

all the matters involved be promptly and intelligently disposed of.

Councilman Mueller moved that the above substitute resolution be adopted. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, and Steck, 3; nays, Councilman Pannell; absent, Councilman Reed.

Councilman Pannell moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The Council then recessed.

Approved: J. M. Fadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 16, 1928.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

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

That the fine in each of the following causes, convicted in the Corporation Court of the City of Austin for violation of the Parking Ordinances having been paid, the costs in each of said causes be and the same are hereby remitted:

No. 24437 - M. O. Dolan - one hour parking;
No. 24266 - C. M. Johnson - midnight parking;
No. 24296 - R. L. Slaughter - one hour parking.

Councilman Pannell moved the adoption of the above resolution. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Austin Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the street and alleys in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Austin Gas Company be and the same is hereby permitted to lay and construct gas mains in and under the following streets and alleys:

First:

A four (4") inch gas main on West Second Street Alley from a point in Nueces Street 143 feet south of and 27 feet west of the southeast corner of Nueces and West 3rd Streets to the east street line of Rio Grande Street, said line to be fifteen (15') feet south of West Second Street Alley's north line and parallel to same and to have not less than two (2') feet of covering.

Second:

A four (4") inch gas main on West 3rd Street from a point in Nueces Street intersection, fifteen (15') feet south and twenty-seven (27') feet west of the northeast corner of West 3rd and Nueces Streets intersection, to a point fifteen (15') feet south of the northeast corner of West 3rd and San Antonio Streets, said gas line to be fifteen (15') feet south of and parallel with the north line of West 3rd Street and to have not less than three and one-half (3½') feet of covering.

Third:

(a) A four (4") inch gas main on Garden and Comal Streets from a point sixty-five (65') feet west and seventeen and three tenths (17.3') feet south of the northwest corner of Garden and Comal Streets intersection and running east to a point in Garden and Comal Streets intersections, said point being thirty-five (35') feet east of and seventeen and three tenths (17.3) feet south of the northwest corner of said street intersection.

(b) Thence south along Comal Street, fifteen (15') feet west of Comal Streets east line and parallel with same to a point twenty (20') feet north and fifteen (15') feet west of the southeast corner of Comal and Garden Streets.

(c) Thence east along Garden Street, twenty (20') feet north of the south property line of said Garden Street and parallel to same to a point twenty (20') feet north of the southwest corner of Chalmers and Garden Streets, said main to have not less than three and one-half feet (3½') on Comal and two (2') feet on Garden Street of covering.

Fourth:

A gas main on West 10th Street from a point in the intersection of San Antonio and West 10th Streets, said point being twenty-seven (27') feet east of and twenty three and five tenths (23.5') feet south of the northwest corner of said West 10th and San Antonio Streets to a point twenty three and five tenths (23.5') feet south of the northeast corner of West Avenue and West 10th Street, said line being twenty-three and five tenths (23.5') feet south and parallel with the north street line of West 10th Street; to be placed under all existing storm sewers and not to have less than eighteen (18") inches of covering.

Fifth:

(a) A gas main on Jennie Street and Patterson Avenue alley from a point in the intersection of Patterson Avenue and Jennie Streets, said point being 32.5 feet west of and 4.0 feet north of the southeast corner of said Jennie Street and Patterson Avenue street lines to a point in the intersection of Jennie Street and Patterson Avenue alley said point being 4.0 feet north and 3.0 feet east of the southwest corner of the street lines of said Jennie Street and Patterson Avenue, said line being 4.0 feet north of and parallel to the south line of said Jennie Street.

(b) Thence south on Patterson Avenue alley 3.0 feet east of and parallel with the west line of Patterson Avenue alley for a distance of 114.0 feet, said line to be covered not less than eighteen (18") inches at all points.

THAT the work and laying of said gas mains, including the excavation in the streets and alleys and the restoration and maintenance of said streets and alleys after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Fannell, Reed, and Steck, 5; nays, none.

Councilman Reed asked that he be excused from the Council meeting and the request was granted.

Mayor McFadden laid before the Council a resolution granting to C. M. Bartholomew the use of certain sidewalk space in the construction of a drive-in tire station on the west side of Lavaca Street between Sixth and Seventh Streets, which resolution was passed by the Council by a vote of 4 ayes, no nays, Councilman Reed being absent, and later, upon motion of Councilman Pannell, duly seconded by Councilman Steck, was rescinded by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Paul O. Simms Company, Agent for Mrs. L. E. A. Flack, has presented the City Council tentative plans showing the proposed construction of a drive-in tire station to be located on the west side of Lavaca Street and on the south side of Fifth Street, said tire station to be upon Lot No. 7, Original City Block 53, City of Austin, and said plans and maps and a report from the City Engineer have been considered by the City Council, therefore,

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

THAT Paul O. Simms Company, Agent for Mrs. L. E. A. Flack, is hereby permitted to construct slope driveway entrances on Lavaca Street and on Fifth Street, to have in all four separate driveways, said driveways being more particularly described as follows:

Driveway No. 1:

Beginning at a point on the south side of Fifth Street, which is 66 feet west of the northeast corner of Lot 7, Block 53, City of Austin;

Thence easterly with the south line of Fifth Street, 24.5 feet;

Thence at right angles northerly 20 feet, more or less, to the curb line;

Thence westerly with the curb line 24.50 feet;

Thence southerly to the point of the beginning.

