

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 2, 1963
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

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

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

MRS. G. P. NULTY, 910 East 38 $\frac{1}{2}$ Street, read a petition signed by approximately 18 property owners alleging the City had repeatedly damaged their properties for residential use by placing a major high tension power line on 38 $\frac{1}{2}$ Street instead of placing it along the railroad easement; by removing 5 feet from their narrow easement; by damaging valuable trees within the property lines of residences; and by widening the street, and assessing the property owners for part of the cost of widening the street. The petitioners asked that the assessments be withdrawn, as the same properties had within a relatively few years been assessed for the existing paving and this was unjust and unfair for the City to assess additional sums against the residential property owners for the widening of an existing street, the result of which would be to increase traffic to near-by commercial developments and not to the residential property whose owners were being assessed for the pavement widening. MRS. NULTY stated this assessment would work a real hardship on those depending on Social Security or Retirement. The City Manager explained the pavement between Harmon and Red River was not the permanent type, and that the property owners paid only 60¢ a foot in 1945 or 1946. The traffic had already increased on this street, and that is the reason for its being widened. He pointed out the street right of way was 50', and the street as it is now is only 30' wide. Councilman Long did not believe the properties would be enhanced by this extra paving. MRS. J. D. McFARLAND asked that they not have to pay for the paving again and stated they had their trees cut back due to the high tension lines. The Mayor told the group the City was not interfering with the property owners' lines, as it was using its own right of way, and he explained this street had been designated as a cross-town thoroughfare since 1945. The City Attorney stated the attorney who was representing many of the property owners here had discussed this matter with him, and he understands

there would be a public hearing and the question of enhancement or not would be heard at the appropriate time. He explained the voluntary paving program and the savings to be realized under this program rather than paying under the assessment program. Mayor Palmer asked if all of the group thought they should pay no part of this paving. Mrs. Nulty replied if it benefited them in the least they would not object to paying anything, but it was not benefiting them but causing their properties to decrease. If it increased the value of their property, they would not say a word. The Mayor explained they would have every right to prove by expert testimony whether this paying would or would not enhance the property. Discussion was held on paying "under protest", and the City Attorney explained there was no such policy that applied to this. The Mayor said the Council would make an onsite inspection of this area, and then discuss the matter with the City Attorney and notify the group.

MR. ERSSELL DUKE stated the Council was familiar with the matter he was to discuss in that they had 3.268 acres of land on which to located the Covenant Presbyterian Church, and nine churches participated in the payment of \$32,500 to acquire the land. He reviewed the negotiations to exchange this property for City property on Northland Drive, and the appraisers' setting a .30 square foot value on the Northland Drive property and .27 $\frac{1}{2}$ square foot value on their property. He appealed to the Council to allow a consideration to them equal to that of the Bullard tract for the remainder of their property of 3.268 acres. The City Attorney stated there were only 2.889 acres. Mr. Duke said the 3.268 acres included the street, and \$4,500 was paid for curbs and development of the street which if vacated, the Church would get one-half of the street back. MR. BULLARD reviewed his negotiations with the City on his 20 acre tract, and the street having been dedicated to the City for street purposes only at that time. When he sold the property to the Presbyterian Church, the sale was conditioned that the street would be opened for the mutual benefit of the Church and his shopping center. He said the plan was dedicated at no cost to the City; but in consideration of his dedicating the private street, the Church put up \$4,500 cash in escrow to pay for paving that street. He said his contract with the City provided that he would quit-claim all interest he had in the street, and all the interest he had in the \$4,500 deposit upon payment of \$4,500 on the principal on the note he had with the City. The church owns 2.889 acres plus, if the street is vacated, one half the street plus one half that deposit, and he owned the other half of the street and half the deposit. The money is in escrow. The Church paid \$28,000 plus 6% interest plus the taxes that had accrued plus that \$4,500 deposit. The City Attorney stated no attempt to analyze the status of title of the \$4,500 and the title to the street had been made, as he was presuming the City would convey to the center of Northland Drive, if it conveyed part of the property the City owned; that the property which the Church owns goes to the center of the street; but the Church would get additional property by taking to the center of Northland Drive which is a wider street than White Rock Trail. The City Manager stated there was no value of the land which is subject to public easement other than the fact there is access. He stated if the Church had title to the property, it got title to the property by conveyance of 2.889 acres to the Church; no special conveyance to the street. MR. DUKE stated the Presbyterian Church was to convey to the City 2.889 acres plus all of its title and interest in this .379 acres, totalling 3.268 acres--all the rights, title and interest which would be the land plus \$4,500 for three acres on Northland Drive. They were trading 27 $\frac{1}{2}$ cent per square foot property for what they had agreed at 30¢ a square foot for less acreage. They would take

