

rule be suspended and the ordinance placed on its second reading. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen, and Searight, 4; nays, none, Councilman Avery absent.

The ordinance was read the second time and Councilman Haynes moved a further suspension of the rule and the ordinance placed on its third reading and final passage.

The ordinance was read the third time and Councilman Haynes moved that same do now finally pass. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes, Nolen, and Searight, 4; nays, none, Councilman Avery absent.

The Council then recessed.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, December 8th, 1925.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Haynes, Nolen, and Searight, 4; absent, Councilman Avery.

The following ordinance was laid before the Council:

AN ORDINANCE REGULATING THE INSPECTION, SALE AND DELIVERY OF MEAT, THE ESTABLISHMENT AND OPERATION OF MEAT ESTABLISHMENTS AND SLAUGHTERING ESTABLISHMENTS, AND PROVIDING FOR THE LICENSING THEREOF, PROVIDING FOR A MEAT INSPECTOR, SPECIFYING FEES FOR INSPECTION, PRESCRIBING A PENALTY FOR THE VIOLATION OF THE ORDINANCE, AND REPEALING ALL ORDINANCES IN CONFLICT.

After a full public hearing upon the above ordinance, the Council took same under advisement.

The Council then adjourned.

Joel Hornsby
City Engineer

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 10, 1925.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Avery, Haynes, and Searight, 4; absent, Councilman Nolen.

The Minutes of the last meeting were read and Councilman Haynes moved that same be adopted as read. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Searight, 4; nays, none, Councilman Nolen absent.

The communication of J. E. Bowles to buy Lot No. 1, Block 139, from the City was read and laid on the table.

The petition of W. S. Crawford and other residents of Hyde Park was read and upon motion of Councilman Haynes was referred to the City Engineer for his report back to the Council. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Searight, 4; nays, none, Councilman Nolen absent.

Councilman Searight introduced the following ordinance:

AN ORDINANCE GRANTING THE HOUSTON & TEXAS CENTRAL RAILROAD COMPANY THE RIGHT TO EXTEND ITS SEWER DRAINAGE PIPE AND TO CONSTRUCT AND MAINTAIN A DRAINAGE SEWER PIPE NOT LESS THAN TWELVE INCHES IN DIAMETER FROM THE CORNER OF THIRD AND CANADIAN STREETS IN A SOUTHERLY DIRECTION AND ALONG THE WEST LINE OF SAID CANADIAN STREET TO THE SOUTH LINE OF GARDEN STREET; THENCE IN AN EASTERLY DIRECTION ALONG GARDEN STREET UNTIL IT ENTERS ON THE EDGE OF THE PROPERTY OF THE CITY SEWERAGE DISPOSAL PLANT; THENCE IN A SOUTHERLY DIRECTION TO A POINT APPROXIMATELY FIFTY (50) FEET SOUTH OF THE SOUTH LINE OF HOLLY STREET, THE SAME TO EMPTY IN AN OPEN DITCH LEADING TO THE RIVER AT SAID POINT.

The ordinance was read the first time and Councilman Haynes moved that the rule be suspended and the ordinance be placed on its second reading . Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes and Searight, 4; naves, none, Councilman Nolen absent,

The ordinance was read the second time and Councilman Haynes moved that the rule be further suspended and the ordinance be placed on its third reading and final passage. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Searight, 4; naves, none, Councilman Nolen absent.

The ordinance was read the third time and Councilman Haynes moved that same do now finally pass. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Searight, 4; naves, none, Councilman Nolen absent.

The Council then recessed until 2:30 P. M.

AFTERNOON SESSION

Present, Mayor Yett, Councilmen Avery and Haynes, 3; absent, Councilmen Nolen and Searight, 2.

The following resolution, after having laid over for one week, was read and adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery and Haynes, 3; naves, none, Councilmen Nolen and Searight absent:

RESOLUTION ORDERING THE IMPROVEMENT OF A PORTION OF FOURTH STREET IN THE CITY OF AUSTIN, TEXAS, AND APPROVING THE SPECIFICATIONS, PROPOSAL, CONTRACT AND BOND THEREFOR.

