

the years enumerated above, and to cancel the taxes levied against said property for said years, and to hereafter carry said property as exempt from taxation so long as same is owned, used and operated as above.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the City Library Board has presented bids for the beautification of the Public Library grounds to the City Council; and

WHEREAS, the bid of Howard's Nursery for the sum of \$437.50 was the lowest bid received and is satisfactory to the Library Board; and

WHEREAS, the Library Board stated that it would be necessary to purchase additional shrubbery and that the total cost of the beautification work would not cost more than \$500.00; now, therefore,

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

THAT the sum of \$500.00 be appropriated out of the Library Bond Fund for the purpose above stated.

The above resolution was adopted by the following vote: Ayes, Councilman Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

There being no further business, Councilman Mueller moved to recess, subject to call of the Mayor. Motion was seconded by Mayor McFadden and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved:

J. M. Fadden
Mayor.

Attest:

Stella McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 2, 1933.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, 3; absent, Councilmen Mueller and Steck, 2.

The Minutes of the last regular meeting were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck, absent, 2.

Mr. Henry Brooks appeared before the Council and requested the appointment of R. T. Miller as Judge of the Corporation Court of the City of Austin to fill the vacancy caused by the death of Judge Ed R. Kone, and presented a petition signed by the members of the bar of the City of Austin and Travis County, indorsing Mr. Miller for this position. Messrs. Q. C. Taylor and Emmett Shelton were also present and spoke in behalf of

Mr. Miller's appointment.

Dr. Howard Granberry appeared before the Council and requested the purchase of additional equipment for the City Hospital, stating the urgent need of same. The matter was referred to the City Manager and City Health Officer for attention.

Miss Margaret Williams and J. L. Rundell, owners of property in the block bounded by 23rd and 24th Streets and San Gabriel and Leon Streets, appeared before the Council and requested that the alley in this block be opened. The matter was referred to the City Attorney for investigation and report back to the Council.

Messrs. V. H. Pannell and Joe Amstead appeared before the Council and asked that the assessment against the furniture and fixtures belonging to the Texas Federation of Labor for the year 1932, amounting to \$2.02, be cancelled and that hereafter said property be exempt from taxation for the reason that this is a non-profit making institution and has not been subject to taxation while having its headquarters in other cities. The matter was referred to the City Manager to have a resolution granting this request prepared for adoption at the next regular meeting of the Council.

The Mayor laid before the Council the following resolution:

WHEREAS, in August, 1929, the City of Austin purchased a certain piece of property located at East Avenue and Fourteenth Street, for the sum of \$8,000.00, and paid for same out of the proceeds of the Parks and Playgrounds Bond Fund; and

WHEREAS, this property will not be used for a park, but has been set aside for a building site for the Nurses' Home for the City Hospital; now, therefore,

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

THAT the purchase price of this property, amounting to \$8,000.00, be refunded to the Parks and Playgrounds Bond Fund, and the sum of \$8,000.00 be and the same is hereby appropriated out of the Contingent Fund of the General Fund for such purpose.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

A letter from W. P. Hennartz, Pastor of St. Mary's Church, thanking the City Manager and City Council for the installation of a street light at the intersection of Tenth and San Jacinto Streets, was read and filed.

The Mayor laid before the Council the following 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 purchase, in the name of the City of Austin, from D. A. Gregg and Lorene Gregg, husband and wife, for the consideration of One Thousand (\$1,000.00) Dollars in cash, and the assumption for payment by the City of Austin of the cost of pavement abutting on the particular land hereinafter described and assessed against same, and upon the condition that good title be shown to said land, upon examination by the City Attorney, for road and park development purposes, and upon delivery to the City of the owner's General Warranty Deed, the following land, to-wit:

A portion of Outlot 6, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Outlots on file in the General Land Office of the State of Texas, and also being a portion of that certain tract or parcel of land which was conveyed to D. A. Gregg, according to Travis County Deed Records, Volume 238, Page 190, Beginning at an iron stake on the north line of West Twelfth Street, and on the south line of Outlot Number 6, Division "E", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Outlots on file in the General Land Office of the State of Texas, and from which point of beginning an iron pipe stake at the southwest corner of that certain tract or parcel of land which was conveyed to Walter Staehely, according to Travis County Deed Records, Volume 388, Page 439, bears S. 70°44' E. 218.5 feet, and also from which point of beginning a concrete monument on the centerline of West Twelfth Street and over the west abutment of the concrete bridge over Shoal Creek bears N. 87°34' W. 140.6 feet; thence S. 70°44' E. 30.0 feet following said north line of West Twelfth Street and said south line of Outlot 6,

Division "E", to an iron stake; thence N. 12°57' W. 147.7 feet to an iron stake on the south line of an alley; thence N. 70°44' W. 30.0 feet following the south line of said alley to an iron stake; thence S. 12°57' E. 147.7 feet to the place of the beginning, containing 3749 square feet of land.

BE IT FURTHER RESOLVED:

THAT the sum of \$1,000.00 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund, for the purpose above mentioned, and that a warrant in said amount issue therefor, payable to D. A. Gregg and Lorene Gregg, and to be delivered to said parties after approval of title to said land by the City Attorney, and delivery by said parties of their general warranty deed to said land.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

The application of K & B Storage Company, by D. W. Smith, for permit to install a gasoline pump and tank for private use only at the corner of 4th and San Jacinto Streets, was read.

The Mayor then laid before the Council the following:

"Austin, Texas, February 1, 1933.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

Whereas, on February 1, 1933, Mr. D. W. Smith, for the K & B Storage Company, made application for a permit to install one five-hundred-gallon underground gasoline storage tank and one ten-gallon blind type pump at 301 East Fourth Street; and

WHEREAS, the location is within the "C" Commercial Use District according to the zoning map of the City of Austin, Texas; and

Whereas, Mr. D. W. Smith proposes to make such gasoline equipment installation and operation in accordance with all City ordinances and plans to use such equipment for private use only; therefore, we recommend that Mr. D. W. Smith be granted a permit by the City Council for the installation of the above mentioned equipment.

(Sgd) Orin E. Metcalfe,
City Engineer.

G. S. Moore, Building Inspector. "

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

THAT the City Council of the City of Austin hereby approves 301 East Fourth Street as a location for the installation of a tank and pump for the handling of gasoline for private use only and hereby authorizes D. W. Smith to install and operate such equipment at this location, such equipment to be located at least ten feet from any property line and outside of all buildings and provided that D. W. Smith shall not use such pump for the sale of gasoline or the servicing of any cars other than the K & B Storage Company's cars. The installation and operation of such equipment shall be in accordance with all City ordinances and also in accordance with the attached recommendations and a permit for the same shall be secured from the City Building Inspector as provided by Ordinance and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this equipment after full compliance with all the provisions of this resolution and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained, if after hearing, it is found by the City Council that Mr. D. W. Smith has failed and refused and will continue to fail and refuse to perform any such conditions,

regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

Mayor McFadden moved that the Council express its sincere appreciation to Judge Houghton Brownlee for his volunteer services as Corporation Judge during the illness of Judge Ed R. Kone. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

Councilman Gillis nominated Jesse W. Maxwell as Corporation Judge to fill the unexpired term of Judge Ed R. Kone, deceased. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

The Mayor then administered the oath of office to the said Jesse W. Maxwell and he was duly sworn in as Judge of the Corporation Court.

Mayor McFadden laid before the Council the following resolution and moved that a page of the Minutes of this meeting be set aside for the recording of same. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

RESOLUTION OF RESPECT

Judge Ed R. Kone is dead.

He was a distinguished citizen of Texas, and died in the 85th year of his age, while in the service of the City of Austin as Judge of the Corporation Court.

His long life was spent in useful and worthy deeds.

He was a gentleman of the old school, and was possessed of a rare and attractive personality.

He was a cultured lawyer, and thus brought to his every responsibility the value of his fine intelligence.

The City Government has lost an able official, and the community a good citizen and neighbor.

Therefore, the City Council of the City of Austin expresses in this wise its high esteem of Judge Kone during his life, and its sorrow at his death; and begs to extend to his wife and children its profound sympathy, and to join with them in this hour of bereavement.