Driveway No. 2:

Beginning at a point which is 7 feet west of the northeast corner of Lot 7, Block 53, City of Austin;

Thence with the south line of West Fifth Street westerly 24.5 feet;

Thence northerly 20 feet, more or less, to the curb line;

Thence easterly with the curb line 24.5 feet;

Thence southerly 20 feet to the place of beginning.

Driveway No. 3:

Beginning at a point on the west side of Lavaca Street which is 7 feet south of the northeast corner of lot 7, Block 53, City of Austin;

Thence southerly with the west line of Lavaca Street 40.58 feet;

Thence easterly 10 feet;

Thence northerly 40.58 feet;

Thence westerly 10 feet to the place of beginning.

Driveway No. 4:

Beginning at a point on the west side of Lavaca Street, which point is 57.58 feet south of the northeast corner of lot 7, Block 53, City of Austin;

Thence southerly with the west line of Lavaca Street 44.42 feet;

Thence easterly 10 feet;

Thence northerly 44.42 feet;

Thence westerly 10 feet to the place of beginning.

THAT said driveways shall be constructed of concrete in accordance with city ordinance referring to concrete curb and sidewalk work and that the radius of all curves of said driveway shall be in accordance with the instructions of the City Engineer.

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

Mayor McFadden laid before the Council the following resolution:

WHEREAS, on the 17th day of December, 1927, in cause number 43924, in the District Court of Travis County, Texas, Richard R. Yett, and others, recovered judgment against the City of Austin, in the sum of \$3418.14, together with interest thereon from the date of judgment at the rate of six percent per annum, which judgment is for principal, interest and attorneys' fee upon a certain promissory note, dated June 10, 1926, and payable December 31, 1926, in the principal sum of \$2851.44, executed by W. D. Yett, as Mayor of the City of Austin, bearing six percent interest from its date and containing the usual stipulations for attorneys' fee, said note having been given to said Richard Yett, as the attorney for sundry parties named as plaintiffs in said suit, as a refund, in the aggregate, of the various amounts paid by said parties for licenses to operate automobiles for hire, together with interest from the respective dates of the payment of said amounts to the date of the execution of said note; and

WHEREAS, said Richard R. Yett, and others, have also sued the City of Austin on another promissory note, which note is dated June 24, 1926, in the principal sum of \$1306.74, executed by W. D. Yett, as Mayor of the City of Austin, bearing six percent interest from its date and containing the usual stipulations for attorney's fee, said note having been given to said Richard R. Yett, as the attorney for sundry parties named as plaintiffs in said suit, as a refund, in the aggregate, of the various amounts paid by said parties for licenses to operate automobiles for hire, together with interest from the respective dates of the payment of said amounts to the date of the execution of said note, said suit being numbered 43925, and now pending on the docket of the District Court of Travis County, Texas; and

WHEREAS, said judgment and said note last mentioned, with interest and attorney's fee, amount in the aggregate at the present time to the sum of \$5132.72; and

WHEREAS, plaintiffs in both of the above mentioned suits have proposed to pay the Court costs in both named suits, and to settle in full both said judgment and said last mentioned note for the sum of \$4250.00; and the City Council deems it desirable and expedient to settle all the matters and demands involved in said judgment and said note upon the terms proposed; therefore,

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

THAT the sum of \$4250.00 be and the same is hereby transferred from the Water & Light Fund to the General Fund of the City of Austin, and appropriated out of the last named fund for the purpose of settling in full the matters involved in both of said suits above mentioned; and for said purpose a warrant for \$4250.00 shall issue, payable to the order of Cofer & Cofer, attorneys for plaintiffs in each of said suits, and said warrant shall be delivered to said Cofer & Cofer, attorneys, upon their delivery to the City of proper acquittances, consisting of a release and satisfaction of said judgment and the dismissal, as

settled and satisfied, of said suit now pending, and the cancellation and delivery of all notes held by the plaintiffs involved in both of said suits, and the payment by plaintiffs of all court costs incurred in both of said suits.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; Nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Frank Barron is the Contractor for the construction of a building for O. O. Norwood, to be situated on the east parts of Lots 11 and 12, in Block 53, City of Austin, and desires to occupy a portion of the street and alley abutting said premises during said construction, to be used in the work and for the storage of materials therefor; therefore,

