

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 25, 1957

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Absent: None

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

Invocation was delivered by FATHER EUGENE DORE, St. Ignatius Church, 206 West Johanna.

Councilman White moved that the Minutes of April 18, 1957 and supplement; and of a Special Meeting of April 15, 1957, (awarding bids on runways at Airport), be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

MR. JEROME SNEED, representing Mrs. F. W. King, owner of a cedar yard, which is included in the property pending annexation, stated this use had been in effect for 31 years, and they did not want to have to pay city taxes on this use; but would not raise too much objection; but after it did become a part of the City, he would not want the same situation occurring as did on the Frederick-sburg Road when the cedar yard was called a nuisance, and the Kings voluntarily abandoned the yard. Mrs. King wanted to continue to use this property as now being used.

DR. J. A. MILLARD appeared in the interest of annexing some property, and submitted a petition signed by 28 property owners and residents of Highland Hills, expressing their desire that the City annex the land north of Northland Drive, lying on both sides of Balcones Trail, and as far north as at least the Gullett Public School. MR. BULLARD, owner of 127 acres from Shoalcrest to Balcones Trail reported on the system of development he had been working on

for the past 18 months, stating as he developed he applied for annexation; but at this time he was bitterly opposed to his property being brought into the city limits, as it is unimproved. He was working on developing a nice community center in the area; and when it is ready, he would present it for annexation. MR. L. BRADFIELT spoke in favor of annexing the property, so that the adjacent property owners could have a say in the control of the use of it. MR. BRADFIELT was interested in residence type of development, and MR. BULLARD felt his property was not suitable for residences. MRS. D. N. CURRY, one of the petitioners, spoke stating they did not want commercial property in back of them; MR. W. A. McCANN, property owner in the area, favored starting annexation proceedings as the property owners did not want a commercial development as there was plenty available. MR. BRADFIELT stated since Mr. Bullard had said he was in the process of submitting a plan for consideration; and if he would make a statement that he would hold the property intact until it is submitted to the Council for approval, he would withdraw his petition. MAYOR MILLER suggested that Mr. Bradfield, Mr. Bullard and the petitioners get together and discuss the matter, and see what could be developed. The Council laid the matter on the table. Mr. Bullard stated if Gullett School were annexed he had no objection to the part of his property that was necessary to connect with the city limits being annexed.

The following zoning, deferred from last week, was brought up:

CARRET CORPORATION	706-710 West 17th Street	From "A" Residence
By Walter Carrington	1701 West Avenue	To "O" Office
		RECOMMENDED by the
		Planning Commission

The Council deferred action for further study of the neighborhood.

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The following zoning, deferred from April 11, was brought up:

MISS JAMIE F. PALM	7607-7709 Burnet Road	From "A" Residence
		To "C" Commercial
		RECOMMENDED by the
		Planning Commission

The Attorney stated they were willing to accept "GR" General Retail, and requested that when the Council made its decision that it consider "GR". The Mayor wanted to consult with the Church adjoining the property. The Council deferred action until next Thursday.

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Pursuant to published notice thereof the following zoning applications were publicly heard:

ANCIENT & ACCEPTED	2212-2306 Hancock Drive	From "A" Residence
SCOTTISH RITE OF FREE-	2129-2233 North Loop	To "GR" General Retail
MASONRY, SOUTHERN JURIS	Boulevard	RECOMMENDED by the
By J.H. Hart		Planning Commission

Mr. Nogis withdrew his opposition, if it were to be orderly developed and not sold as individual lots. The Mayor asked those who wished to grant the change to "GR" General Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance.

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MRS. A. H. SCHUMANN, et al	5300 Avenue H;304-06 E.53rd;5302 Avenue H; 5213-5215 Avenue G; 301-03 East 53rd St.; 5214 Avenue H;305-07 East 53rd;5303 Avenue G;206 East 53rd St. 5301 Avenue G & 5300 Avenue G	From "A" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
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No opposition appeared. Councilman Long noted opposition of JAMES FOSTER. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

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FRANK KERBOW	5301-07 Jefferson Davis 1608-10 North Loop Boulevard	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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WALTER WUKASCH, et al	3000-04 Fruth Street	From "B" Residence
	500-04 West 30th St.	To "O" Office
	3001-05 Fruth Street	RECOMMENDED by the
	408-10 West 30th St.	Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance.