three acres for 3.268. The City Attorney noted the appraisal was 22 1/4 cents. Mr. Duke said the appraiser was considering there were \$28,000 which was 22 1/4 cents. The City Attorney stated he had not seen the escrow agreement nor paid any attention to it, as he did not know whether or not there had been an agreement reached on the desirability of the trade. If an agreement could be made on the basis of the square foot price, and if an agreement could be made on the configuration of the land and the location then a calculation could be made; but the City Attorney stated he had not checked into this, nor whether or not White Rock was to be vacated. The City Manager stated he was sure the street would not be developed east and west as dedicated, but most of the property would be consumed in streets north and south, and it would still be a street, and a lot more street area than proposed under this plan. The City Attorney asked Mr. Duke, and stated the thing that he had been holding up on, was whether or not this would be an acceptable shape, location, sized piece of land for the Covenant Presbyterian Church. If it is acceptable, and if they would like to investigate the question of price, the City would be glad to go forward. The City had indicated its willingness to make the land available on Northland Drive and buy the Presbyterian land on Balcones. Mr. Duke stated the Pastor and Trustees were supposed to have made a decision with the City Attorney, and that he had a letter in which they confirmed that the three acre tract on Northland Drive, was satisfactory for their purposes, and they had an option to purchase two acres more at 30¢ a square foot from the City. The Mayor suggested that the City Attorney do the figuring, and the Council would take a look into it.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO
PUBLIC TRAVEL A PORTION OF SHOAL CREEK BOULEVARD;
AND SUSPENDING THE RULE REQUIRING THE READING OF
AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (A) PART 1: FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON LOT 8, BLOCK A, DELCREST ADDITION, SECTION 2, AND LOT B, F. M. DEL CURTO RESUBDIVISION OF LOTS 1 AND 2 AND PORTIONS OF LOTS 3 AND 26-30 DELCREST ADDITION, LOCALLY KNOWN AS 2208-2210 DEL CURTO ROAD; AND (B) PART 2: FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT ON WESTERN PORTIONS OF LOTS 6 AND 7, BLOCK "A" OF DELCREST ADDITION, LOCALLY KNOWN AS REAR OF 2212-2300 DEL CURTO ROAD; SAID PROPERTY BEING SITUATED IN 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL A PORTION OF JONES AVENUE; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion,

seconded by Councilman LaRue, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council greeted former COUNCILMAN EDGAR PERRY, and Councilman Long moved that MR. PERRY be delegated as good-will Ambassador of the City of Austin, to take greetings to the cities on his trip abroad. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

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

The ordinance was read the first time and Councilman Shanks 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 LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks 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 LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer inquired if the petitions from Lyons Road down to Webberville Road had been received. The Director of Public Works stated it had not, but there were other streets in that area, on which petitions for paving had been received.

Councilman Long inquired if there was much of a problem collecting the assessments or getting the money in from this particular area. The City Manager stated the payments from the east side were just as good as any other part; that there was 90% collection on all of the paving on the flat rate policy. As to the assessments, individual arrangements were made. He stated no doubt there might be burdens to most of the people, but they still wanted the paving.

Councilman Long discussed the paving of Red River in the 4300 block area, and asked that her attention be directed to this when it came up.