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

1. THAT space for the uses hereinabove enumerated be granted to said Frank Barron, the boundaries of which are defined as follows: on Seventh Street, beginning at the intersection of the east and south property lines of said Lot 12, thence in a southerly direction to a point 6 feet north of the center line of Seventh Street, thence along a line making 45° with the center line of the street to the center line of the street, thence in a westerly direction along the center line of Seventh Street to a point in said street opposite a line projected across Seventh Street from the west property line of said Lot 12, thence in a northerly direction to the south property line of said lot, and thence in an easterly direction to the point of beginning; on the Alley, beginning at the intersection of the east and south property lines of said Lot 12, thence in an easterly direction to a point 14 feet west of the east alley line, thence in a northerly direction and parallel with the east property line of said Lot to a point opposite the north property line of said premises, thence in a westerly direction to the west property line of said premises, and thence in a southerly direction to the point of beginning.

2. THAT the above privileges and allotments of space are granted to said Frank Barron, hereinafter termed Contractor, upon the following express conditions:

(1) The Contractor shall erect and maintain continuously in good condition during the use of the space hereby allotted, at and along the east side of the space on Seventh Street hereinabove described, and at and along the south, east and north boundaries of the space in said alley hereinabove described, a substantial solid board fence, at least eight feet in height, of such a permanent nature that it can be removed only by wrecking.

(2) The Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, at and along the outer boundaries and within the space allotted on West Seventh Street, a board walk not less than four feet in width, with walls on each side thereof not less than eight feet in height, and with a roof, the last dimensions to be measured from the floor to the roof over said board walk. The floor of said walk shall be not less than 6 inches nor more than 12 inches above the street pavement and shall be constructed of at least $3/4$ inch boards, supported with a sufficient number of joists to prevent sagging. The inside wall of said walk shall be boarded solid with at least $3/4$ inch boards from the floor to the roof; and the outside wall of said walk shall be boarded with at least $3/4$ inch boards to a height of 4 feet above the floor. The roof over said walk shall be constructed with not less than 2 inch thick boards, supported by 2 x 4 boards not more than 4 feet on centers, these to be supported

by 4 x 4 posts, and a covering of roofing paper or similar material shall be placed over the boards composing the roof. The entrance to the walkway at each end shall be covered with boards of at least 2 inch thickness.

(3) The Contractor may maintain in the east fence of the space hereby allotted on Seventh Street, an opening, eight feet in width, for the ingress and egress of trucks and materials; provided he shall install at and in said opening a door of the sliding type, which shall not swing out toward the street, and shall maintain a guard at this opening at all times when the door is open for the purpose of warning pedestrian traffic; and provided, further, that all vehicular traffic entering said opening shall approach same from Congress Avenue, and in emerging from said enclosure such traffic shall proceed only westerly on West Seventh Street.

(4) No vehicles shall be unloaded by the Contractor while parked either on West Seventh Street or the alley, but all of the Contractor's materials shall be unloaded within the space hereby allotted.

(5) The Contractor is allowed to place and maintain a work-office and dressing-room, 12 x 20 feet in dimensions, in West Seventh Street immediately adjacent to the north curb, in front of the Motoramp Garage, at a point 18 feet east of the east line of Colorado Street.

(6) The Contractor is allowed to construct a temporary curb in the alley along the east boundary of said premises and within the allotted working space; but must restore, to the satisfaction of the City Manager, any part of the pavement of said alley that may be removed or cut before completing his work.

(7) The Contractor during his occupancy and use of the space hereby allotted, must take care of the storm water on West Seventh Street and in the alley, by adequate provision and to the satisfaction of the City Manager.

(8) The City will install, at the Contractor's expense, four rubber "Keep to the Right" signs in the street opposite said enclosed space.

(9) The Contractor, as a condition precedent to the use of the privileges herein granted, shall make sufficient bond in the sum of \$25000.00 to indemnify the City of Austin against all damages to persons, or property, arising by virtue of the privileges hereinabove granted.

(10) That the Contractor must remove all fences, barricades, walks, materials, and other obstructions from the street and alley immediately after the necessity for their existence in said street and alley has ceased, such time to be determined by the City Manager, and shall restore said streets and alley to as good condition as same existed before the use of space hereby granted to the Contractor.

The above resolution was adopted by following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE REGULATING
TRAFFIC ON A CERTAIN PORTION
OF WEST SEVENTH STREET IN THE
CITY OF AUSTIN, REPEALING ALL
ORDINANCES IN CONFLICT HERWITH,
AND PRESCRIBING A PENALTY.

The ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its third reading. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC
ON THE STREETS OF THE CITY OF
AUSTIN, REPEALING ALL ORDINANCES
IN CONFLICT HERewith AND PRESCRIBING
PENALTY.

The ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

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The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following resolution:

RESOLUTION APPROVING THE CITY ENGINEER'S REPORT
CONCERNING IMPROVEMENTS ON THE CERTAIN ALLEYS
NAMED IN THIS RESOLUTION IN THE CITY OF AUSTIN,
TEXAS; DETERMINING THE NECESSITY OF LEVYING AN
ASSESSMENT AGAINST THE OWNERS OF PROPERTY ABUTTING
ON SAID ALLEYS AND AGAINST THEIR PROPERTY; DIRECTING
A HEARING OF PROPERTY OWNERS CONCERNING THE ASSESSMENT
OF A PART OF THE COST OF SUCH IMPROVEMENTS AGAINST
SUCH PROPERTY OWNERS 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 the certain alleys hereinafter named, within the limits hereinafter named, in the City of Austin, Texas, by paving the same with six inch reinforced concrete pavement, and has adopted specifications for said work, and has entered into contract for said work with Dozier Construction Company; and

WHEREAS, the City Engineer of the City of Austin has filed his report in writing with the City Council, showing the total costs of said improvements on and upon each of said alleys, the amount per front foot of abutting property to be paid by the owner thereof, the names of the owners of the property abutting said improvements, the description of said 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 has found 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 ordinance in such cases made and provided, and after the notice and hearing provided by said charter and ordinances; 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, and ordered spread upon the minutes of the City Council.

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 said alleys respectively, all situated in the City of Austin, Texas; that said assessment shall be made at the rate hereinafter named per front or linear foot of each 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 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 improvements the certain alleys to be improved, the names of the owners of property abutting respectively thereon, the description of said property, the number of front feet owned by each said person, the amount contemplated to be assessed against each lot or parcel of property and its owner, being as follows, to-wit:

The Alley lying between Second Street and Third Street
and Colorado Street and Lavaca Street.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Walter Tips Co.	20	1	46	\$1.85918	\$ 85.52
" " "	20	2	46	1.85918	85.52
" " "	20	3	46	1.85918	85.52
" " "	20	4	46	1.85918	85.52
" " "	20	5	46	1.85918	85.52
" " "	20	6	46	1.85918	85.52
I. & G. N. Ry. Co.	20	7	46	1.85918	85.52
" " "	20	8	46	1.85918	85.52
" " "	20	9	46	1.85918	85.52
" " "	20	10	46	1.85918	85.52
" " "	20	11	46	1.85918	85.52
" " "	20	12	46	1.85918	85.52
Total					\$ 1,026.24

The Alley lying between Fourth Street and Fifth Street
and Colorado Street and Lavaca Street.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
J.O. and Otto Buas	44	1	46	\$2.04973	\$ 94.29
Mrs. Lillie Belisch	44	2	46	2.04973	94.29
" " "	44	3	46	2.04973	94.29
Mrs. Lillie Belisch	44	4	46	2.04973	94.29
Mrs. Mary Taylor	44	5	46	2.04973	94.29
" " "	44	6	46	2.04973	94.29
A. Zilker	44	7	46	2.04973	94.29
" " "	44	8	46	2.04973	94.29
" " "	44	9	46	2.04973	94.29
Myra B. Smith	44	10	46	2.04973	94.29

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
George Fiegel					
Eugene Fiegel					
Walter Fiegel					
Mary Fiegel					
Harry Fiegel					
Dorothy Fiegel					
Donald Fiegel					
Victor Fiegel					
Clarence Fiegel	44	11-12	46	\$2.04973	188.54
Total					\$ 1,131.48

The Alley lying between Fifth Street and Sixth Street
and Colorado Street and Lavaca Street.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Mrs. M.E.H. Matthews	54	1-2	64	\$2.03631	\$ 130.32
Joseph Stumpf	54	2-3	74	2.03631	150.68
"	54	4-5-6	138	2.03631	281.01
Mrs. M.S. Pendexter	54	7	23	2.03631	46.84
J. R. Hamilton	54	7-8	46	2.03631	93.67
J. O. Buas	54	8	23	2.03631	46.84
Mrs. S.M. Robertson	54	9	46	2.03631	93.67
J. R. Hamilton	54	10	23	2.03631	46.84
J. O. Buas	54	10	23	2.03631	46.84
Mrs. L. Castleman	54	11	46	2.03631	93.67
Robert Mueller	54	12	46	2.03631	93.67
Total					\$ 1,124.05

