

up Nueces street from 16th street to 19th street, as this day presented to the City Council of the City of Austin, Texas, by the Supt of Streets and Public Improvements, be and the same are hereby adopted and approved.

2nd. That the Supt of Streets and Public Improvements be and he is hereby authorized and instructed to invite bids in accordance with said plans and specifications for the construction of the said above described storm sewer with its branch sewer, as hereinabove set out, which bids must be filed with the City Clerk of the City of Austin, Texas, on or before 11 o'clock A M of Saturday April 22nd 1916.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none,

Approved, A P Wooldridge, Mayor.

The Mayor laid before the Council the following resolution :

Whereas, P J Lawless, of Austin, Texas, on February 27th 1896, made a plat of Out Lots 29 & 30, Division "D" of the City of Austin, Texas, which said map or plat was in due time filed and recorded in the deed records of Travis County, Texas, and a copy of the same deposited with the Assessor & Collector of this City; and

Whereas, said P J Lawless desires to alter, change and modify in some minor particulars, parts of said above described plat of Out Lots 29 & 30 Division "D" of the City of Austin, Texas, and, also to plat Out Lots Nos 41 & 42 Division "D" in the City of Austin, Texas, in form and manner not only advantageous to himself, but, as the City Council believes, highly advantageous and beneficial to the City of Austin and the citizens thereof; and

Whereas, no private or vested rights, as this City Council believes, have been or will be injuriously affected by said modified plat of said Out Lots Nos 29 & 30, Division "D" of the City of Austin, Texas,

Now, therefore,

Resolved by the City Council of the City of Austin, Texas :

1st. That, as a preliminary to the adoption of said modified or substituted plat of said Out Lots 29 & 30, Division "D" Oakwood, or West 22 1/2 street, as it is otherwise called, be and the same is hereby reduced in width from 60 to 50 feet, and the part of said 22 1/2 street, or Oakwood street, beginning 250 feet west of Longview street, which intersects said Oakwood or 22 1/2 street, and proceeding westwardly be and the same is hereby declared to be vacated and said declared no longer a public street or thoroughfare, and that part of the alley which lies between 22nd & 22 1/2 streets and which begins 400 feet west of Longview street in Out Lot No 29, Division "D2" and proceeding westwardly, be and the same is hereby declared vacated.

2nd. That the new plat of Out Lots 29 & 30, Division "D" ~~XXXXXX~~, to which is added a plat of Out Lots 41 & 42, Division "D", of the Out Lots of the City of Austin, Texas, made by H F Kuehne on July 30th 1915, be and the same is hereby approved and adopted by the City Council of the City of Austin, Texas.

P J Lawless
Change of
Plat

. in lieu of and as a substitute for the plat of Out Lots 29 & 30, Division "D2" of the City of Austin, Texas, surveyed and drawn by Jno W Maxcy for P J Lawless, February 27th 1896.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none,

Approved, A P Wooldridge, Mayor.

March 9th 1916:

Proving Colorado St

Resolution approving City Engineers report concerning improvements upon Colorado street from the north property line of 9th to the south curb line of 11th streets in the City of Austin, 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 a notice be given to said property owners concerning the said hearing:

Whereas, the City Council of the City of Austin has heretofore determined to improve Colorado street from the north property line of 9th to the south curb line of 11th streets in the City of Austin by paving the same with Bitulithic pavement upon gravel concrete foundation with concrete gutters along curb lines and necessary excavation, and has adopted specifications for said work and has entered into contract for the same with the Texas Bitulithic Company, a corporation; 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 the said improvements upon the said street, the amount per front foot of abutting property to be paid by the owners thereof and also the names of persons, estates, or corporations owning property abutting on said improvements, with a 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 the said report and finds the same correct; and

Whereas, the necessity exists that a portion of the cost of said improvements should be assessed against said property owners and their property, subject to the terms of the Charter of the City and the ordinance in such cases made and provided, and after notice and hearing provided by said Charter and ordinance; Now Therefore,

Be it resolved by the City Council of the City of Austin, Texas :

1. That the said report of the City Engineer be, and the same is hereby, approved and adopted .
2. That a portion of the cost of making the said improvements shall be assessed against said owners of property abutting on Colorado street from the north property line of 9th to the south curb line of 11th streets in the City of Austin and against said property; that the said assessment shall be made at the rate of \$ 3.6764 per front foot of such property in accordance with the "front foot" rule or plan in proportion as the frontage of each owner in each block of said street is to the whole frontage in that block to be improved, provided 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 case 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.

3. That a hearing shall be given before the Council to said property owners on the 16th day of March A D 1916, at 10 O'clock A M, at the Mayors office in 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 illegality or invalidity in the proceedings with reference thereto, or as to any of the benefits thereof, if any, to their property, and as to the assessment proposed to be made against them and their property, and as to any other matter or thing connected therewith. At which hearing the said owners shall have the right to produce witnesses and testimony, and which hearing shall be adjourned from time to time and from day to day until all are fully heard and all matters in connection with the said improvements and assessment fully ascertained; that after the said hearing shall be closed, said City Council will proceed to assess against owners of property upon said street and their property, who shall agree with said Council upon the said assessments, such sums as may be so agreed upon and determined as provided by the Charter of the City and the said ordinance; and that as to any other such property owners who may not so agree, the City Council will, after said hearing, appoint a commission to determine said assessments, and will take such further steps in ascertainment thereof as are provided by the Charter and ordinance.

4. That the Supt of Streets and Public Improvements of the City of Austin is hereby directed to give notice hereof to the 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 paper of general circulation in the City of Austin, the first publication to be not less than five days prior to the date of the said hearing.

5. That this resolution shall take effect from and after its passage

Adopted March 9th 1916.

The resolution was adopted by the following vote :

Yeas Mayor Woodrige, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none.

The Council then adjourned.

Geo. Johnson
City Clerk