Whereas, it is deemed necessary to improve the following streets of the City of Austin within the following limits, to-wit:

East Fourth Street, from the east line of its intersection with Brazos Street to the east line of its intersection with Congress Avenue; and West Fourth Street, from the west line of its intersection with Congress Avenue to the west line of its intersection with Colorado Street; and

WHEREAS, the City Engineer of the City of Austin has this day filed with the City Council complete specifications for the performance of the said work by paving the said streets within the limits above named with Uvalde Rock Asphalt; and

WHEREAS, W. E. Dozier has filed with the City Council his proposal to do said work at and for the following prices, to-wit:

TWO AND One-half inches lean rock Asphalt, according to specifications "A", and one and one-half inches of hot rock Asphalt, according to specifications "C", with five years maintenance guaranty, said specifications being on file as aforesaid, per square yard -----\$2.10;

and

WHEREAS, the City Attorney has prepared a contract for said work between the City of Austin and said W. E. Dozier, and also a bond for the construction and maintenance of said work by said Dozier with the National Surety Company of New York as surety, and has submitted both of said instruments to the City Council therefore,

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

1. That the said street be improved by paving the same between gutters with the Uvalde Rock Asphalt pavement, as aforesaid, within the limits above named. all as set forth in said specifications.
2. That the said specifications for said work, as prepared and filed by the City Engineer, be and the same are hereby adopted and that the said proposal of the said W. E. Dozier to perform said work be and the same is hereby accepted, and that said work be let to said Dozier, and that the contract, as prepared and submitted by the City Attorney for the performance of said work on said streets, be and the same is hereby approved, and that the Mayor of the City of Austin be and he is hereby directed upon the taking effect hereof to execute said contract on behalf of the City of Austin and in its name, and the City Clerk to attest the same with the impress of the corporation seal; that the form of construction and maintenance bond, as prepared and submitted by the City Attorney for execution by said W. E. Dozier in connection with the work of improving said streets within said limits, be and the same is hereby approved, and that the National Surety Company of New York be and the same is hereby approved as the surety thereon, and that said bond be accepted by the City upon execution thereof by said principal and surety.
3. That the costs of said improvement on said streets within said limits shall be paid as follows, to-wit:

The City of Austin shall pay to said W. E. Dozier the whole cost of improving the intersections of other streets and alleys with said streets named to be improved, except so much thereof as may be occupied by the rails and tracks of the International-Great Northern Railway Company and twelve inches on the outside of said rails.

The International-Great Northern Railway Company shall pay to said W.E. Dozier the cost of improving said streets between and inside of all of its rails and tracks and twelve inches on the outside thereof upon all portions of said street named to be paved occupied by said tracks;

The remainder of the cost of improving the streets herein named to be improved shall be paid to said W. E. Dozier by the owners of property abutting thereon, and shall be assessed against them and their property, respectively, in accordance with the terms of the charter and ordinances of the City of Austin; provided, that no assessment shall be made against any owner or his property in excess of the actual benefits to said property in enhanced value by means of said improvements, nor until notice to and hearing for said owners is had before the City Council, as provided by said charter and ordinances.
4. That payments to said W. E. Dozier for the performance of said work, as above

provided, shall be made in accordance with said contract and specifications hereby adopted.

5. That this resolution shall remain on file with the City Clerk for public inspection for one week before the final passage or adoption thereof, and shall then be finally adopted.

The following report of the City Engineer was read and ordered filed:

"REPORT OF CITY ENGINEER AS TO PAVING ASSESSMENT
ON A PORTION OF EAST AND WEST FOURTH STREET IN THE
CITY OF AUSTIN, TEXAS.

December 10, 1925.

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

I herewith submit to you my report as to proposed improvements upon a portion of East and West Fourth Streets, from the East line of Brazos Street to the East line of Congress Avenue, and from the West line of Congress Avenue to the West line of Colorado Street, all the area of those portions of Fourth Street to be improved, being shown on the original township map of the City of Austin, Texas, as follows, to-wit:

I estimate the total cost of said improvements in accordance with the contract and specifications therefor in the sum of \$11,879.20.

