tract of land, same being the southeast corner of the said Tract 1 of Item 2;

THENCE, with the south line as fenced of the said Tract 1 of Item 2, same being the most westerly south line of the herein described tract of land, N 59° 00' W 151.65 feet to an iron stake on the proposed curving west right of way line of U. S. Highway No. 183; from which iron stake the southwest corner of said property bears N 59° 00' W 1300 feet more or less, as described in Volume 931 at page 247 of the Deed Records of Travis County, Texas, said curve having an angle of intersection of 119° 27', a radius of 278.39 feet, and a tangent distance of 478.88 feet;

THENCE, with the proposed curving west right of way line of U. S. Highway No. 183, same being the most westerly west line of the herein described tract of land, along said curve to the left an arc distance of 278.09 feet, the sub-chord of which arc bears N 27° 05' E, 266.68 feet to an iron stake;

THENCE, continuing with the proposed west right of way line of U. S. Highway No. 183, same being the most westerly west line of the herein described tract of land, N 0° 57' W 254.45 feet to an iron stake at the northwest corner of the herein described tract of land;

THENCE, with the north line of the herein described tract of land, same being the proposed right of way line of U. S. Highway No. 183, N 83° 37' E 119.46 feet to an iron stake at the northeast corner of the herein described tract of land, same being on the present west right of way line of U. S. Highway No. 183;

THENCE, with the east line of the herein described tract of land, same being the present west right of way line of U. S. Highway No. 183 with the following two (2) courses:

- (1) S 6° 22' E 1038.56 feet to a point;
- (2) S 29° 55' W 178.50 feet to the point of beginning.

(Mary Cloud Howard)

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

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

The City Manager stated a real estate agent was trying to sell some property 400-500' outside of the city limits to a fireman, and the agent is trying to find out what procedure to follow in getting a deviation in the policy of requiring firemen to live inside the City limits. He stated the Council would probably be hearing from this real estate man. The Mayor stated that the policy still held; and if there are any possibilities of the property being annexed, the Council would talk with the man; otherwise the policy still holds that firemen are required to live in the City limits.

Councilman White moved that the City Manager be instructed to buy the property on East 17th Street where Trinity is to be opened, from MR. BILLY McELROY, at the price recommended by the City Attorney. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Armstrong

The City Attorney reported that MR. A. F. DeLONEY had given a 90' drainage easement for the Shoal Creek Boulevard Bridge at 38th Street, street deeds for 35th and 38th Streets, and is prepared to give a street deed for 37th Street.

The City Attorney made a report on rural fire protection, which he had been asked to study, and stated this rural fire protection could not be safely done by any means other than by a contract with the County. Even then there would be a risk involved, but it would not be nearly as great as the risk now

encountered when calls are made. Councilman Perry stated he had inquired about this in the interest of industry, and suggested as industry were added, that this industrial area could be added to the contract. He said he would like to get the Police and Fire Departments committed to industrial areas. The City Manager stated the Police Department had no jurisdiction outside the City limits; that the Sheriff's Department would provide some of their protection. He said he believed the County had something in their budget for an arrangement with the City on fire protection. Councilman Perry moved that the City Manager be authorized to discuss with the County Commissioners the entering into of a contract for providing fire protection for near-by industrial areas adjacent to the City. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, White, Mayor Palmer

Noes: None

Absent: Councilmen Armstrong, Shanks

Mayor Palmer read a petition signed by 36 citizens thanking the Council for choosing the warm, friendly name of TOWN LAKE, and stating while the name had no historical value, nor is not after any great American, and does not call to remembrance any great Austinite, the name in its very simpleness conjures the placidness of our lake and the friendliness of our people. The petition stated the name was something all could be proud of, and each could feel that a part of the lake belonged to him, and any other name would have destroyed this feeling of possession by all citizens.

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

Ayes: Councilmen Perry, White, Mayor Palmer

Noes: None

Absent: Councilmen Armstrong, Shanks

The Council adjourned at 4:15 P.M. subject to the call of the Mayor.

APPROVED

Sam E. Palmer  
Mayor

ATTEST:

Chas. Hooley  
City Clerk