The Alley lying between First Street and Second Street
and Congress Avenue and Brazos Street.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Mary J. Butler	6	1	46	\$1.8835	\$ 86.64
"	6	2	46	1.8835	86.64
Adolph Kohn	6	3	46	1.8835	86.64
Hamilton Trust Fund	6	4	20	1.8835	37.67
Adolph Kohn	6	4	26	1.8835	48.97
"	6	5	46	1.8835	86.64
"	6	6	46	1.8835	86.64
Salvation Army	6	7	46	1.8835	86.64
"	6	8	24	1.8835	45.20
G. Flury	6	8	22	1.8835	41.44
"	6	9	46	1.8835	86.64
"	6	10	46	1.8835	86.64
Cater Joseph	6	11	46	1.8835	86.64
"	6	12	46	1.8835	86.64
Total					\$ 1,039.68

The Alley running east and west and lying between
Tenth Street and Eleventh Street and
Congress Avenue and Brazos Street.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
W.P. Allen	123	3	160	\$1.978	\$ 316.48
J.D. Miller	123	4-5-6	30	1.978	59.34
C.M. Bartholomew	123	4-5-6	80	1.978	158.24
Home Steam Laundry	123	4-5-6	50	1.978	98.90
City of Austin	123	Alley	20	1.978	39.56
County Court House	123	---	340	1.978	672.52
Total					\$ 1,345.04

The Alley running north and south and lying between
Congress Avenue and Brazos Street and
Tenth Street and Eleventh Street and the
Alley running east and west in Block 123.

Property Owner	Block	Lot	No.Ft.	Cost per lin. ft.	Total Cost
Kash and Karry	123	1	43	\$2.0418048	\$ 87.80
Mrs. D. T. Iglehart	123	2	45	2.0418048	91.88
W. P. Allen	123	3	42	2.0418048	85.76
John D. Miller	123	4-5-6	129.3	2.0418048	264.00
			Total		\$ 529.44

The Alley running north and south and lying between
Tenth Street and Eleventh Street and
Congress Avenue and Colorado Street.

Property Owner	Block	Lot	No.Ft.	Cost per lin. ft.	Total Cost.
Myra Smith and E. P. Wilmot	124	1	46	\$1.91685	\$ 88.17
Thos. M. Miller	124	2	23	1.91685	44.08
Mrs. Lillie Belisch	124	2	23	1.91685	44.08
Miss Ima Hogg	124	3	46	1.91685	88.17
Baptist Church	124	4	46	1.91685	88.17
Miss Josephine Theis	124	5-6	85.34	1.91685	163.59
Unknown Owner	124	5-6	6.66	1.91685	12.77
			Total		\$ 529.03

The Alley lying between Fourth Street and Fifth Street
and San Jacinto Street and Trinity Street.

Property Owner	Block	Lot	No.Ft.	Cost per lin.ft.	Total Cost
Herman Becker	40	1	46	\$1.986312	\$ 91.37
" "	40	2	46	1.986312	91.37
" "	40	3	46	1.986312	91.37
" "	40	4	46	1.986312	91.37
" "	40	5	46	1.986312	91.37
" "	40	6	46	1.986312	91.37
" "	40	7	46	1.986312	91.37
" "	40	8	46	1.986312	91.37
O. Smith Fuller	40	9	46	1.986312	91.37
G. W. Murray	40	10	46	1.986312	91.37
Miss Emma Barron	40	11	46	1.986312	91.37
" " "	40	12	46	1.986312	91.37
			Total		\$ 1,096.44

The Alley lying between Ninth Street and Tenth Street
and Guadalupe Street and Lavaca Street.

Property Owner	Block	Lot	No.Ft.	Cost per lin.ft.	Total Cost
F. W. Sternenberg	108	1	46	\$1.8063224	\$ 83.09
" "	108	2	46	1.8063224	83.09
H.P.M. Gammel Sr.	108	3	46	1.8063224	83.09
Mrs. Howell Bunton	108	4	46	1.8063224	83.09
" " "	108	5	46	1.8063224	83.09
" " "	108	5	46	1.8063224	83.09
Dr. R.W. Shipp	108	7	46	1.8063224	83.09
" " "	108	8	46	1.8063224	83.09
" " "	108	9	46	1.8063224	83.09
Miss L. Carrington	108	10	46	1.8063224	83.09
" " "	108	11	16	1.8063224	28.91
Tom D. Smith	108	11	30	1.8063224	54.19
" " "	108	12	46	1.8063224	83.09
			Total		\$ 997.09