I estimate the cost of said improvements to owners of abutting property per linear , or front foot of such abutting property at \$3.65.

I estimate a total of 2,426 square yards to be that portion of the street assessable against the International-Great Northern Railway Company, due to the fact that they have three tracks along certain portions of this street, and that the cost on the above yardage at the contract price of \$2.10 per square yard will amount to \$5,094.50.

The names of the persons, estates, or corporations owning the abutting property on that portion of Fourth Street to be improved, with a description of their property, and the amounts payable by each owner, are as follows, to-wit:

FROM EAST TO WEST ON SOUTH SIDE OF STREET:

| <u>Owner</u> | <u>Lot No.</u> | <u>Block No.</u> | <u>Front Feet</u> | <u>Rate</u> | <u>Total</u> |
|----------------------------------------------------|----------------|------------------|-------------------|-------------|--------------|
| Houston & Texas Central Railroad Co (Right of Way) | 7 | 30 | 160 | \$3.65 | \$584.00 |
| McKean-Eilers Co. (Inc) | 6 | 30 | 160 | \$3.65 | \$584.00 |
| Mrs. Prudence Rosengren | 6 | 29 | 160 | \$3.65 | \$584.00 |
| Mrs. Emma Davis | 7 | 29 | 160 | \$3.65 | \$584.00 |

FROM EAST TO WEST ON NORTH SIDE OF STREET

| <u>Owner</u> | <u>Lot No.</u> | <u>Block No.</u> | <u>Front Feet</u> | <u>Rate</u> | <u>Total</u> |
|-----------------------------------------------------|----------------|------------------|-------------------|-------------|--------------|
| A. F. and A. J. Martin | 12 | 42 | 160 | \$3.65 | \$584.00 |
| E. H. Perry | 1 | 42 | 160 | \$3.65 | \$584.00 |
| Alfred Smith | 1 | 43 | 160 | \$3.65 | \$584.00 |
| John H. Chiles and Estate of E. P. Wilmot, deceased | 12 | 43 | 160 | \$3.65 | \$584.00 |

I estimate that the City of Austin is justly entitled to bear the expense of street and alley intersections amounting to 1,006 square yards at \$2.10 per square yard, making a total for the City of \$2,112.60.

Respectfully submitted,

(Sgd) C. E. Leonard,

City Engineer. "

Councilman Searight introduced the following resolution:

RESOLUTION APPROVING CITY ENGINEER'S REPORT CONCERNING IMPROVEMENTS ON A PORTION OF FOURTH STREET, IN THE CITY OF AUSTIN, TEXAS, AND DIRECTING A HEARING TO PROPERTY OWNERS CONCERNING THE ASSESSMENT FOR A PART OF THE COST OF SUCH IMPROVEMENTS AGAINST THEM AND THEIR PROPERTY, FIXING A TIME FOR SAID HEARING, AND DIRECTING THAT NOTICE BE GIVEN TO SAID PROPERTY OWNERS CONCERNING SAID HEARING.

WHEREAS, the City Council of the City of Austin has heretofore determined to improve East Fourth Street, from the east line of its intersection with Brazos Street to the east line of its intersection with Congress Avenue; and West Fourth Street from the west line of its intersection with Congress Avenue to the west line of its intersection with Colorado Street, in the City of Austin, Texas, by paving the same with Rock Asphalt, and has adopted specifications for said work, and has entered into contract for same with W. E. Dozier; and

WHEREAS, the City Engineer of the City of Austin has this day filed his report in writing with the City Council showing the total cost of said improvements upon said street, the amount per front foot of abutting property to be paid by the owner thereof, and also the names of the persons, estates and corporations owning property abutting said improvements, with his description of their property, and a statement of the total amount payable by each of said owners for said improvements; and

WHEREAS, the City Council has examined said report and finds same correct; and

WHEREAS, the necessity exists that a portion of the costs of said improvements should be assessed against said property owners and their property, subject to the terms of the Charter of the City of Austin and the ordinances in such cases made and provided, and after the notice and hearing provided by said Charter and ordinance, now, therefore,

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

SECTION 1. That said report of the City Engineer be and the same is hereby approved and adopted.

SECTION 2. That a portion of the cost of making said improvements shall be assessed against the owners of property and against the property abutting on East Fourth Street from the east line of its intersection with Brazos Street to the east line of its intersection with Congress Avenue, and West Fourth Street from the west line of its intersection with Congress Avenue to the west line of its intersection with Colorado Street, all in the City of Austin, Texas; that said assessments shall be made at the rate of \$3.65 per front or linear foot of such property for paving, in accordance with the "Front Foot Rule or Plan" and in proportion to the frontage in that block to be paved; provided, that the cost of said improvements to be assessed against said owners and their property shall not include that area between and under the rails and tracks of the International-Great Northern Railway Company and 12 inches on the outside thereof, which cost shall be paid by said Railway Company; and provided further, that if said rule of apportionment shall appear to the City Council to be unjust or unequal in any particular case or to result in an assessment in excess of the

benefits received through said improvements by any owner or his property, the City Council shall adopt such rule of apportionment as shall effect substantial equality and justice between said property owners, considering benefits received by and burdens imposed upon said owners, and that in no event shall any assessment be made in excess of the actual benefits received by the owners of said property through the enhanced value thereof by means of said improvement.

Section 3. That a hearing shall be given before the City Council to said property owners on the 17th day of December, A. D. 1925, at 10 o'clock A. M., at the City Hall in the City of Austin, Texas, at which hearing said property owners, their agents or attorneys, shall be fully and fairly heard as to all matters concerning the said improvements, or any irregularity or invalidity in the proceedings with reference thereto, or as to the benefits thereof, if any, to their property, and as to the assessments proposed to be made against them and their property, and as to any other matter or thing connected therewith; at which hearing said owners shall have the right to produce witnesses and testimony, and which hearing may be adjourned from time to time and from day to day until all are fully heard, and all matters in connection with said improvements and assessments fully ascertained; that after said hearing shall be closed, the City Council will proceed to assess against owners of property upon said Street and their property, who shall agree with the City Council upon said assessments, such sums as may be so agreed upon and determined as provided by the City Charter and said ordinance; that as to any such property owners who may not so agree, the City Council will, after said hearing, take the necessary legal steps for the appointment of a commission to determine said assessments, and will take such further steps in the ascertainment thereof as are provided by the City Charter and ordinances.

Section 4. That the Mayor of the City of Austin is hereby directed to give notice hereof to said property owners, their agents and attorneys, by publication of a copy of this resolution, not less than twice in the Austin Statesman, a daily newspaper of general circulation in the City of Austin, the first publication to be not less than five days prior to the date of said hearing, which notice by publication shall be a sufficient and legal notice.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, and Haynes, 3; naves, none, Councilmen Nolen and Searight absent.

Councilman Searight introduced the following resolution:

RESOLUTION DESIGNATING OWNERS AND THEIR PROPERTY ON WEST THIRTY-SECOND STREET, BETWEEN ITS INTERSECTION WITH GUADALUPE STREET AND ITS INTERSECTION WITH SPEEDWAY, WHO HAVE FAILED OR REFUSED TO AGREE WITH THE CITY COUNCIL AS TO THE SPECIAL BENEFITS OF IMPROVEMENT ON SAID WEST THIRTY-SECOND STREET AND APPORTIONMENT OF THE COST OF SUCH IMPROVEMENT TO BE ASSESSED AGAINST THEM, AND DIRECTING THE CITY ATTORNEY TO FILE WITH THE COUNTY JUDGE OF TRAVIS COURT A STATEMENT THEREOF.

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

WHEREAS, the City Council has heretofore ordered the improvement of West 32nd Street, from the east line of its intersection with Mezepps Drive, otherwise known as Guadalupe Street, to the west line of intersection of said West 32nd Street with University Avenue or Lampasas Street, and ordinarily known as Speedway, by paving the same with the Uvalde Rock Asphalt pavement, and has given a notice and hearing to the owners of property abutting thereon concerning the benefits of the said improvement and the amount and proportion of the costs thereof to be assessed against them; and

WHEREAS, the said hearing has been held and all of said owners have been given an opportunity to be heard before the City Council concerning the said matters; and

WHEREAS, some of said owners have agreed and consented with the City Council concerning the benefits of said improvement to their property and the amount to be assessed against same; and

WHEREAS, others have failed or refused to agree with the City Council as to the special benefits of said improvement and the amount and apportionment of the cost thereof to be assessed against them and their property; and

WHEREAS, said improvement has been fully completed and accepted by the City of Austin; now therefore,

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

1. That the City Council does hereby designate the following property owners and their property, who have failed and refused to agree with the City Council concerning the said matters, the names of the said property owners, the description of their property by Lot and Block Number, and their address, so far as known, and the amounts proposed to be assessed against them and their property, being as follows, to-wit:

Name of owner, Mrs. Alberta Staehely; description of property, Lot 65 and 19 feet off of the West side of Lot 67, Block 7, of Aldridge Place, a subdivision of part of Outlots 73 and 74, Division "D", in the City of Austin, Texas; address of owner, Austin, Texas; amount proposed to be assessed, \$199.94.

2. That the City Attorney is hereby directed to file with the County Judge of Travis County, Texas, a statement hereof as provided by Section 4 of the certain ordinance in such case made and provided, passed by the City Council of the City of Austin on February 23, 1911; and further, to take such steps for the appointment of Commissioners and for the determination of the amounts of said assessments as are provided by the said ordinance.

3. That this Resolution shall take effect from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery and Haynes, 3; naves, none, Councilman Searight and Nolen absent.

Councilman Haynes introduced the following resolution:

RESOLUTION DESIGNATING OWNERS AND THEIR PROPERTY ON WEST THIRTY-THIRD STREET, BETWEEN ITS INTERSECTION WITH GUADALUPE STREET AND ITS INTERSECTION WITH SPEEDWAY, WHO HAVE FAILED OR REFUSED TO AGREE WITH THE CITY COUNCIL AS TO THE SPECIAL BENEFITS OF IMPROVEMENT ON SAID WEST THIRTY-THIRD STREET AND APPORTIONMENT OF THE COST OF SUCH IMPROVEMENT TO BE ASSESSED AGAINST THEM, AND DIRECTING THE CITY ATTORNEY TO FILE WITH THE COUNTY JUDGE OF TRAVIS COURT A STATEMENT THEREOF.

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

WHEREAS, the City Council has heretofore ordered the improvement of West 33rd Street, from the east line of its intersection with Mezeppa Drive, otherwise known as Guadalupe Street, to the west line of intersection of said West 32nd Street with University Avenue or Lampasas Street, and ordinarily known as Speedway, by paving the same with the Uvalde Rock Asphalt pavement, and has given a notice and hearing to the owners of property abutting thereon concerning the benefits of the said improvement and the amount and proportion of the costs thereof to be assessed against them; and

WHEREAS, the said hearing has been held and all of said owners have been given an opportunity to be heard before the City Council concerning the said matters; and

WHEREAS, some of said owners have agreed and consented with the City Council concerning the benefits of said improvement to their property and the amount to be assessed against same; and

WHEREAS, others have failed or refused to agree with the City Council as to the special benefits of said improvement and the amount and apportionment of the cost thereof to be assessed against them and their property; and

WHEREAS, said improvement has been fully completed and accepted by the City of Austin; now therefore,

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

1. That the City Council does hereby designate the following property owners and their property, who have failed and refused to agree with the City Council concerning the said matters, the names of the said property owners, the description of their property by Lot and Block Number, and their address, so far as known, and the amounts proposed to be assessed against them and their property, being as follows, to-wit:

Name of owner, Mrs. R. L. Bewley; description of property.

Lot 16 and Lot 14 less the East 13 feet of same, in Block 2, of Aldridge Place, a subdivision of part of Outlots 73 and 74, Division "D", in the City of Austin, Texas; address of owner, Austin, Texas; amount proposed to be assessed, \$153.20.

2. That the City Attorney is hereby directed to file with the County Judge of Travis County, Texas, a statement hereof as provided by Section 4 of the certain ordinance in such case made and provided, passed by the City Council of the City of Austin on February 23, 1911; and further, to take such steps for the appointment of Commissioners and for the determination of the amounts of said assessments as are provided by the said ordinance.

3. That this Resolution shall take effect from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery and Haynes, 3; naves, none, Councilmen Nolen and Searight absent.

Councilman Haynes introduced the following resolution:

WHEREAS, on August 27, 1925, the City Council passed a resolution authorizing and instructing the City Attorney and J. W. Maxwell, special Tax Attorney, to enter into an agreement with the defendants in Cause No. 41759, entitled City of Austin vs . Mrs. Virginia C. Carter et al, pending in the District Court of Travis County, Texas, to settle said suit according to the proposition of said defendants, and that such settlement be evidenced by an agreed judgment to be entered in said cause; and

WHEREAS, it is recited in said resolution that said suit was for city taxes upon Lots Numbers 5 and 6, in Block No. 9 , City of Austin, Texas, for the years of 1902 to 1922, both inclusive, whereas the proposition of said defendants included settlement for said years but also included the years 1923 and 1924; and

WHEREAS, the proposition to settle said suit for the sum of \$3500.00, together with all costs incurred in said suit and other city tax suits on said property that may be pending, was accepted at the time of the passage of said resolution, with the understanding that such settlement would include all the

years above stated, and therefore an error was made in said resolution to the extent of not including the years of 1923 and 1924; now therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney and J. W. Maxwell, special Tax Attorney, be and they are hereby authorized and instructed to amend the plaintiff's petition in said suit to the extent of including a demand for the taxes of 1923 and 1924, and they are further instructed to enter into an agreement with the defendants in said suit to settle said suit according to the proposition of said defendants hereinabove set out, and that such settlement be evidenced by an agreed judgment to be entered in said cause.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery and Haynes, 3; naves, none, Councilmen Nolen and Searight absent.

Councilman Haynes introduced the following resolution:

Whereas , in cause No. 42060 in the District Court of Travis County, Texas, the City of Austin has sued Geo. S. Dowell and wife, Hattie L. Dowell, and John C. Butler, for taxes due the City of Austin on Lots Nos. 3 and 4, Block 14, of Original City of Austin, Travis County, Texas, for the years 1899 and 1901 to 1911, inclusive, which said taxes, together with interest, penalties and costs of suit, amount to approximately \$1750.00; and

WHEREAS, in said suit Defendants have filed their Answer and Cross-Action, in which they ask for damages against the plaintiff, City of Austin, in the sum of \$1600.00, because of damages alleged to have been sustained to their said property because of the matters and things therein stated, relating to washing away of the bridge over Waller Creek at a point close to said property; and

WHEREAS, the City Council of the City of Austin has made inspection of said property and of the conditions complained of, and finds that a damage to such property does exist; and

WHEREAS, said defendants have made a proposition to settle said suit, together with their cross action and claim for damages, and to pay to the City the sum of \$1100.00 in cash; and

WHEREAS, the City Council deems it expedient and proper that settlement of said suit, as proposed by the defendants, be made,

Now, therefore,

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

That the City Attorney and J. W. Maxwell, Special Tax Attorney, be and they are hereby authorized and instructed to enter into an agreement with the defendants in said suit to settle said suit according to the proposition above set out, and that such settlement be evidenced by an agreed judgment to be entered in said cause.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery and Haynes, 3; naves, none, Councilmen Nolen and Searight absent.

The Council then adjourned.

J. W. Maxwell
 City Attorney