Councilman White 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 erection of a boat dock on the property owned by Col. Wm. H. Winters, Lot 7, Rivercrest, located approximately 500 yards downstream across the lake from Ski Shores, and hereby authorizes the said Col. Wm. H. Winters to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Fire and Health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Col. Wm. H. Winters has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

July 2, 1963

(Recommendations attached)

"Austin, Texas
June 27, 1963

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Col. Wm. H. Winters, owner of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, Lot 7, Rivercrest, located approximately 500 yards downstream across the lake from Ski Shores, for permission to construct and maintain a boat dock projecting out into the lake approximately fifty (50) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Col. Wm. H. Winters is granted his request by the City Council, that it be subject to the following conditions:

- (1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than (10) ten feet to any side property line of the owner or applicant.
- (2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.
- (3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.
- (4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

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

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

The Mayor read a letter stating it would be appreciated if the Health Department would spray VANDERBILT LANE from North East Drive to Mira Loma, and DUQUESNE DRIVE from Vanderbilt Lane to 6500 block of Duquesne. (Letter addressed to Councilman White, signed by Mr. Robert Huey.) Councilman White moved that the Council authorize the spraying of these two streets as requested. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman White had another request to spray the Barton Springs Road area. The Mayor had this request referred to the City Manager to have the area sprayed.

Councilman Long moved that the City Manager be instructed to have the Traffic Department do something about South 1st Street and Ben White Boulevard--perhaps put up a traffic signal. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor stated this would have to have Highway Department approval. The City Manager stated he had a letter from the Highway Department asking for this.

The City Manager reported he had just received a document from the Missouri Pacific Railroad, which had not been reviewed yet, but it was a contract between the City and the Railroad for construction of a bridge at St. Elmo Road. This is one construction in which the schools proposed to participate. Councilman Shanks 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 directed to enter into a certain contract with the Missouri Pacific Railroad Company dealing with the construction of an overpass to carry West St. Elmo Road Traffic above the Missouri Pacific Railroad tracks in accordance with the terms and provisions of a certain contract agreement exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said agreement in the permanent records of her office without recordation in the Minutes of the City Council.

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

The Public Works Director said plans for the St. Elmo bridge left Austin on July 1st, and he had written that he hoped to advertise on July 14th and take bids on the 30th.

The City Manager stated the City Attorney had another inquiry, this time from the STATE FARM INSURANCE COMPANY for purchase of property that the City owns at 29th and Lamar. The City Attorney pointed out the location on a map as being property east of Lamar, south of 29th Street. He said the city owned the strip on the west side of McAdams Street. The City Manager did not recommend the sale

of this property as when 29th Street is widened, it may be needed to provide a grade separation at that point. The City Manager stated this was an example that would face the City from time to time. He discussed the necessity of future widening projects, although no definite plans were made. He recommended that whenever the City owns property around any intersection, it better hold it for street development. The Council discussed this particular property. Finally, after discussion, Councilman Shanks moved to uphold the City Manager's recommendation and not sell the property at this time. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Council discussed archery practice. After discussion, Councilman Long moved that the City Manager be asked to have the City Attorney bring in an ordinance to regulate archery. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager reported that the District Office of the Highway Department had advised that the City could proceed with the development of the parking lot area under the Interregional bridge for the Police Department.

The City Manager brought up the purchase of the Motheral property in connection with the development of the Missouri Pacific Boulevard. The offer Mr. Motheral had offered the City was not in line with the appraisal the City had on this property. The Mayor stated the City could get the necessary appraisals and the market value. The City Attorney suggested that he could institute proceedings and have a hearing before the Condemnation Commission. After discussion, Councilman LaRue moved that the City Manager be instructed to acquire the Motheral property. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated every plan for the construction of the Boulevard show that this property would be used, as both roadways of the boulevard would be on the west side of the tract.

The City Manager brought before the Council the matter of opening East 2nd Street at the far east end, stating right of way was acquired, with the exception of the Paul Sims property, and the City was ready to proceed with the opening between Linden and Tillery. Councilman Long 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 opening, widening, and improving of East Second Street in the vicinity between Linden and Tillery Streets 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 opening, widening, and improving of said section of East Second Street; 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:

0.91 of one acre of land, same being out of and a part of Outlot 30, Division 0 of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; which Outlot 30, together with other property, was conveyed to Paul O. Simms by Warranty Deed dated August 1, 1942 of record in Volume 700 at page 329 of the Deed Records of Travis County, Texas, said 0.91 of one acre 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 on the proposed curving south line of East 2nd Street, said curve having an intersection angle of $65^{\circ} 13'$, a radius of 530.13 feet and a tangent distance of 339.14 feet, which iron stake is on the west line of Tillery Street and the east line of said Paul O. Simms tract of land and from which iron stake the southeast corner of said Simms tract same being the point of intersection of the said west line of Tillery Street with the north line of East 1st Street, bears $S 22^{\circ} 57' W 63.73$ feet;

THENCE, with said curve to the right an arc distance of 276.11 feet the subchord of which arc bears $N 37^{\circ} 48' W 167.99$ feet to the point of reverse curvature between the aforementioned curve and another curve to the left whose angle of intersection is $38^{\circ} 34'$, whose radius is 410.16 feet and whose tangent distance is 143.50 feet;

THENCE, with said curve to the left an arc distance of 276.11 feet the long chord of which arc bears $N 47^{\circ} 59' W 270.90$ feet to an iron pin at the point of tangency of said curve;

THENCE, continuing with the proposed south line of East 2nd Street, $N 67^{\circ} 16' W 221.30$ feet to an iron pin at the southwest corner of the herein described tract of land same being on the east line of Linden Street;

THENCE, with the east line of Linden Street, N 23° 18' E 60.00 feet to an iron pin at the northwest corner of the herein described tract, same being on the proposed north line of said East 2nd Street;

THENCE, with the proposed north line of East 2nd Street, S 67° 16' E 220.70 feet to an iron pin at the point of curvature of a curve whose angle of intersection is 38° 34', whose radius is 470.16 feet and whose tangent distance is 164.49 feet;

THENCE, with the proposed curving north line of East 2nd Street with a curve to the right an arc distance of 316.45 feet, the chord of which arc bears S 47° 59' E 310.53 feet to an iron stake at the point of reverse curvature between the aforementioned curve and another curve to the left whose angle of intersection is 65° 14', whose radius is 470.16 feet and whose tangent distance is 164.49 feet;

THENCE, with said curve to the left an arc distance of 126.77 feet, the subchord of which arc bears S 36° 26' E 126.39 feet to an iron pin at the northeast corner of the herein described tract of land, same being on the west line of Tillery Street;

THENCE, with the west line of Tillery Street, same being the east line of the herein described tract of land S 22° 57' W 64.41 feet to the point of beginning.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman Shanks

The City Manager gave a status report on Koerner Lane, stating MR. GUITON MORGAN would dedicate the right of way to widen Koerner Lane and would provide a 12' strip to serve one parcel of land, which had no frontage on any road for \$3102.00 and then he in turn would pay for curb and gutter and other construction costs on paving work to the extent of \$1603.25, which would result in the other property owners' carrying the difference. The Director of Water Utilities figured their costs would be \$9.00 a foot, which they would have to pay to get the roadway and the street. For that the City would get the sewer, get separate water meters and get the street all paved. Mr. Platt had inquired about this and had indicated the property owners would be agreeable, and Mr. Davis will contact him to see what their reaction will be. The Director of Water Utilities stated all he needed was right of way and bringing the area up to a standard subdivision. The Mayor stated \$450 per lot would include street, curb, gutter, sewer and water. The City Manager said the only thing that would be substandard would be two of the lots that were 49½' wide, but they had sufficient area, and the one lot that had no frontage on the street but only a 12' easement on the street. The Mayor stated this was a good solution and would improve the area.

The City Manager inquired if the Council was ready to meet with the Community Council in regard to the Hospital Survey. The Mayor suggested that this be held up for just a little while.

July 2, 1963

The Director of Planning announced that Monday night, July 8th, would be the Airport Zoning Hearing.

Councilman Shanks introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.15 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSELL LEAGUE, 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.

(Southern Oaks, Section 6)

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

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

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

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

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

The Council adjourned at 12:05 subject to the call of the Mayor.

APPROVED

Luigi J. Palmer
Mayor

ATTEST:

Elin Hershey
City Clerk