

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 24, 1923.

The Minutes of the last meeting were read and upon motion of Councilman Avery were adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; absent, none.

Mayor Yett introduced the following resolution:

WHEREAS, The Highland Presbyterian Church owns a lot or parcel of land situated in the City of Austin, Travis County, Texas, and being 50 x 100 feet of Outlot No. 72, in Division "D" of said City and being situated at the northwest corner of the intersection of 29th and Pearl Streets, and being the same property conveyed by R. M. Castleman to the Cumberland Presbyterian Church of Austin, Texas, on January 10, 1899, by deed recorded in Book No. 158, page 278, of the Deed Records of Travis County, Texas, to which reference is made for better description; and

WHEREAS, said property has been carried upon the tax rolls of the City of Austin for and since the year 1899 as being exempt from taxes on account of same being used solely for church or religious purposes; and

WHEREAS, a question has arisen as to whether or not said property has been, during all of said period, so used for religious purposes so as to be exempt from the payment of taxes; and

WHEREAS, this matter has been called to the attention of the City Council of the City of Austin, and said City has investigated the facts concerning the same and finds as a fact, after such investigation and after considering the evidence produced before it, that said property was, during all of said period, used exclusively for church purposes and for public worship, and that same was not, during any of said period, leased or otherwise used with a view to profit;

Therefore,

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

That the findings of the Council as aforesaid be spread upon the Minutes of said Council and that it be declared as a finding of the Council that the above described property during the period above mentioned was exempt from the payment of taxes and that no delinquent taxes now exist against same and none are properly chargeable against same, and that a certified copy of this resolution be furnished the Highland Presbyterian Church, the present owner of said property.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Searight introduced the following resolution:

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

That the fine and costs recently imposed in the Corporation Court on Earl Burkhalter, amounting to Eight Dollars and Eighty Cents (\$8.80), be and the same are hereby remitted, and the City Clerk is instructed to issue a warrant in favor of said Burkhalter in said amount to refund said amount heretofore paid into the City Treasury by said Burkhalter.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, and Searight, 3; naves, Councilmen Haynes and Nolen.

*The foregoing pages Nos. 123, 124, 125, & 126 were taken from Ordinance Book 9 by mistake.*

Upon the recommendation of Capt. J. H. Rogers, City Marshal, Councilman Nolen nominated C. L. Woodward, G. W. Brummett, Earl D. McCullough, M. Smith, and J. D. Talley as special policemen. Nominations were confirmed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes and Searight, 4; naves, none, Councilman Nolen not voting.

Councilman Avery moved that the Baker Hotel Company, Inc., be authorized to fill the old fire cistern belonging to the city on East 7th Street, said work to be done under the supervision of Councilman Searight and City Engineer C. E. Leonard. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Nolen introduced the following resolution:

WHEREAS, it has been shown to the satisfaction of the City Council that W. J. Kirk is not responsible for the running at large of his certain milch cows on May 10, 1923, which cows were impounded and pound fees amounting to Fifteen Dollars (\$15.00) charged against same,

Therefore,

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

That said pound fees, amounting to Fifteen Dollars (\$15.00), be and the same are hereby remitted.

The above resolution was adopted by the following vote: Ayes, Mayor Yett Councilmen Avery, Haynes, Nolen and Searight, 5; naves, none.

Councilman Haynes introduced the following resolution:

WHEREAS, it appears from statement of A. W. Townsend, Deputy Assessor, former Chairman of the Board of Equalization, herewith attached, that under the Unit System an error was made in placing a value of \$400.00 on the improvements situated on the rear of Lot 8, Block 98, owned by Francis Nillson, as the value shown by the original assessment slip of the Unit System is only \$145.00, showing plainly a clerical error,

Therefore,

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

That the Assessor and Collector be and he is hereby instructed to correct the error on his rolls for 1922, making the valuation \$145.00 instead of \$400.00, and take credit for the difference.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Nolen, Haynes and Searight, 5; naves, none.

Councilman Haynes introduced the following resolution:

WHEREAS, in view of statement of A. W. Townsend, Deputy Assessor, herewith attached, that the records of the Unit System show that an error was made in placing the valuation for assessment on the improvements situated on Lots 1, 2 and 3, Block "D", Fairview Park, owned by J. B. Benson, at \$1130.00, instead of \$65.00, shown by the Unit System slip to have full value of \$100.00 being an old barn or stable, and that it appears the error was made by placing a double assessment of \$1065.00 on the residence situated on said lot,

Therefore,

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

That the Assessor and Collector be and he is hereby instructed to correct the error on his rolls for 1922 by reducing the valuation of \$1130.00 to \$65.00 and take credit for the difference.

The above resolution was adopted by the following vote: Ayes, Mayor

Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; nays, none.

Councilman Haynes introduced the following resolution:

WHEREAS, according to attached statement of H. P. N. Gammel, certified as correct by C. N. Avery and A. W. Townsend, members of the Board of Equalization for 1922, an error appears to have been made in raising the valuation on the stock of Gammel's Book Store from \$5,250.00, as rendered for taxes of said year, and agreed on by said Board, to \$7500.00, the misunderstanding having been caused by agreement that the valuation would be increased to at least \$7500.00 for 1923 if the \$5250.00 according to inventory of January 1st, 1922, was accepted as the value of the stock for assessment for said year,

Therefore,

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

That the Assessor and Collector be and he is hereby instructed to change the valuation on his rolls for 1922, accordingly to \$5250.00 as rendered and take credit for \$2,250.00, amount of reduction.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; nays, none.

Councilman Haynes introduced the following resolution:

WHEREAS, according to statement herewith attached, an error was made under the Unit System in placing a valuation of \$995.00 for assessment on the improvements situated on Lot 8, Outlot 3, Division "Z", owned by Geo. Ezell, while in fact the slip as shown by the Unit System figures out the full value of said improvements as \$750.00, which with one-third off, makes \$500.00, the correct amount for assessment, instead of \$995.00,

Therefore,

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

That the Assessor and Collector is hereby instructed to correct the assessment on his rolls for 1922 and take credit for \$495.00 reduction erroneously assessed by clerical error.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; nays, none.

Councilman Nolen introduced the following ordinance:

AN ORDINANCE PROHIBITING THE STANDING OF VEHICLES UPON EAST SEVENTH STREET BETWEEN CONGRESS AVENUE AND THE ALLEY EAST OF SAME, IN THE CITY OF AUSTIN, AND PROVIDING A PENALTY.

The ordinance was read the first time and on motion of Councilman Haynes the rule was suspended and said ordinance was passed to its second reading by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; nays, none.

The ordinance was read the second time, and on motion of Councilman Haynes the rule was suspended and said ordinance was passed to its third reading and final passage by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; nays, none.

The ordinance was read the third time and passed finally by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen and Searight, 5; nays, none.

The Council then adjourned.