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MAYOR GRANTHAM	135-39 West Oltorf	From "A" Residence 1st Height and Area To "GR" General Retail 2nd Height and Area NOT Recommended by the Planning Commission but RECOMMENDED "GR" General Retail 2nd Height and Area for all except West 20' which is recommended "B" Residence 2nd Height and Area
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No opposition appeared. Mr. Grantham was in agreement with the exception of the west 20' being zoned "B" Residence. The Mayor asked those who wished to grant the change to "GR" General 2nd Height and Area and "B" Residence 2nd Height and Area for the west 20', to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 2nd Height and Area and "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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FRED WONG	2509-11 East 7th Street	From "D" Industrial To "C-1" Commercial RECOMMENDED
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No opposition appeared. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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JOE DAYWOOD, et al	9401-07 Interregional Highway; 800 East Rundberg Lane	From "A" Residence To "D" Industrial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "D" Industrial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "D" Industrial and the City Attorney was instructed to draw the necessary ordinance.

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BESSIE LEE ALLMAN	3702 East Avenue	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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MRS. D. E. COLEMAN	100-110 Krebs Lane 3808-3810 So. Congress Avenue	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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D. F. GRIGG  
By Wm.D.Gaston

2904 San Gabriel Street

From "A" Residence  
To "GR" General Retail  
RECOMMENDED by the  
Planning Commission

Opposition appeared, with regard to the width of the street. Decision was deferred until arrangements have been made through the Public Works Department for the widening.

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ROLLINS MARTIN

1170E & 1174E  
Webberville Road

From "C" Commercial  
To "C-1" Commercial  
RECOMMENDED

Three or four appeared in opposition. The Council decided to make an inspection on the ground and deferred action until next week.

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CHARLES D. MADISON

2411-13 East 12th Street

From "A" Residence  
To "C" Commercial  
NOT Recommended by  
Planning Commission

No opposition appeared. The Council is to make a study of the area and deferred action until next week.

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EDWARD FLORES, JR.

1135-D Ebert Avenue

From "A" Residence  
To "LR" Local Retail  
NOT Recommended

No action was taken.

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FRANK C. BARRON

1213-1215 Anderson Lane  
7813 Gault Street

From "A" Residence  
To "C" Commercial  
NOT Recommended by  
Planning Commission

Opposition was expressed by Walter Butler, 1205 Anderson Lane. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: None

Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the change had been DENIED.

CAPTAIN BARENT ROSEN introduced 25 new police recruits. The Mayor and Council greeted and welcomed the new policemen.

In line with the discussion of the MAYO GRANTHAM zoning, Councilman Pearson inquired of the attorneys about the fill on the property which was creating a problem to the property owners. MR. DENIUS, the Attorney for H.E.B. stated the problem had been eliminated; that H.E.B. had agreed to restore the drives and work the problems out, and that he thought everyone was satisfied. Mr. Denius stated he had told the property owners what type of wall would be constructed; that this dirt was a temporary matter.

MR. JOHN PAYNE and MR. BEN PEARCE appeared in the interest of paving the alley between Avondale Road, Travis Heights Boulevard, Milam Place and Alta Vista. He read a letter dated April 10th, which he had written, giving total amount of checks received, and giving the status of those property owners who had not submitted checks. Mr. Payne said Mr. Coats and Mrs. Pearson would pay their portion before they were assessed. The amount collected amounted to 55.61%. The Holcombs and Nabors owned over 27% of the property, and all that could possibly be signed up would be 72.36%. MAYOR MILLER reviewed the paving policy in effect over the city requiring 80% to pay; and occasionally 75%. Councilman Long favored proceeding with the paving of the alley. MR. BEN PEARCE believed the maintenance costs of the alley, if not paved, would be quite high. The Mayor said he would be willing to go ahead if Mr. Coats and Mrs. Pearson would put up their money, but he did not want to assess people on a 55% basis. Councilman Pearson did not believe it would be justifiable to pave the alley on a 55% basis when there were streets needing to be paved on which there was a higher percentage. There was a lengthy discussion of this matter. The Mayor was not in favor of changing the voluntary paving program as it was working out so well. He stated he would see what he could work out with Mrs. Pearson and Mr. Coats. Councilman White did not think Mrs. Pearson would be willing to put up the money--only just in case it was a matter of being assessed. Mr. Pearce stated he would be willing to donate a portion to pay for the rest of it.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 23, 1957, for the construction of extensions to reinforced concrete culverts on South 1st Street, south of Barton Springs Road and south of Copeland Street - Contract No. 57-D-16; and,

WHEREAS, the bid of McKown & Sons in the sum of \$5,449.00 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 McKown & Sons in the sum of \$5,449.00 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 McKown & Sons.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 23, 1957, for the construction of Voluntary Paving Contract No. 57-V-17, South 1st Street from north property line of West Elizabeth Street (east) to the south end of Drake Bridge; and,

WHEREAS, the bid of McKown & Sons in the sum of \$40,934.73 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 McKown & Sons, in the sum of \$40,934.73, 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 McKown & Sons.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 22, 1957, for the purchase of one 10 Ton Roller for use by the Street and Bridge Division of the City of Austin; and,

WHEREAS, the bid of Acme Iron Works in the sum of \$7,252.00 for one Ingram 10 Ton Roller was the lowest and best bid therefor, and the acceptance of such bid and the purchase of said roller has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Acme Iron Works in the sum of \$7,252.00 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 Acme Iron Works.

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



Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 16, 1957, for the furnishing of 7,000 feet 2-1/2" double jacket cotton rubber lined fire hose for use by the Fire Department; and,

WHEREAS, the bid of Lorey's Fire Protection Service of Austin in the sum of \$6,734.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Chief of The Fire Department, by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Lorey's Fire Protection Service of Austin in the sum of \$6,734.00 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 Lorey's Fire Protection Service of Austin.

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

Councilman Pearson inquired about the paving on South 1st Street on beyond Molly Dawson School. It was stated the present paving included some state work; and as soon as the other program got worked up, the paving would proceed. The Director of Public Works stated on the south of Elizabeth, some additional right-of-way from West Johanna south would be needed.

Councilman Long inquired about the storm sewer schedules, particularly in Bauerle Avenue. The Director of Public Works made a report on the schedules of the \$169,000 set aside for storm sewers in the bond program over a five year period:

South Lamar Boulevard	-	scheduled now for 1958
Bolm Road area	-	scheduled for 1958
Inwood Hills	-	scheduled for 1958-59
Blue Bonnet Lane	-	scheduled for 1959-60
Heather Street Area	-	scheduled for 1956-1960, \$63,000
Bauerle		
Collier		
Heather, etc.		

The Mayor listed some places that needed extra drains--Lamar Boulevard, on the east side going north; a larger drain in front of the station of Mr. Crockett's; and before the entrance to the Coliseum and ball park.

The Mayor also listed some places where trees should be removed to help the flow of the water through the creeks--in Boggy Creek, in the 1100 block of Walnut. Councilman Long asked that the area from 19th on down to be cleared. Councilman Pearson had some locations in Govalle he wanted to show the Council where some trees needed to come down. The Mayor added South 1st Street by the Bell Lumber Company where the heavy timber should be removed.

Councilman Long inquired about the progress of getting the sanitary sewers to the property in the area around the new Northwest Park. Mr. Davis stated this job was advertised, and bids would be received on May 7th. This would take care of Ellise, Albata, Pegram, and Daugherty.

Councilman Pearson inquired about the sanitary sewer system in Govalle as involved the new school, and some people on Lyons Road, in the 4600 block--Mr. Tom Beverly, and others. Mr. Davis stated the new school was connected on at the end of the line, and he laid out the plans to connect the others. On the Tannehill Branch line, he stated the connections could not be made until the line was accepted.

Councilman Long reported a bad condition in a road outside the city limits where the water line was extended into a water district. The road was Gardner Lane. The Director of Public Works stated this was the responsibility of the contractor to put the road back in good shape. Mr. Davis stated he would report this to the contractor.

Councilman Palmer, offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 2, 1957, for the construction of Runway and Taxiway Extensions and Appurtenant Grading and Drainage at the Robert Mueller Municipal Airport; and,

WHEREAS, the bid of Schwope Brothers in the sum of \$322,711.70 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 Schwope Brothers in the sum of \$322,711.70 for the construction of such Runway and Taxiway Extensions and Appurtenant Grading and Drainage, 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 Schwope Brothers.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT ON LOTS 7 AND 8, BLOCK Y, VIOLET CROWN HEIGHTS, SECTION 2, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Palmer moved that the appeal by the BAPTIST FOUNDATION OF TEXAS from decision of Planning Commission, denying an application for special permit to construct a service station at the intersection of San Jacinto Boulevard and Duval Street, be set to be publicly heard at 10:30 A.M., May 2, 1957. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Palmer 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 WEST 35TH STREET, from Foothill Drive westerly 1785 feet plus or minus, the centerline of which gas main shall be 6 feet south of and parallel to the north property line of said West 35th Street.

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

(2) A gas main in OWEN AVENUE, from a point 328 feet north of West 34th Street northerly to Owen Circle, the centerline of which gas main shall be 17 feet west of and parallel to the east property line of said OWEN AVENUE.

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

(3) A gas main in OWEN CIRCLE, from Owen Avenue northeasterly 209 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said OWEN CIRCLE.

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

(4) A gas main in COMAL STREET, from East 8th Street southerly 115 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet west of and parallel to the east property line of said COMAL STREET.

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

(5) A gas main in SAN GABRIEL STREET, from West 18th Street southerly 77 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  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.

(6) A gas main in BROADWAY, from East 3rd Street northerly 133 feet, the centerline of which gas main shall be  $13\frac{1}{2}$  feet west of and parallel to the east property line of said BROADWAY.

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

(7) A gas main in EAST 5TH STREET, from a point 507 feet west of Canadian Street westerly 108 feet the centerline of which gas main shall be 13 feet north of and parallel to the south line of said EAST 5TH 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 Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Pearson reported bad sewage conditions in Walnut Hills.

Discussion was held on not approving new subdivisions unless sewer lines could be provided. The City Attorney stated the amendment to the ordinance would have to do away with septic tanks entirely. The Mayor stated it was his idea not to approve any new subdivision unless it had sewer facilities.

Mayor Miller reported street lights were out in East Austin and at Downs Field.

Councilman Pearson asked that the parking lot at Brackenridge Hospital be graded down and made more inviting for the public to use. He did not believe the public knew it was for their use.

The City Manager listed some houses he wanted to advertise for sale, and the Council indicated its approval on the following:

All the houses on the Hospital property but the Ulit Home on 14th  
and Sabine  
The old Butler house on the Butler tract  
Speedway and 45th property.

Councilman Long reported a call she received complaining of cars from Swearingen-Armstrong being parked on the river bank park area, taking up parking spaces from the general public, and she asked that the company be asked to move them.

Councilman White 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 expansion to the south and east of the Robert Mueller Municipal Airport located in the City of Austin in order to provide for the extension of existing runways to provide for the safe takeoff and landing of commercial and private aircraft; and to insure the safety of persons living in houses located beneath aircraft approach glide paths; and,

WHEREAS, the City Council has found and determined that the hereinafter described land adjoining said airport on the south must be acquired in order to provide for such extension of runways and for creation of adequate clear zones beneath aircraft glide paths; and,

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

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

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

Tract No. 1

Being all of that certain tract or parcel of land which was conveyed by Carl Wendlandt and wife, Sophie Wendlandt, to Walter Roberts by deed dated December 21, 1925, of record in Volume 387 at page 3 of the Deed Records of Travis County, Texas, and being more particularly described as follows:

ALL that certain lot, tract or parcel of land lying and being situated in the County of Travis, and State of Texas, and being all of Outlot No. 54 in Division "B" of the outlots adjoining the City of Austin, Travis County, Texas, according to the map or plat of the City of Austin and outlots adjoining, on file in the General Land Office of the State of Texas, said Outlot containing 52-1/2 acres more or less, according to survey thereof made by M. V. Homeyer, Surveyor, of Travis County, Texas, on November 11, 1925, and being the same conveyed to C. Wendlandt by deed of Guy C. Stainaker.

NOTE: The County Records show all of Outlot 54 in Division "B" charged to Walter Roberts (52 acres).

THE records also show a right-of-way deed to the County for a strip off the east side of the Roberts Tract for 263.1 feet along the west side of Springdale Road. (992/500)

LESS, however, those strips or tracts of land conveyed to State of Texas for right-of-way purposes by deed recorded in Volume 1020 at page 449 of the Deed Records of Travis County, Texas.

Tract No. 2.

Being all of that certain tract or parcel of land containing 5 and 1/2 acres which was conveyed to Walter Roberts by deed dated Feb. 10, 1943 and which is recorded Vol. 709 at page 625 of the Deed Records of Travis County, Texas, reference to which deed is here made for all purposes.

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

Councilman White 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 expansion to the South and East of the Robert Mueller Municipal Airport located in the City of Austin in order to provide for the extension of existing runways to provide for the safe takeoff and landing of commercial and private aircraft; and, to insure the safety of persons living in houses located beneath aircraft approach glide paths; and,

WHEREAS, the City Council has found and determined that the hereinafter described land to the South of said airport must be acquired in order to provide for such extension of runways and for creation of adequate clear zones beneath aircraft glide paths; and,

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

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

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

A tract of land out of the Henry Warnell Survey No. 23, in Travis County, Texas, being a portion of a tract of 21.14 acres conveyed to A. J. Kleberg by deed recorded in Volume 498, page 378 of the Deed Records of Travis County, Texas, more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the corner of the fence at the Northeast corner of the said 21.14 acre tract, and in the West line of Lot No. 7, in Marlo Heights a Subdivision of record in Book 5, page 89, of the Plat Records of Travis County, Texas, the said stake being North 29° 53' East 95.35 feet from the South corner of said Lot No. 7;

THENCE North 60° 30' West 676.89 feet along the fence at the North line of the said 21.14 acre tract to an iron stake;

THENCE South 28° 55' West 436.5 feet to an iron stake;

THENCE South 29° 00' West 321 feet to an iron stake in the North line of Kleberg Lane;

THENCE South 61° 00' East 433 feet along the North line of Kleberg Lane to an iron stake;

THENCE around a curve having a central angle of 88° 46', a radius of 187.91 feet, a tangent of 183.90, and a chord which bears North 74° 37' East 262.85 feet to an iron stake in the West line of a road;

THENCE North 30° 14' East 122.8 feet along the said West line of the road to an iron stake;

THENCE North 30° 50' East 242.0 feet to an iron stake;

THENCE with the fence approximately North 55° 28' East 111.0 feet to an iron stake at the South corner of Lot No. 7 in Marlo Heights;

THENCE North 29° 53' East 95.35 feet along the West line of said Lot No. 7 to the place of BEGINNING; and containing 10.70 acres, more or less.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None



Councilman White 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 expansion to the South and East of the Robert Mueller Municipal Airport located in the City of Austin in order to provide for the extension of existing runways to provide for the safe takeoff and landing of commercial and private aircraft; and, to insure the safety of persons living in houses located beneath aircraft approach glide paths; and,

WHEREAS the City Council has found and determined that the hereinafter described land to the South of said airport must be acquired in order to provide for such extension of runways and for creation of adequate clear zones beneath aircraft glide paths; and,

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

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

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

All of Lot No. 4 of the S. F. Nolen Subdivision of a tract of 84.9 acres of the J. C. Harrelson Survey adjoining the Austin Municipal Airport in Travis County, Texas, according to the map or plat of said Subdivision of record in Plat Book 3, page 144 of the Plat Records of Travis County, Texas, and being the same land conveyed to J. S. Gresham by deed of Laura Rissman Harris, dated February 26, 1938, and recorded in Book 584, page 155 of the Deed Records of Travis County, Texas.

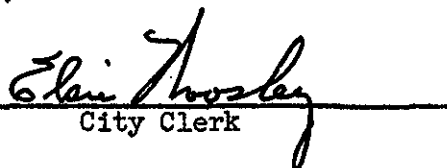
The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

There being no further business the Council adjourned at 1:45 P.M.  
subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk