

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 31, 1955  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

## Roll call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren Eskew, City Attorney; Reuben Rountree, Director of Public Works.

Invocation was delivered by REV. JACK LEWIS, Faith and Life Community.

Pledge of Allegiance to the Flag.

The Civics Class from St. Mary's was greeted and welcomed.

Councilman White moved that the Minutes of March 24th be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

MR. DAVID TISINGER, spokesman for a group, outlined a request for sidewalks leading to the school on Exposition Boulevard between Casis School and O'Henry. He referred to the Minutes of May 22, 1952, when MR. WALTER R. KOCH requested that when the arterial streets were laid out and were normal access to the schools that pedestrian traffic be taken care of as well as the vehicular and that sidewalks be constructed at the time the streets were improved. Mr. Tisinger urged that sidewalks be placed on Exposition as there was an emergency there; that it was a wide thoroughfare and served Camp Mabry as well as two schools. He submitted a petition asking for sidewalks between 35th Street and West 6th Street signed by 22 citizens. A map was presented showing the advantages and economy of placing the sidewalks on the east side. Plans paid for by the P.T.A. were submitted and a bid made by EARL ROGERS for concrete walks from 35th Street to Lake Austin Boulevard in the sum of \$12,150.00 minus deduction for state property--\$1930.00, was also submitted. Mr. Tisinger listed problems on individual properties and stated the P.T.A. would work with

the people and help them in these specific cases. He discussed the reasons they had suggested sidewalks on one side of the street in some places and on the opposite side on the other places. Councilman Pearson noted that in his two years of service on the Council, he had only the information gained through his conversation with Mrs. Archer. The City Manager outlined the history of the sidewalk request; the Council instructing the City Manager to bring in a report; his bringing in the report and recommendation including sidewalks to certain schools; the public hearing being held; and it being later developed that the people did not object to the fact the city proposed to charge the owners, but that the owners did not want sidewalks in front of their houses. Councilman Long also recalled the program, how it had been begun when MR. KOCH had requested it, and that it finally was abandoned as the people were not interested in the sidewalks. The City Manager explained the policy of assessing the costs of constructing the sidewalks against the abutting property owners, and he knew of no case where the city has ever participated, let alone completely paid for the construction of sidewalks. Mr. Tisinger asked that this be considered as a thoroughfare as no other place in town with a school on both ends and a thoroughfare in the middle. He displayed a group of pictures showing children walking in the street on their way to school, and stated many more children would walk if this were not such a death trap. The Mayor announced that the Council had ordered a traffic light at Windsor and Exposition. Councilman Pearson stated he did consider this an emergency here as well as other schools, and that this problem was acute at Molly Dawson, also. The problem must be approached for all the schools, and he stated the entire Council wanted to give it every consideration and see if it were humanly possible to do something to provide safety for the children. MR. HULAN BLACK wanted to emphasize that there was a terrific traffic hazard; that there was an emergency; that \$9,000 was not very much money for the City Budget in comparison to the seriousness of the problem; and asked that this not be considered just because there were many other things to be considered. MR. WALTER KOCH stated his efforts to get the sidewalks built by the property owners were not successful, and that it would be necessary for the City to step in, and he believed this was the most acute and dangerous location. MR. McKOWN asked that the sidewalks be placed here before a tragedy occurred. MR. TISINGER asked that action be taken and brought in a time limit on getting the matter before the Legislature so that it could appropriate its part. REV. SHERROD asked that this be taken care of now, and that other situations be included as they came along. Councilman White read a note just received from BILL LUCAS stating Travis High School and the grade school children are forced to walk in the street because of lack of sidewalks. (He read the complete communication - on file under SIDEWALKS) Councilman White believed the other schools would also be coming in making the same request, and he thought Mr. Tisinger was asking too much too fast. He wanted to check into this and asked Mr. Tisinger to give a little time to let them go into it. After more discussion the Council decided to take this up again in two weeks, April 14.

The Council had received a report on lighting the playground at the Zilker School location. Councilman Pearson stated he had talked to the Director of Recreation and looked over the plans; and that they knew this was in the overall plan to light that particular field, doing part this year and finish up next year; but in the view there are 400 homes going in this immediate area he suggested taking the money from the miscellaneous fund and getting the job done. Councilman Pearson moved that the money be transferred from a Miscellaneous Fund in the Park and Recreation Department necessary to light that field

and proceed and do it right now. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The City Manager explained that certain land purchases now pending were scheduled to come from this Miscellaneous Fund; that the Rabb property next to Barton Springs would have to be purchased, and that the purchase could be made with a large down payment and the rest paid during the next year.

The Council had communications from MR. BOB LONG and MR. TRUEMAN E. O'QUINN regarding the abandonment and closing of the Middle Fiskville Road north of East 56th Street. The City Manager stated that Mr. O'Quinn wanted the Council to proceed with the ordinance regarding the change of Height and Area (MR. CROCKETT'S application). Discussion on the matter of accessibility through the property and the deed Mr. Crockett had filed was held. Councilman White moved that both matters be held up indefinitely (the abandonment of the Middle Fiskville Road and the amendment to the Zoning Ordinance). The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long moved that the application of DR. DAVID DARTER for a Special Permit to permit erection of a veterinary hospital at 6722-25 Burnet Road be DENIED. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The City Manager submitted the following:

"Bids were received at 10:00 A.M. on Tuesday, March 29, 1955 for public Library Improvements.

"Only one bid was received as follows:

"Austin Engineering Company	\$26,740.00
City's Estimate	\$27,000.00

"I recommend that Austin Engineering Company with their bid of \$26,740.00 be awarded the Contract.

"(Sgd) S. Reuben Rountree, Jr.  
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 29, 1955,

for Public Library Improvements; and,

WHEREAS, the bid of Austin Engineering Company in the sum of \$26,740.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works 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 \$26,740.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Long made the following statement regarding her vote:  
"The thing I regret is that we did not have more competitive bidding; that had more bids been received there might have been a better opportunity of getting a little lower price, although it is under the estimate."

Mayor McAden introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL

BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that in order to adequately serve the rapidly increasing population of the City of Austin, Texas, it is necessary to expand and improve the sanitary sewage disposal facilities of the City by constructing an oxidation system for its sanitary sewage treatment plant; and,

WHEREAS, the City Council has determined as a matter of fact that the land hereinbelow described is suitable for such system, and that a public necessity exists for the acquisition of said land; and,

WHEREAS, it appears that the City of Austin, through its duly authorized representatives, has negotiated with the owners of said land and has failed to agree with said owners as to the cash market value of said land; and,

WHEREAS, the City Council now finds as a matter of fact that it is necessary for the City to acquire the hereinbelow described land through the exercise of the power of eminent domain; 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 all owners, tenants, claimants and lienholders, a suit in eminent domain to secure fee simple title for said purposes to the following described land:

Two (2) tracts of land, each of the said two (2) tracts of land being out of and a part of the Reuben Hornsby League in Travis County, Texas, which two (2) tracts of land are the same two (2) tracts of land described in the following two (2) deeds:

(1) Dated September 24, 1912, of record in Volume 253 at page 484, Deed Records of Travis County, Texas;

(2) Dated November 1, 1915, of record in Volume 278 at page 196, Deed Records of Travis County, Texas;

and which two (2) tracts of land were conveyed to Henry E. Wattinger and John W. Wattinger, both now deceased, by warranty deed dated October 15, 1925, of record in Volume 380 at page 85, Deed Records of Travis County, Texas, a one-half (1/2) interest in and to the said two (2) tracts of land having been conveyed to Louise Wattinger by John W. Wattinger by warranty deed dated July 27, 1931, of record in Volume 470 at page 496, Deed Records of Travis County, Texas, and a one-half (1/2) interest in and to the said two (2) tracts of land having been conveyed to Henry E. Wattinger by Louise Wattinger by warranty deed dated July 1, 1932, of record in Volume 482 at page 31, Deed Records of Travis County, Texas, and which two (2) tracts of land were demised to Eugenia Wattinger by last will and testament of Henry E. Wattinger dated November 10, 1931, of record in Volume 99 at page 41, Probate Minutes of Travis County, Texas, each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

FIRST TRACT:

BEGINNING at the northeast corner of said tract;

THENCE with the east line thereof S. 30° W. of the Colorado River 1480 varas;

THENCE up the river with its meanders as follows: N. 55° 22' W. 280 varas N. 42° 38' W. 241 varas N. 34° 01' W. 176-4/5 varas N. 40° 35' W. 274-4/5 varas N. 35° 02' W. 304.7 varas N. 21° 09' W. 192-3/5 varas N. 37° 37' W. 191-3/5 varas to a stake for the upper corner of this tract from which a willow 20" in diameter bears S. 85 E. 34 varas and another Willow marked X bears N. 17 E. 25 1/2 varas;

THENCE S. 88° 37' E. 273 varas to a stake inside the field fence from which a Willow Elm 36" in diameter marked X bears N. 15 W. 37 varas and a Hackberry 12" in diameter marked X bears S. 13-3/4 W. 19 varas;

THENCE along the inside the field fence with its meanders as follows: S. 2-3/4° E. 68 1/5 varas S. 17° 28' E. 96 1/5 varas S. 8° 04' E. 115 2/5 varas S. 28° 47' E. 267 1/2 varas S. 30° 57' E. 186-1/10 varas S. 48° 58' E. at 15.9 varas corner from which a Gum Elastic 8" in diameter marked X bears S. 62 W. 4-3/5 varas

and of Willow Elm 30" in diameter marked X bears N. 35-1/4 W. 26 varas;

THENCE N. 30 E. 929.9 varas to a stake for corner of this tract and the north east corner of the W. W. Smith tract;

THENCE N. 60 W. 627-3/5 varas to another corner of said W. W. Smith tract;

THENCE N. 30 E. 270 varas to corner on north line of said tract, and;

THENCE S. 60 E. 1391.6 varas to the point of beginning, containing 225.96 acres of land.

SECOND TRACT: Pasture or bottom land out of said tract beginning at the most northerly corner of said W. W. Smith tract or 70 varas N. 60 W. from the most northerly corner of the above described tract at a stone planted in the ground;

THENCE S. 42° 18' W. 320 varas to a stake from which an Elm 10" in diameter marked X bears N. 19 1/2 W. 4-1/5 varas another 10" in diameter marked X bears S. 62° 10' W. 16 varas;

THENCE S. 83° 42' W. 537-1/4 varas to a stake on the North bank of the Colorado River for lower corner of this tract and the upper river corner of said W. W. Smith tract from which a forded Willow Elm 30" in diameter marked X bears S. 70-3/4° E. 11.9 varas another 24" in diameter marked S bears N. 31-1/4 E. 52 varas;

THENCE up the Colorado River with its meanders as follows: N. 4° 32' E. 98.7 varas N. 22° 29' E. 239.1/2 varas N. 28° 24' E. 150 varas to the upper or north line of said tract from which the mouth of Sneed or McArthur branch on the west side of the Colorado River bears S. 57° 52' W. and forked Pecan 24" in diameter marked X bears S. 31° 24' E. 58 varas and a Willow Elm 24" in diameter marked X bears S. 28° 24' W. 58 varas;

THENCE S. 60 E. 669 varas to the point of beginning, containing 42.38 acres of land;

AND IN ADDITION THERETO to secure the right to use the following described easement or passageway:

That certain private Right of Way Easement, or Passageway connecting two (2) certain tracts of land, each of the said two (2) tracts of land being out of and a part of the Reuben Hornsby League in Travis County, Texas, and each of the said two (2) tracts of land being described in Warranty Deed dated October 15, 1925 of record in Volume 380 at page 85, Deed Records of Travis County, Texas; the tract of land described as No. 1 in the aforementioned deed of record containing 225.96 acres of land and the tract of land described as No. 2 in the aforementioned deed of record containing 42.38 acres of land; said private Right of Way easement or passageway connects the northwest

corner of the aforementioned first tract of land to the northeast corner of the aforementioned second tract of land.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Consideration of new prices and charges at cemeteries was deferred until the following week.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on certain maps and plats of the City of Austin, appear three (3) streets shown as Center Street, each of which is located in a different part of town and none of which connect with one another; and,

WHEREAS, one such street extends from West 8th Street to West 12th Street and was dedicated or named on maps or plats of Boulevard Heights Subdivision, Marlton Place, Section 1; Marlton Place, Section 2; Marlton Place, Section 3; according to the maps or plats of said Subdivisions of record in Volume 2 at page 144; Volume 4, page 10; Volume 4, page 13; Volume 6, page 18, Plat Records of Travis County, Texas, respectively; and,

WHEREAS, the present residents abutting said street have requested that the name of such Center Street be changed to Possum Trot, as a continuation of said street which presently extends north of West 12th Street; and,

WHEREAS, the City Council of the City of Austin deems it to the best interest of the public to change the name of said Center Street to Possum Trot, in order to prevent confusion; Now, Therefore,

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

That the certain section of the street now known as Center Street, as named and dedicated on the map or plat of said Boulevard Heights, Marlton Place, Section 1; Marlton Place, Section 2; Marlton Place, Section 3, Subdivisions, and which extends northerly from West 8th Street to West 12th Street in the City of Austin, Travis County, Texas, be and the same is hereby changed to Possum Trot; and,

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

That the City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this Resolution in the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE APPOINTING ELECTION JUDGES AND CLERKS TO SERVE AT THE VARIOUS POLLING PLACES IN THE VARIOUS ELECTIONS TO BE HELD IN THE CITY OF AUSTIN DURING THE TERM OF OFFICE OF SUCH JUDGES AND CLERKS," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, JANUARY 22, 1953, AND IS RECORDED IN BOOK "S", OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY REVISING THE LIST OF JUDGES AND CLERKS APPOINTED THEREIN, AND ADOPTING A REVISED LIST OF JUDGES AND CLERKS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6, of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF TWO (2) TRACTS OF LAND, EACH BEING OUT OF AND A PART OF HIGHLAND PARK WEST, SECTION 4, A SUBDIVISION OF A PORTION OF THE T. J. CHAMBERS SURVEY IN TRAVIS COUNTY, TEXAS, THE TRACT OF LAND HEREINAFTER DESCRIBED AS NO. 1 CONTAINING 15.2 ACRES, MORE OR LESS, AND THE TRACT OF LAND HEREINAFTER DESCRIBED AS NO. 2 CONTAINING 0.18 OF ONE ACRE, MORE OF LESS, 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 Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
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  
ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING  
OF 12.14 ACRES OF LAND, MORE OR LESS, OUT 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 Pearson, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

Councilman Thompson 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 DEEP EDDY AVENUE from Lake Austin Boulevard northerly 185 feet, the centerline of which gas main shall be 5 feet west of and parallel to the east property line of said DEEP EDDY AVENUE.

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

(2) A gas main in PECOS STREET, from a point 215 feet north of Greenlee Drive, northerly 83 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said PECOS STREET.

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

(3) A gas main in WEST 49TH STREET, from a point 100 feet east of Bull Creek Road easterly 101 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST 49TH STREET.

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

(4) A gas main in CASWELL AVENUE from a point 199 feet north of East 49th Street northerly 125 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said CASWELL AVENUE.

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

(5) A gas main in TERRELL HILL DRIVE from South 4th Street westerly 44 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said TERRELL HILL DRIVE.

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

(6) A gas main in CHOQUETTE DRIVE from Arroyo Seca easterly to Grover Avenue, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CHOQUETTE DRIVE.

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

(7) A gas main in DWYCE DRIVE from Arroyo Seca easterly to Grover Avenue, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said DWYCE DRIVE.

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

(8) A gas main in LUCAS LANE from a point 295 feet north of Westview Drive northerly and westerly to Beverly Hills Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said LUCAS LANE.

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

(9) A gas main in WESTVIEW DRIVE from a point 210 feet west of Beverly Skyline westerly to Beverly Hills Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of WESTVIEW DRIVE.

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

(10) A gas main in BEVERLY HILLS DRIVE from a point 130 feet north of Lucas Lane southerly 1176 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BEVERLY HILLS DRIVE.

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

(11) A gas main in EMERALD LANE from Lucas Lane southerly to Westview Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said EMERALD LANE.

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

(12) A gas main in BEVERLY SKYLINE from Lucas Lane southerly to Westview Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BEVERLY SKYLINE.

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

(13) A gas main in EAST 19TH STREET from a point 9 feet east of Red River Street easterly 144 feet, the centerline of which gas main shall be 12 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.

(14) A gas main in SOUTH 1ST STREET from a point 176 feet south of West Oltorf Street southerly 302 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said SOUTH 1ST STREET.

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 Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Pearson 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 as a filling station site the property located at the southwest corner of the intersection of West 19th Street and Guadalupe Street, which property fronts approximately 79 feet on West 19th Street and 144 feet on Guadalupe Street and being known as part of Lot 6, Block 34, Division E of the Government Outlots adjoining the City of Austin, Travis County, Texas, and hereby authorizes the said Gulf Oil Corporation to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted 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 Gulf Oil Corporation has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

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

"March 31, 1955

"Dear Sir:

"We, the undersigned, have considered the application of the Gulf Oil Corporation for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southwest corner of the intersection of West 19th Street and Guadalupe Street, which property fronts approximately.

79 feet on West 19th Street and 144 feet on Guadalupe Street and being known as part of Lot 6, Block 34, Division E of the Government Outlots adjoining the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Mrs. Augusta L. Wende and Emma L. Otto, and is under lease to the Gulf Oil Corporation and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C-1" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Gulf Oil Corporation be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the acquisition by the City of Austin, for street purposes, the area between the proposed property line and the existing property lines at the southwest corner of West 19th Street and Guadalupe Street as shown on the accompanying plan 2 - H - 1363, and further subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the city sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1363.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1363 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,  
(Sgd) S. Reuben Rountree, Jr., Acting  
Director of Public Works  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

No action was taken on the following application for change of zoning with the suggestion that the applicant be given an opportunity to withdraw it:

DR. C. H. ROPER	2316-18 Euclid	From "A" Residence 1st
	200-202 Oltorf	Height and Area
		To "B" Residence 2nd
		Height and Area

Councilman Thompson 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, construction and maintenance of an electric substation with necessary apparatus in the western part of the City of Austin in order to serve said area; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such electric substation site; and,

WHEREAS, the City of Austin has negotiated with the owners of such 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 all owners and lienholders a suit in eminent domain to acquire fee simple title for said purpose to the following described

tract of land:

11,282 square feet of land same being all of Lot 4, Block 5 and a portion of Lot 3, Block 5 of Theresa Martin Subdivision, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, a map or plat of the said Theresa Martin Subdivision being of record in Book 3 at page 160 Plat Records of Travis County, Texas, which Lots 3 and 4, together with other property were conveyed to J. T. Gillman, Jr. and wife Hazel Gillman by warranty deed dated July 15, 1954, of record in Volume 1473 at page 62 Deed Records of Travis County, Texas and said 11,282 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of the said Lot 3, Block 5, Theresa Martin Subdivision;

THENCE, with the north line of Lots 3 and 4 Block 5 S. 59° 53' E. 109.77 feet to the north east corner of the said Lot 4;

THENCE, with the east line of Lot 4 S. 24° 14' W. 150.79 feet to the southeast corner of Lot 4;

THENCE, with the south line of Lot 4 same being the north line of West 11th Street N. 59° 53' W. 73.00 feet to the southwest corner of the said Lot 4;

THENCE, with the west line of Lot 4 and the east line of Lot 3 N. 29° 16' E. 97.00 feet to a point;

THENCE N. 13° 39' W. 73.41 feet to the point of beginning.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL SUM OF \$3,750,000 (BEING THE SECOND PARCEL OR INSTALLMENT OF A TOTAL VOTED AUTHORIZATION OF \$20,000,000 BONDS) FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S COMBINED ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM, AS AUTHORIZED BY THE GENERAL LAWS OF THE STATE OF TEXAS, PARTICULARLY ARTICLES 1111 ET SEQ. REVISED CIVIL STATUTES OF TEXAS, 1925, AS AMENDED; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND THE FORM OF INTEREST COUPONS; PLEDGING THE REVENUES OF THE CITY'S COMBINED ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS, AFTER DEDUCTION OF REASONABLE EXPENSES OF OPERATING AND

MAINTAINING SAID COMBINED SYSTEM; ENACTING PROVISIONS  
INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF  
THIS ORDINANCE; AND DECLARING AN EMERGENCY.

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance be finally passed.

The Council set the following applications for zoning changes for public hearing for 11:00 A.M., May 5th:

DR. T. R. McNEELY	2905-07 Duval 501 Bellvue Place	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area RECOMMENDED by the Planning Commission
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MRS. B.E. GIESECKE, ET AL	3301-07 Guadalupe 505-07 West 34th & 504-06 West 33rd	From "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area RECOMMENDED by the Planning Commission
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Councilman Long inquired when the Council would have a report from the Departments on vacant and uninhabitable houses. The City Manager stated the survey had been made in the field and data compiled on 1627 houses that were described in the study. At this time they were attempting to classify them into three classes: Occupied, vacant, and abandoned.

No action was taken on deeding 7.046 acres of land out of the J. C. Tannehill Survey (Old Downs Field) to the Austin Public Free Schools (for new Downs Field). The matter will be considered next week.

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 directed to execute a Water Pipe Line License Agreement on behalf of the City of Austin with the Texas and New Orleans Railroad Company for the purpose of installing, constructing, maintaining and repairing a 16 inch water pipe line in, on and under the railroad right-of-way, approximately 3900 feet south-east of the intersection of Lamar Boulevard and Airport Boulevard, in the City of Austin, Texas, in accordance with the terms and provisions of said contract, as exhibited to the City Council by the City Manager; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to place and keep an executed copy of said Water Pipe Line License Agreement in the permanent files of the City Clerk's Office.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

No action was taken on extending the dead line for paying dog licenses until May 1st.

The Council received the following petition signed by approximately 46 persons:

"TO THE HONORABLE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

"We, the undersigned tax payers living in South Austin, who use South Congress Avenue from the Congress Avenue Bridge to the South end of South Congress Avenue, by the signing of our names below, respectfully protest the building, installing and/or erecting of any type of obstruction along and up and down the center of South Congress Avenue."

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk