

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 27, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

Present also: Walter E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. CHAS. WEST, Rosedale P.T.A. appeared again before the Council asking for a traffic light at 49th and Burnet Road. He stated they wanted a manually operated light. Councilman Long moved that a manually operated signal light be installed in that area and that the City Manager be instructed to have this done as soon as physically possible. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

(Mr. West filed petitions with the Council requesting this light)

MR. TOM LONG appeared before the Council charging that the ordinance passed March 30, 1950, defining nuisance personal property and directing removal, etc., was being misused, was discriminatory in enforcement; that this ordinance was being used to enforce other ordinances, particularly the unpaid parking ticket ordinance. He objected to the use of this ordinance to impound personal property

to coerce and force a citizen to pay unpaid parking tickets. CAPTAIN BLACKMAN explained the policy followed in the Traffic Division. MR. S. J. ARONSON, represented MISS ESTELLE WEBBER, whose car was impounded and who had three unpaid parking tickets, and he did not believe she was treated right under this ordinance. The Mayor thanked them for coming before the Council, and stated the Council could pass it on to the City Attorney and give it further study.

MR. JOHN F. BOTELLO, Secretary, Club De Beneficiencia of Austin, presented the following petition, and spoke before the Council for a recreation hall for the use of the people in the neighborhood, so they could have meetings, training schools, and counselling places to help them:

"In view of the fact that the objective of the Club De Beneficiencia of Austin, Texas is to strive towards the development and betterment of the cultural, moral and social activities of the Latin American people of Austin, and being confronted with the problem of not having a place to hold meetings, social activities, etc.

"We, the members of the Club, see the urgent need of a recreation hall for the use of the young as well as the adults.

"Numerous activities, classes in citizenship, etc. for the good of our youth are being neglected because of the distance involved in attending the nearest place where said activities are being held.

"We therefore, the members of this Club, by unanimous vote, present this petition to the City Council of Austin asking it to investigate the possibility of the erection of a recreation hall in the vicinity of Pedernales between Third and Fourth street.

(S) President, Esberardo Montoya

(S) John F. Botello

The Mayor stated the matter would be referred to MR. SHEFFIELD to see what he could work out.

No action was taken on the request of the trafficlight at 23rd and Red River, and it was stated this would be considered next week.

No action was taken on awarding the bid for the new bridge, as the City Manager stated a study of the bids was still under way, and he asked that action on the award be deferred until the following week.

MR. CURTIS MOSTELLER presented a traffic manual to the Council.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, B. O. White, M. D. has made application in writing for permission to erect a doctor's office and clinic for human beings only on Lot 7, Block 28, Division E, in the City of Austin, Travis County, Texas, the same being on the east side of Nueces Street and locally known as 1707 Nueces Street, and is located in a "B" Residence District, which requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore,

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

THAT permission for the erection and maintenance of a doctor's office and clinic for human beings only be granted to B. O. WHITE, M. D. with the following conditions:

1. That this clinic be used in the general practice of medicine and that no mental or psychiatric patients be housed in such clinic.
2. That all regulations required in this zone and all building code provisions be complied with in the erection and maintenance of such building.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

MR. HERBERT HARGIS, Health Department, explained the request of the milk processors and distributors for an amendment to the milk ordinance, stating the amendments were mainly in the terminology.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 1, 1937, RECORDED IN BOOK "K", PAGES 201-215, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BEING AN ORDINANCE REGULATING THE SALE OF MILK AND MILK PRODUCTS WITHIN THE CITY OF AUSTIN AND ITS POLICE JURISDICTION, BY AMENDING SECTION 1 SO AS TO AMEND THE DEFINITIONS OF "CREAM" BY DEFINING "COFFEE CREAM" OR "TABLE CREAM" AND "WHIPPING CREAM", AND BY ADDING DEFINITIONS OF "HALF AND HALF OR COFFEE AND CEREAL MILK", "LOT FAT FORTIFIED SKIMMED MILK", "NON-FAT, FAT FREE OR DEFATTED FORTIFIED MILK", AND RE-DEFINING "MILK PRODUCTS"; AND DECLARING AN EMERGENCY.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute and deliver to Winston Kinser, Administrator of the estate of John Douglas Kinser, deceased, in behalf of the City of Austin, a written instrument evidencing the consent of the City of Austin, Lessor, to the assignment and transfer to Albert W. Kinser, of that certain Contract of Lease entered into by and between the City of Austin, and John D. Kinser, Lessee, dated September 14, 1949, demising unto Lessee for a term of five (5) years with an option in lessee to renew for an additional five years, those certain premises in the Butler Tract, particularly described in said lease contract, for use and operation as a "Pitch and Putt" golf Course, such evidence of consent to be in accordance with the terms, conditions, and the provisions of a certain instrument which is attached to this Resolution and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said Lease-Assignment Permission without recordation in the minutes of the City Council. (On File under PROPERTY - Lease)

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a deed, on behalf of the City of Austin, conveying to Harry D. Pruett, five thousand six hundred seventy-three (5673) square feet of land, same being out of and a part of Lot 4, Block L, Ridgetop, according to a plat of record in Book 2, Page 200 of the Plat Records of Travis County, Texas.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

At this point the Mayor relinquished the Chair to Mayor Pro-tem MacCorkle.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain utility easement was reserved and dedicated to the

public on a map or plat of Bluffington, Section 2, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas; which map or plat is recorded in Book 4, page 329 of the Plat Records of Travis County, Texas; and

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

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the portion of such easement as follows:

- (1) The east five (5) feet of Lot 1, Block D of the aforementioned subdivision
- (2) The west five (5) feet of Lot 2, Block D of the aforementioned subdivision

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

Ayes: Councilmen Johnson, Long, White, Mayor Pro-tem MacCorkle

Noes: None

Present but not voting: Mayor Drake

At this point the Mayor resumed the chair and presided.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be, and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, said tract being described as follows:

One thousand four hundred sixty-three (1463) square feet of land, same being out of and a part of those two (2) certain tracts of land out of Lot 4, Block L, Ridgetop, according to a map or plat of said Ridgetop of record in Book 2, page 200, Plat Records of Travis County, Texas, which were conveyed to the City of Austin by the following deeds: (1) Dated May 15, 1948, of record in Volume 910 at pages 4-5, Deed Records of Travis County, Texas, and described as First Tract in said deed; (2) Dated May 8, 1948, of record in Volume 908 at page 529, Deed Records of Travis County, Texas; which 1463 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument at the point of intersection of the east line of the Interregional Highway with the south line of East 51st Street;

THENCE with the southline of East 51st Street, S. 60°17'E. 69.15 feet to a point on the west line of Cameron Road;

THENCE with the west line of Cameron Road, S. $48^{\circ}44'$ W.
44.54 feet to a concrete monument;

THENCE N. $22^{\circ}30'$ W. 69.05 feet to the point of beginning.

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

That the City Clerk be, and she is hereby authorized and directed to file this resolution in the office of the County Clerk of Travis County, Texas, giving notice to the public of the dedication for street purposes of the tract of land hereinabove described.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the Resubdivision of Block B, Royal Oak, Section 3, approved by the City Plan Commission of the City of Austin on March 13, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Morris Campbell Subdivision", approved by the City Plan Commission of the City of Austin on February 14, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said Subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle 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 southeast corner of the intersection of Wilshire Boulevard and East Avenue which property fronts 81 feet on Wilshire and 108.75 feet on East Avenue, and being known as a portion of Thomas Hawkins Survey in the City of Austin, Travis County, Texas, and hereby authorizes the said Continental Oil Company 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 the 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 Continental Oil Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"March 26, 1952

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Continental Oil Company, lessee, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in connection therewith upon the property located at the southeast corner of the intersection of Wilshire Boulevard and East Avenue which property fronts 81 feet on Wilshire Boulevard and 108.75 feet on East Avenue, and being known as a portion of the Thomas Hawkins Survey in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Bradfield & Brush and is under lease to the Continental Oil Company and we hereby advise that the following conditions exist.

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

"There is a storm sewer inlet on the east side of East Avenue six (6) feet south of the above described property.

"We recommend that the Continental Oil Company 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 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.; that all construction of the filling station improvements shall be in accordance 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-1070.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-1070 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 Certificate of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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 enter into a contract on behalf of the City of Austin, with W. H. Bullard in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On file under WATER MAIN EXTENSIONS - Contract File No. 578-C)

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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 enter into a contract on behalf of the City of Austin with Henry L. Wideman and Edna L. Wideman, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On File under SEWERS - Sanitary - Contract No. 580-C)

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received the following:

"March 27, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment on the merchandise, furniture and fixtures assessed against The Schuhmacher Company for the year 1947 is incorrect.

"Their valuation was arbitrarily increased to more than twice the value

placed on this company's merchandise, furniture and fixtures for preceding and subsequent years without any facts to support such increase.

"I recommend that I be authorized to reduce the assessed value of such property for the year 1947 from \$120,000 to \$52,850 which is the average of the 1946 and 1948 assessed values.

"(Sgd) T. B. Marshall
City Tax Assessor & Collector"

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth and has found the same to be incorrect for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk; and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment in assessed value hereinafter indicated for said assessment, Now Therefore,

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

That the tax assessment for the year shown be and the same is hereby adjusted and corrected to fix the assessed value therein as indicated:

<u>Year</u>	<u>Description of Property</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1947	Merchandise, Furniture & Fixtures	\$120,000	\$52,850

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received the following:

"March 27, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments on the improvements on the South 90' of Lots 1, 2, 3, and 4, Block 46, Original City of Austin, Plat 12, Item 46, located at 400 San Antonio Street, assessed against C. A. Perlitz for the years 1947 through 1951 are incorrect because of erroneous information as follows:

"Such improvements were valued on the basis of 36,698 square feet of area, when in fact said improvements contain only 26,480 square feet.

"I recommend that I be authorized to adjust the assessed value of such improvements from \$51,280 to \$33,410 on the tax rolls for such years.

"(Sgd) T. B. Marshall
City Tax Assessor & Collector"

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth and has found the same to be incorrect for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk; and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment in assessed value hereinafter indicated for said assessment, Now Therefore,

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

That the tax assessments for the years shown be and the same are hereby adjusted and corrected to fix the assessed value therein as indicated:

<u>Years</u>	<u>Description of Property</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1947	Improvements on the South 90' of Lots 1, 2, 3 & 4, Block 46, Original City of Austin, Plat 12, Item 46	\$51,280	\$33,410
1948	Ditto	\$51,280	\$33,410
1949	Ditto	\$51,280	\$33,410
1950	Ditto	\$51,280	\$33,410
1951	Ditto	\$51,280	\$33,410

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

The Council received the following:

"March 18, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments on the improvements on the W. 1/2 of Lots 10, 11, 12, Outlot 50, Div. D, Plat 49, Item 124, located at 509 W. 26th Street, assessed in the name of Sigma Alpha Epsilon Chapter House Association for the years 1949, 1950 and 1951 are incorrect because of erroneous information as follows:

"The unit applied was for a solid masonry building whereas the exterior walls are of brick veneer on the first floor and stucco on the second floor. The depreciation allowance was at a percentage for solid masonry instead of a brick veneer and stucco construction. The unit applied to the finished attic was higher than other similar attics, and there was a charge for the unfinished portion of the attic which is not charged in other buildings. In the case of the screened and open porches, however, a unit that was too low was charged.

"A detailed reappraisal to equalize improvements reveals that the units

for the various parts of the structure should be as follows:

<u>Portion of building:</u>	<u>Unit originally set:</u> (per square foot)	<u>Recommended Unit:</u> (per square foot)
1st floor	\$ 6.95	\$ 5.85
Basement	\$ 1.50	\$ 1.50
2nd floor	\$ 6.95	\$ 4.75
Attic	\$ 3.50	\$ 2.75
Screened porch	\$ 1.25	\$ 2.25
Open porch	\$ 1.00	\$ 2.50
Depreciation	30%	50%

"I recommend that I be authorized to reduce the assessed valuation of said improvements in accordance with the units and depreciation recommended above from \$20,110 to \$11,760 on the tax rolls for the years 1949, 1950 and 1951.

"(Sgd) T. B. Marshall
City Tax Assessor & Collector"

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth and has found the same to be incorrect for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk; and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments in assessed value hereinafter indicated for said assessments, Now Therefore,

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

That the following tax assessments for the years shown be and the same are hereby adjusted and corrected to fix the assessed values therein as indicated:

<u>Year</u>	<u>Description of Property</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1949	Improvements on W. $\frac{1}{2}$ of Lots 10, 11, 12, Outlot 50, Div. D, Plat 49, Item 124, known as 509 W. 26th St., assessed against Sigma Alpha Epsilon Chapter House Association	\$20,110	\$11,760
1950	Ditto	\$20,110	\$11,760
1951	Ditto	\$20,110	\$11,760

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received the following:

"March 27, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment on the improvements on 60' x 150', Outlot 32, Division C (.207 Acre), Plat 239, Item 157, located at 3307 Cherrywood, assessed against William McClain for the year 1951 is incorrect because of erroneous information as follows:

"According to an affidavit executed March 20, 1952 by William McClain these improvements were only 50% completed as of January 1, 1951.

"I recommend that I be authorized to adjust the assessed value of such improvements from \$3090 to \$1550 on the tax roll for the year 1951.

"(Sgd) T. B. Marshall
City Tax Assessor & Collector"

Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth and has found the same to be incorrect for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk; and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment in assessed value hereinafter indicated for said assessment, Now Therefore,

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

That the tax assessment for the year shown be and the same is hereby adjusted and corrected to fix the assessed value therein as indicated:

<u>Year</u>	<u>Description of Property</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1951	Improvements on the 60' x 150', Outlot 32, Division C, (.207 Acre) Plat 239, Item 157	\$3090	\$1550

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE REGULATING PLUMBING AND GAS
FITTING WORK; PROVIDING FOR ENFORCEMENT
OF THIS ORDINANCE;; REQUIRING PERMITS AND
PRESCRIBING FEES FOR PLUMBING AND GAS

FITTING; PRESCRIBING SPECIFICATIONS FOR PLUMBING INSTALLATIONS, GAS PIPING AND GAS APPLIANCES; PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; REPEALING CERTAIN ORDINANCES AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE PRESCRIBING THE DATE UPON WHICH THE PENALTY OF FIVE PER CENT (5%) SHALL BE IMPOSED FOR NON-PAYMENT OF TAXES FOR THE YEAR 1951, AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

No action was taken on the Resolution to adopt minimum deposits which shall be required of prospective customers for water and light service, as the Council wanted copies to study.

The City Manager presented to the Council for information a letter from MR. FRED C. MORSE regarding some property lines. The Mayor asked that the letter be acknowledged and referred to the Engineering Department.

The City Manager presented the request of WADE, BARTON & MARSH, for an extension of time from April 1, 1952 to April 10, 1952 in which to complete their report. Councilman MacCorkle moved that WADE, BARTON & MARSH be granted an extension of time from April 1, 1952 to April 10, 1952, in which to complete their report upon the examination of the books and accounts of the City for 1951. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. J. C. LANKFORD asked the City to cooperate in the City-wide clean-up campaign, and stated there were some drainage ditches in Govalle that would need cleaning.

The Council reset the zoning application of Ben Hibbits and others, on Morningside Drive from 1st to 5th Height and Area; and 45th Street to be included as a Boulevard, for public hearing on April 17th, as follows:

- (1) To amend the HEIGHT and AREA designation of the following described property so as to change the same from First Height and Area District to Fifth Height and Area District:

All lots, parcels of land and acreage which lie within a line established 150 feet back from and parallel with the west right-of-way line of Lamar Boulevard, and situated between the north street line of West 39th Street and the South street line of W. 42nd Street.

- (2) To amend the HEIGHT and AREA designation of the following described property so as to change the same from First Height and Area District to Fifth Height and Area District:

All lots, parcels of land and acreage which are now in the FIRST HEIGHT and AREA DISTRICT and which lie within a line established 150' back from and parallel with the west right-of-way line of Lamar Blvd. and situated between the north street line of W. 42nd Street and the south street line of West 45th Street, in the City of Austin, Travis County, Texas.

- (3) To amend the HEIGHT and Area designation of the following described property so as to change the same from its present height and area district to FIFTH HEIGHT and AREA district;

All privately owned lots, parcels of land and acreage which lie within a line established 150' back from and parallel with the right-of-way lines of 45th Street and situated between the east street line of Shoalwood Avenue and the west street line of Airport Blvd.

- (4) To amend the portion of Section 2 defining Boulevard Street by adding to the list of Blvd. Streets enumerated therein the following:

Forty-Fifth Street.

Councilman MacCorkle moved that MR. CHARLES GRANGER be appointed on the Zoning Commission. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long moved that the following be appointed to serve on the Library Commission:

MRS. CHARLES STEPHENSON
MRS. A. W. HARRIS
MRS. W. T. MATHER
MRS. BEN POWELL, JR.
MRS. L. C. PROCTOR
MR. F. W. STERNENBERG
MR. BILL WEEG
MR. O. DOUGLAS WEEKS

MRS. CLAUDE HILL
MR. DONALD C. JAMES
MRS. ESTER BUFFLER
MR. EDMUND TRAVIS
MR. CHRYS DOUGHERTY
MISS HELEN HARGRAVE
MRS. CLARENCE BROWNING

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received notice that the following applications for change of zoning had been referred to the Zoning Commission:

CHARLES C. GOUGH, By
A. G. Hadelar

914 E. 53rd Street

From "A" Residence
To "C" Commercial

J. BOHN, MRS. S.R. La
GRONE, MRS. MINNIE ROEMER

800 thru 1000 blk. E.
30th & 3006-3008 E.
Avenue

From "B" Residence
To "C" Commercial

The City Manager presented four paving units which he recommended the City go on with where there were some who would not sign up. Councilman Long moved that those four paving units, Units No. 3, No. 28, No. 40, and No. 43, on Harwood Place, Romeria Drive, Ratherview, and San Gabriel, be accepted in the program. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle inquired about other paving projects. The City Manager stated the Boulevard Program was ready to go in May.

The Mayor asked the City Manager to look into straightening East 38 $\frac{1}{2}$ east of the community center, before it was paved.

In accord with the recommendation of the Traffic Engineer and City Manager, (dated March 25, 1952) Councilman Long moved that the City Attorney be instructed to draw up an ordinance providing two-hour parking along the north and south curbs of West 6th Street from Rio Grande to East Avenue. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The City Manager submitted the following communication from the Superintendent of Schools, transmitting a petition for annexation of certain property for school purposes only.

"March 25, 1952

"Mr. Walter Seaholm
City Manager
City Hall
Austin, Texas

"Dear Mr. Seaholm:

"I am transmitting to you a petition signed by a majority of the qualified voters of the Pecan Springs School District asking that the remaining part of the original district be taken into the City of Austin for school purposes only.

"This request was approved by the Board of Education of the Austin School District on March 25, 1952, and is being sent to you for consideration of the City Council of Austin, Texas.

"If the City Council approves the request from the citizens of the Pecan Springs School District, we can start making plans to conduct a school for the entire district for 1952-53.

"Sincerely yours,
(Sgd) Irby B. Carruth
Superintendent of Schools"

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

We, the undersigned, resident qualified voters of Pecan Springs Common School District No. 61 of Travis County, Texas, do hereby respectfully request and petition the City Council of the City of Austin to extend the corporate limits of said city for school purposes only so as to include and embrace all of the present Pecan Springs Common School District No. 61.

DATED this the 17 day of March, 1952.

<u>NAME</u>	<u>ADDRESS</u>
1. H. B. Boston	Rte. 3, Box 725
2. Mrs. H. B. Boston	Rte. 3, Box 725
3. Clyde Montgomery	Rte. 3, Box 506
4. Mrs. Clyde Montgomery	Rte. 3, Box 506
5. R. W. Jones	Rt. 3, Box 717
6. Mrs. R. W. Jones	Rt. 3, Box 717
7. Travis Sansom	Rt. 3, Box 479
8. Mrs. Travis Sansom	Rt. 3, Box 479
9. Theo G. Wier	Rte. 3, Box 404
10. Mrs. Theo G. Wier	Rte. 3, Box 404
11. Mrs. Lee Roy Blair	Rt. 3, Box 440
12. Mrs. Lee Roy Blair	Rt. 3, Box 440
13. Mrs. Alfred E. Schmidt	Rt. 3, Box 436
14. Mr. Alfred E. Schmidt	Rt. 3, Box 436
15. Mrs. Edward A. Rogge	Rt. 3, Box 436
16. Edward A. Rogge	Rt. 3, Box 436
17. Sid Adler	Rt. 3, Box 426
18. Mrs. Sid Adler	Rt. 3, Box 426
19. Dr. Effie R. Johnson	Rt. 3, Box 428
20. Avery E. Barron	Rt. 3, Box 428
21. Charley Anderson	Rt. 3, Box 719
22. Mrs. Charley Anderson	Rt. 3, Box 719
23. W. N. Howde	Rt. 3, Box 713
24. Jack B. Albright	Rt. 3, Box 710
25. Mrs. Jack B. Albright	Rt. 3, Box 710
26. O. D. Bader	Rt. 3
27. Mrs. Bader	Austin, Rt. 3
28. Mr. Alvin Morrissey	Austin, Rt. 3, Box 386
29. Mrs. Alvin Morrissey	Austin, Rt. 3, Box 386
30. Paul S. Ceder	Austin, Rt. 3, Box 384
31. Arthur B. Ceder	Austin, Rt. 3, Box 384
32. Mrs. Aug Ceder	Austin, Rt. 3, Box 384
33. C. O. Ceder	Austin, Rt. 3
34. Mrs. C. O. Ceder	Austin, Rt. 3
35. Rubert Ceder	Rt. 1, Manor, Tex.
36. Mrs. Rubert Ceder	Rt. 1, Manor, Tex.
37. Mrs. R. D. Faught	Rt. 1, Austin
38. Mrs. R. D. Faught	Rt. 1, Austin
39. Anna Karling	Rt. 1, Box 216, Austin, Tex.
40. Mrs. A. S. Bergstrom	Rt. 1, Manor, Texas
41. A. S. Bergstrom	Rt. 1, Manor, Texas

NAME	ADDRESS
42. Raymond E. Ludwig	Rt. 1, Box 212
43. Mrs. Raymond E. Ludwig	Rt. 1, Box 212
44. Walter Roberts	Rt. 1, Box 90, Austin
45. Mrs. Walter Roberts	Rt. 1, Box 90, Austin
46. Mr. J. H. Touchstone, Jr.	Rt. 1, Box 85, Austin
47. Mrs. J. H. Touchstone, Jr.	Rt. 1, Box 85, Austin
48. Mrs. Harry Grant	Rt. 1, Box 85, Austin
49. O. W. Seiders	Rt. 3, Box 434, Austin
50. Mrs. O. W. Seiders	Rt. 3, Box 434, Austin
51. Helen Seiders	Rt. 3, Box 434, Austin
52. Mrs. Geo. McKenna	Rt. 1, Box 69B
53. Marvin Knippa	Rt. 1, Box 69
54. Mrs. Marvin Knippa	Rt. 1, Box 69
55. T. A. Fairey	Austin, Rt. 1
56. Mrs. T. A. Fairey	Austin, Rt. 1
57. R. W. Johnson (live in Austin)	3008 Glenview, Austin
58. Mrs. R. W. Johnson " " "	3008 Glenview, Austin
59. A. L. Nobles	Rt. 3, Box 420
60. Mrs. A. L. Nobles	Rt. 3, Box 420
61. David O. Ceder	Rt. 3, Box 384, Austin
62. Richard Riley	Rt. 1, Box 40
63. Mrs. Richard Riley	Rt. 1, Box 40
64. Amaryllis Bergstrom	Rt. 1, Manor
65. Mrs. Alfred Youngquist	Manor, Tex. Route 1
66. Alfred Youngquist	Manor, Tex. Route 1
67. W. W. Jones	Rt. 3, Box 725

FIELD NOTES * PECAN SPRINGS C.S.D. # 61 - TRAVIS COUNTY

July 16, 1949

Commissioners Court Minutes, Travis County, Book L, Corrected according to County School Board Minutes, July 5, 1949.

Beginning at the intersection of the city limits with the Cameron Road and continuing out said road to Little Walnut Creek;

Thence down said creek to its intersection with the new Austin-Manor Highway;

Thence NE along said highway to the junction with the old Austin-Manor Road;

Thence SW on said old Austin-Manor Road toward Austin to Daffan Lane;

Thence SE on Daffan Lane to H & T C. Railroad track;

Thence SW along West side of H & T C Railroad track to a point near the track at the NE corner of the J. C. Tannehill Survey;

Thence following east line of said survey to its intersection with Big Walnut Creek;

Thence up said creek to the Austin-Webberville Road;

Thence in a westerly direction with said road to its intersection with Heflin Lane;

Thence up said lane to East Nineteenth Street;

Thence following said street to the city limits and;

Thence following said city limits to point of beginning.

STATE OF TEXAS 0

COUNTY OF TRAVIS 0

Before me, the undersigned authority, on this day personally appeared "S. D. Heffington, who being be me duly sworn upon oath, deposes and says, that the signatures to the attached foregoing petition represent a majority of the resident qualified voters of the Pecan School District # 61 , to the best of my knowledge and belief.

(Sgd) S. D. Heffington
Assessor & Collector of Travis County,
Texas

Subscribed and sworn to before me, this the 25 day of March, 1952.

(Sgd) T. N. Porter
Notary Public, Travis County,
Texas

Councilman MacCorkle moved that the recommendation of the School Board be followed, and the City Attorney instructed to draw up the necessary ordinance providing for this annexation. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long then moved that the application be referred to the Planning Commission with the request that they report back with all haste. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White
Noes: Councilmen Johnson, Mayor Drake

There being no other business, the Council adjourned subject to the call of the Mayor. (1:05 P.M.)

APPROVED: W. S. Drake

Mayor

ATTEST:

Elaine Hoosley
City Clerk