The Alley lying between Guadalupe Street and
San Antonio Street and Twenty-second Street
and Twenty-third Street.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Phi Delta Theta	35	25	70	\$2.035774	\$ 142.50
" " "	35	26	70	2.035774	142.50
Mrs. T.S. Hodges	35	27	70	2.035774	142.50
F. W. McFadden	35	28	70	2.035774	142.50
Highland Presby. Ch.	35	29	70	2.035774	142.50
" " "	35	30	70	2.035774	142.50
" " "	35	30½	47½	2.035774	96.70
Y.Y.C.A.	35	31	70	2.035774	142.50
" " "	35	31½	47½	2.035774	96.70
Mrs. M. Cavanaugh	35	32	70	2.035774	142.50
Miss W. J. Birge	35	33	70	2.035774	142.50
Dill and Brown	35	34	64½	2.035774	131.31
University Co-op	35	35	43½	2.035774	88.56
Minnie G. Dill	35	36	52	2.035774	105.86
C. G. Wukasch	35	37	50	2.035774	101.79
Total					<u>\$1,903.44</u>

SECTION 3. THAT a hearing shall be given before the City Council to said property owners on the first day of March, A. D. 1928, 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 are fully ascertained; that after said hearing shall be closed, the City Council will proceed to assess against the owners all property upon said alleys and against the property who shall agree with the City Council upon the said assessments, such sums as may be so agreed upon and determined, as provided by the city charter and said ordinances; 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 pertinent ordinances.

SECTION 4. THAT the City Manager 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 being published shall be a sufficient and legal notice.

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

Mayor McFadden laid before the Council the following report of the City Engineer:

"Austin, Texas, February 15, 1928.

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

Dear Sir:

The Southwestern Bell Telephone Company has made application for permit to lay cable line under the alleys between Fourth and Fifth, Colorado and Lavaca Streets and Fifth and Sixth, Colorado and Lavaca Streets. The Telephone Company was officially notified several months ago that if they desired to lay conduits in these alleys to do so before we paved, and we were not notified until after the paving was completed. I recommend that the permit be not granted.

Yours very truly,

(Sgd) Orin E. Metcalfe,
City Engineer."

Councilman Mueller moved that in accordance with the above report of the City Engineer, permit be not granted. Motion prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

REPORT OF THE CITY ENGINEER AS TO PAVING OF
TEN BLOCKS OF ALLEYS IN THE CITY OF AUSTIN,
TEXAS.

Austin, Texas, February 9, 1928.

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

I herewith submit to you my report as to proposed improvements upon the ten alleys listed as follows:

- (1) The alley lying between Second Street and Third Street and Colorado Street and Lavaca Street;
- (2) The alley lying between Fourth Street and Fifth Street, and Colorado Street and Lavaca Street;
- (3) The alley lying between Fifth Street and Sixth Street, and Colorado Street and Lavaca Street;
- (4) The alley lying between First Street and Second Street, and Congress Avenue and Brazos Street;
- (5) The alley running east and west and lying between Tenth Street and Eleventh Street, and Congress Avenue and Brazos Street;
- (6) The alley running north and south and lying between Congress Avenue and Brazos Street and Tenth Street and the alley running east and west in Block 123;
- (7) The alley running north and south and lying between Tenth Street and Eleventh Street, and Congress Avenue and Colorado Street;
- (8) The alley lying between Fourth Street and Fifth Street, and San Jacinto Street and Trinity Street;
- (9) The alley lying between Ninth Street and Tenth Street and Guadalupe Street and Lavaca Street;
- (10) The alley lying between Guadalupe Street and San Antonio Street and Twenty-second Street and Twenty-third Street.

I estimate the cost of each separate improvement in accordance with the contract and specifications therefor as set forth in the following itemized schedule. I estimate the cost of said improvements to owners of abutting property per linear or front foot of such abutting property as set forth in the aforementioned schedule which follows hereafter. The names of persons, estates or corporations owning property on the portion of said alleys to be improved with a description of their property and the amounts payable by each owner are shown on the aforementioned schedule.

THE ALLEY LYING BETWEEN SECOND STREET
AND THIRD STREET AND COLORADO STREET
AND LAVACA STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Walter Tips Co.	20	1	46	\$1.85918	\$ 85.52
" " "	20	2	46	1.85918	85.52
" " "	20	3	46	1.85918	85.52
" " "	20	4	46	1.85918	85.52
" " "	20	5	46	1.85918	85.52
" " "	20	6	46	1.85918	85.52
I. & G. N. Ry. Co.	20	7	46	1.85918	85.52
" " " " "	20	8	46	1.85918	85.52
" " " " "	20	9	46	1.85918	85.52
" " " " "	20	10	46	1.85918	85.52
" " " " "	20	11	46	1.85918	85.52
" " " " "	20	12	46	1.85918	85.52
Total					\$1,026.24

THE ALLEY LYING BETWEEN FOURTH STREET
AND FIFTH STREET AND COLORADO STREET
AND LAVACA STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
J. O. and Otto Buas	44	1	46	\$2.04973	\$ 94.29
Mrs. Lillie Belisch	44	2	46	2.04973	94.29
" " "	44	3	46	2.04973	94.29
Mrs. Lillie Belisch	44	4	46	2.04973	94.29
Mrs. Mary Taylor	44	5	46	2.04973	94.29
" " "	44	6	46	2.04973	94.29
A. Zilker	44	7	46	2.04973	94.29
" " "	44	8	46	2.04973	94.29
" " "	44	9	46	2.04973	94.29
Myra B. Smith	44	10	46	2.04973	94.29
George Fiegel	44	11-12	46	2.04973	188.54
Eugene Fiegel					
Walter Fiegel					
Mary Fiegel					
Harry Fiegel					
Dorothy Fiegel					
Donald Fiegel					
Victor Fiegel	44	11-12	46	2.04973	188.54
Clarence Fiegel					
Total					\$1,131.48

THE ALLEY LYING BETWEEN FIFTH STREET
AND SIXTH STREET, AND COLORADO STREET
AND LAVACA STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Mrs. M. E.H. Matthews	54	1-2	64	\$2.03631	\$ 130.32
Joseph Stumpf	54	2-3	74	2.03631	150.68
" " "	54	4-5-6	138	2.03631	281.01
Mrs. M.S. Pendexter	54	7	23	2.03631	46.84
J. R. Hamilton	54	7-8	46	2.03631	93.67
J.O. Buas	54	8	23	2.03631	46.84
Mrs. S. M. Robertson	54	9	46	2.03631	93.67
J. R. Hamilton	54	10	23	2.03631	46.84
J. O. Buas	54	10	23	2.03631	46.84
Mrs. L. Castleman	54	11	46	2.03631	93.67
Robert Mueller	54	12	46	2.03631	93.67
Total					\$1,124.05

THE ALLEY LYING BETWEEN FIRST STREET
AND SECOND STREET AND CONGRESS AVENUE
AND BRAZOS STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Mary J. Butler	6	1	46	\$1.8835	\$ 86.64
" " "	6	2	46	1.8835	86.64
Adolph Kohn	6	3	46	1.8835	86.64
Hamilton Trust Fund	6	4	20	1.8835	37.67
Adolph Kohn	6	4	26	1.8835	48.97
" " "	6	5	46	1.8835	86.64
" " "	6	6	46	1.8835	86.64
Salvation Army	6	7	46	1.8835	86.64
" " "	6	8	24	1.8835	45.20
G. Flury	6	8	22	1.8835	41.44
" " "	6	9	46	1.8835	86.64
" " "	6	10	46	1.8835	86.64
Cater Joseph	6	11	46	1.8835	86.64
" " "	6	12	46	1.8835	86.64
Total					\$1,039.68

THE ALLEY RUNNING EAST AND WEST AND
LYING BETWEEN TENTH STREET AND ELEVENTH
STREET AND CONGRESS AVENUE AND BRAZOS
STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
W. P. Allen	123	3	160	\$1.978	\$ 316.48
J. D. Miller	123	4-5-6	30	1.978	59.34
C. M. Bartholomew	123	4-5-6	80	1.978	158.24
Home Steam Laundry	123	4-5-6	50	1.978	98.90
City of Austin	123	Alley	20	1.978	39.56
County Court House	123	---	340	1.978	672.52
Total					\$1,345.04

THE ALLEY RUNNING NORTH AND SOUTH AND
LYING BETWEEN CONGRESS AVENUE AND
BRAZOS STREET AND TENTH STREET AND
ELEVENTH STREET AND THE ALLEY RUNNING
EAST AND WEST IN BLOCK 123.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Kash and Karry	123	1	43	\$2.0418048	\$ 87.80
Mrs. D.T. Iglehart	123	2	45	2.0418048	91.88
W. F. Allen	123	3	42	2.0418048	85.76
John D. Miller	123	4-5-6	129.3	2.0418048	264.00
Total					\$ 529.44

THE ALLEY RUNNING NORTH AND SOUTH AND
LYING BETWEEN TENTH STREET AND ELEVENTH
STREET, AND CONGRESS AVENUE AND COLORADO
STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Myra Smith and E. P. Wilcox	124	1	46	\$1.91685	\$ 88.17
Thos. W. Miller	124	2	23	1.91685	44.08
Mrs. Millie Bolisch	124	2	23	1.91685	44.08
Miss Ima Hogg	124	3	46	1.91685	88.17
Baptist Church	124	4	46	1.91685	88.17
Miss Josephine Theis	124	5-6	75.34	1.91685	163.59
Unknown Owner	124	5-6	5.66	1.91685	12.77
Total					\$ 529.03

THE ALLEY LYING BETWEEN FOURTH STREET
AND FIFTH STREET AND SAN JACINTO STREET
AND TRINITY STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Herman Becker	40	1	46	\$1.986312	\$ 91.37
" "	40	2	46	1.986312	91.37
" "	40	3	46	1.986312	91.37
" "	40	4	46	1.986312	91.37
" "	40	5	46	1.986312	91.37
" "	40	6	46	1.986312	91.37
" "	40	7	46	1.986312	91.37
" "	40	8	46	1.986312	91.37
O. Smith Fuller	40	9	46	1.986312	91.37
G. W. Murray	40	10	46	1.986312	91.37
Miss Emma Barron	40	11	46	1.986312	91.37
" " "	40	12	46	1.986312	91.37
Total					\$1,096.44

THE ALLEY LYING BETWEEN NINTH STREET
AND TENTH STREET AND GUADALUPE STREET
AND LAVACA STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
F. W. Sternenberg	108	1	46	\$1.8063224	\$ 83.09
" "	108	2	46	1.8063224	83.09
H. P. N. Gammel, Sr.	108	3	46	1.8063224	83.09
Mrs. Howell Bunton	108	4	46	1.8063224	83.09
" " "	108	5	46	1.8063224	83.09
" " "	108	6	46	1.8063224	83.09
Dr. R. W. Shipp	108	7	46	1.8063224	83.09
" " "	108	8	46	1.8063224	83.09
" " "	108	9	46	1.8063224	83.09
Miss L. Carrington	108	10	46	1.8063224	83.09
" " "	108	11	16	1.8063224	28.91
Tom D. Smith	108	11	30	1.8063224	54.19
" " "	108	12	46	1.8063224	83.09
Total					997.09

THE ALLEY LYING BETWEEN GUADALUPE STREET
AND SAN ANTONIO STREET AND TWENTY-SECOND
STREET AND TWENTY-THIRD STREET.

Property Owner	Block	Lot	No. Ft.	Cost per lin. ft.	Total Cost
Phi Delta Theta	35	25	70	\$2.035774	\$ 142.50
" " "	35	26	70	2.035774	142.50
Mrs. T. S. Hodges	35	27	70	2.035774	142.50
P. W. McFadden	35	28	70	2.035774	142.50
Highland Presby. Ch.	35	29	70	2.035774	142.50
" " "	35	30	70	2.035774	142.50
" " "	35	30½	47½	2.035774	96.70
Y. M. C. A.	35	31	70	2.035774	142.50
" "	35	31½	47½	2.035774	96.70
Mrs. M. Cavanaugh	35	32	70	2.035774	142.50
Miss W. J. Birge	35	33	70	2.035774	142.50
Dill and Brown	35	34	64½	2.035774	131.31
University Co-op	35	35	43½	2.035774	88.56
Minnie G. Dill	35	36	52	2.035774	105.86
C. G. Wazasch	35	37	50	2.035774	101.79
Total					\$1,903.44

Respectfully submitted,
(Sgd) Orin F. Metcalfe,
City Engineer.

Councilman Mueller moved that the Council recess, subject to the call of the Mayor. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The Council then recessed.

Approved: *J. M. Fadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 23, 1928.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, C. M. Bartholomew has presented the City Council tentative plans showing the proposed construction of a drive-in tire station to be located on the west side of Lavaca Street and on the south side of the alley which is between 6th and 7th Streets, said tire station to be upon Lot No. 6, Original City Block No. 72, City of Austin, and said plans and maps and a report from the City Engineer have been considered by the City Council, therefore,

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

THAT, subject to the terms of the agreement of C. M. Bartholomew, as appears in writing and recorded in the Minutes of the City Council, he is hereby permitted to construct a slope driveway entrance on Lavaca Street to be used for the passage of vehicles in and out of the proposed tire station, said portion of Lavaca Street to be used for driveway purposes being described as follows:

Beginning at a point which is 7 feet south of the northeast corner of Lot No. 6, Original City Block No. 72;

Thence southerly with the west side of Lavaca Street 25.67 feet to a point;

Thence easterly at right angles to said westerly line of Lavaca Street 20 feet more or less to the east face of the west curb line of Lavaca Street;

Thence northerly parallel to the west side of Lavaca Street, 25.67 feet to a point;

Thence westerly 20 feet more or less to the place of beginning.

That said driveway shall be constructed of concrete in accordance with city ordinance referring to concrete curb and sidewalk work and that the radius of all curves of said driveway shall be in accordance with the instructions of the City Engineer.