

Upon motion, duly seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie McLellan City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 22, 1937.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, 3; absent, Councilmen C. M. Bartholomew and Oswald G. Wolf, 2.

The reading of the Minutes was dispensed with.

The following property owners appeared in re proposed annexation of certain territory to the city limits:

Dr. R. E. Cloud, representing the Oaks Sanitarium, stated that there was no objection to the proposed annexation, which included only a strip of their property fronting on the Lower Georgetown Road, but that no benefit would be derived from the City's utilities, as the greater portion of said property was not included in the extension.

Dr. J. S. Koenig, owner of the Murray Place Addition abutting State Highway No. 2, requested that sewerage be extended to said property when it is taken into the city limits. The matter was referred to the City Manager and the Superintendent of the Sewer Division for an estimate of the cost of same.

Mr. Tom Penick, representing W. T. Caswell, owner of Ridgetop Gardens, asked for the improvement of the roadway to the Airport, and the extension of the City's water mains to the north side of said property. The matter was referred to the City Manager and the Superintendent of the Water Line Division for an estimate of the cost of same.

Mrs. Otis Vaughn, owner of property abutting Blue Bonnet Lane, stated that there was no objection to the annexation of said property, provided the water pressure were increased. The matter was taken under advisement.

Mr. C. M. Ferris, owner of property in Oak Hill Addition, stated that he was in favor of the annexation, citing the benefits to be derived therefrom.

Mr. Hilliare Nitschke, owner of Rosedale Addition, stated that the citizens of said Addition were favorable to the annexation.

Frank Morales appeared before the Council and asked that action be taken on the application of Andrew Morales for a permit to sell beer and wine in connection with a Mexican restaurant at 2210 East Seventh Street. The matter was referred to the City Manager and the Building Inspector for investigation and report.

Mayor Miller offered the following resolution:

WHEREAS, the City of Austin has heretofore made application, PWA, Tex-1854, to the United States of America, through the Federal Emergency Administration of Public Works, for a grant in the sum of \$625,000 to aid in financing the construction of a city hall, a municipal auditorium, and a central fire station; and

WHEREAS, it is deemed advisable by the City Council that the aforesaid application be amended, modifying its scope for a grant to aid in financing the construction of a city hall and a central fire station, said application as amended to exclude the request for the construction of the auditorium and reducing the allotment request therein from \$625,000 to \$250,000; therefore,

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

THAT the City Manager of the City of Austin for and on behalf of the City of Austin, Texas, be authorized and directed to execute and file an amended application modifying the scope of the previously submitted application, PWA-Tex-1854, on behalf of the City of Austin, Texas, to the United States of America, for a grant to aid in financing the construction of a city hall, a municipal auditorium, and a central fire station, said amended application to exclude the request for the construction of the auditorium, and reducing the allotment request from \$625,000 to \$250,000.

BE IT FURTHER RESOLVED:

THAT the City Manager be and he is hereby authorized and directed to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may request in connection with the amended application, which is herein authorized to be filed, and he is further authorized and directed to execute all papers necessary in connection with such application, and to notify the Public Works Administration that the City Council has made available \$67,150 of current funds now on deposit in the General Fund of the City of Austin, and \$70,350 from the proceeds of the sale of 3% General Obligation Bonds of the City of Austin as authorized by the City Council on June 24, 1937.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Mayor Miller moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: James Doyl Taylor, 617 Wood Street; and Willie B. Cruz, 912 East Third Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford moved that E. J. Jordan be granted a license to operate as a taxicab a 1931 Ford Coach, Engine No. 4686812, State Highway License No. A-19609. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, A. A. Mundt is the Contractor for the construction of a building located at 117-23 West 8th Street and desires a portion of the sidewalk and street space abutting Lot 7 and part of Lot 8, Block 83 of the Original City of Austin, Texas, during the construction of said building, such space 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 the said A. A. Mundt, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in a northerly direction 15 feet to a point; thence in a westerly direction 118 feet and parallel to the centerline of 8th Street to a point; thence in a southwest direction at an angle of 45° to a point 32 feet west of the west side of said property; thence 80 feet southerly parallel to the centerline of Colorado Street to a point; thence 32 feet in an easterly direction to the southwest corner of said property; thence along the property line to the point of beginning.

2. THAT the above privileges and allotment of space are granted to the said A. A. Mundt, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line of the above described working space along the West 8th Street side, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall construct a 4 foot walkway within the outer boundary of the above described working space in Colorado Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored and without wood strips or obstructions of any kind along the pavement within the walkway.

(3) That the Contractor shall construct at the south end and in the 45° angle at the north end of his Colorado Street working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at each gate to warn pedestrians and vehicles of approaching trucks.

(4) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the working space allotted.

(5) That the Contractor shall be allowed to construct a temporary work office and storage shed on the platform over the allotted alley working space.

(6) That "NO PARKING" signs shall be placed on the street side of the barricades.

(7) That "NO PARKING" signs shall be placed on the west curb of Colorado Street from 8th Street south to alley.

(8) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(9) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor shall be responsible for any damage done due to obstruction of any such storm waters.

(10) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(11) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 1, 1938.

(12) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(13) That the use and enjoyment of the spaces herein granted shall not be

exclusive as against public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(14) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by Contractor, city forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(15) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford offered the following resolution:

WHEREAS, J. E. Morgan & Sons is the Contractor for the construction of a building located at 115 West 9th Street and desires a portion of the sidewalk and street space abutting Lots 11, 12, and 13, Block 110, of the Original City of Austin, Texas, during the construction of said building, such space 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 the said J. E. Morgan & Sons, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the N.W. corner of the above described property; thence in a westerly direction 34 feet to a point; thence in a southerly direction 135 feet and parallel to the centerline of Colorado Street to a point; thence in a southeasterly direction and at an angle of 45° to a point 25 feet south of the south line of said property; thence in an easterly direction 150 feet and parallel to the centerline of West 9th Street to a point; thence at an angle of 30° to the S. E. corner of said property; thence along the property line to the point of beginning.

2. THAT the above privileges and allotment of space are granted to the said J. E. Morgan & Sons, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundary of the above described working space in Colorado Street and West 9th Street, such walkways to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored and without wood strips or obstructions of any kind along the pavement within the walkways.

(2) That the Contractor shall construct at the north and south end of his working space in Colorado Street and at the east and west end of the West 9th Street space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at each gate to warn pedestrians and vehicles of approaching trucks.

(3) That the Contractor shall provide a suitable means for ingress and egress from the walkway on the West 9th Street working space to the entrance of the present telephone building, which passageway must be kept clear at all times.

- (4) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the working space allotted.
- (5) That the Contractor shall be allowed to construct a temporary work office and storage shed on the platform over the allotted alley working space.
- (6) That "NO PARKING" signs shall be placed on the street side of the barricades.
- (7) That "NO PARKING" signs shall be placed on the west curb of Colorado Street from 9th Street north to alley.
- (8) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.
- (9) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor shall be responsible for any damage done due to obstruction of any such storm waters.
- (10) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.
- (11) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than February 1, 1938.
- (12) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.
- (13) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.
- (14) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building project, whether done by Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.
- (15) That the Contractor shall furnish the City of Austin a surety bond in the sum of Twenty-five Thousand (\$25,000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets 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 Texas Public Service Company be, and the same is, hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BRIAR STREET northerly 228 feet from a point 187 feet north of the north line of Annie Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Briar Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in PARKWAY southerly 91 feet from Kingsbury Street, the centerline of which gas main shall be 28 feet east of and parallel to the west line of said Parkway.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in KINGSBURY STREET from Parkway east 189 feet, the centerline of which gas main shall be 9 feet north of and parallel to the south line of said Kingsbury Street.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilman Bartholomew and Wolf absent, 2.

A letter from the Dual Parking Meter Company, clarifying their bid on parking meters submitted July 15, was received and filed.

Councilman Alford introduced the following ordinance:

AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS,

STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY," REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and upon motion of Councilman Alford, seconded by Councilman Gillis, the rule was suspended and the ordinance passed to its second reading, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The ordinance was read the second time and laid over.

Councilman Gillis offered the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY."

The ordinance was read the first time, and upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was suspended and the ordinance was passed to its second reading, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The ordinance was read the second time, and upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was further suspended and the ordinance was passed to its third reading, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The ordinance was read the third time, and upon motion of Councilman Gillis, seconded by Councilman Alford, the ordinance was finally passed, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE SALE OF MILK AND MILK PRODUCTS WITHIN THE CITY OF AUSTIN, DEFINING CERTAIN TERMS IN CONNECTION THEREWITH, PROHIBITING THE SALE OF ADULTERATED OR MISBRANDED MILK OR MILK PRODUCTS, AND PROVIDING PERMITS FOR PRODUCERS AND SELLERS OF MILK OR MILK PRODUCTS, AND PRESCRIBING THE

LABELING AND PLACARDING OF CONTAINERS OF MILK AND MILK PRODUCTS; REQUIRING THE INSPECTION OF DAIRY FARMS AND MILK PLANTS FOR THE PURPOSE OF GRADING OR REGRADING, AND PROVIDING FOR THE EXAMINATION OF MILK AND MILK PRODUCTS AND THE GRADING OF SAME, AND PRESCRIBING RULES AND REGULATIONS AS A BASIS FOR SUCH GRADING, AND DEFINING GRADES IN CONNECTION THEREWITH OF MILK AND MILK PRODUCTS, AND PRESCRIBING THE CONSTRUCTION OF DAIRIES AND MILK PLANTS; PRESCRIBING THE GRADES OF MILK AND MILK PRODUCTS WHICH MAY BE SOLD WITHIN THE CITY OF AUSTIN; PRESCRIBING SUPPLEMENTARY GRADING AND AUTHORIZING REGRADING; REGULATING THE TRANSFER AND DIPPING OF MILK, THE DELIVERY OF CONTAINERS, THE HANDLING OF MORE THAN ONE GRADE OF MILK AND THE DELIVERY OF MILK AT QUARANTINED RESIDENCES; PROHIBITING THE SALE OR POSSESSION OF UNGRADED MILK OR MILK PRODUCTS; REGULATING THE SALE OF MILK AND MILK PRODUCTS DELIVERED FROM POINTS BEYOND THE INSPECTION LIMITS OF THE CITY OF AUSTIN; REQUIRING THE REGISTRATION OF AND REPORTS BY BUYERS AND SELLERS OF CREAM AND BUTTER FAT; REQUIRING THE NOTIFICATION OF DISEASE AND PRESCRIBING PROCEDURE WHEN INFECTION IS SUSPECTED; PRESCRIBING CONSTRUCTION RULES FOR FUTURE DAIRIES AND MILK PLANTS; FIXING A BASIS FOR ENFORCEMENT INTERPRETATION, PRESCRIBING PENALTIES, AND REPEALING ORDINANCES IN CONFLICT HERewith; STATING A SAVING CLAUSE FOR VALID SECTIONS; PRESCRIBING PERMIT FEES FOR SELLERS AND PRODUCERS OF MILK AND MILK PRODUCTS, AND DECLARING AN EMERGENCY," WHICH SAID ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN JULY 1, 1937, AND RECORDED IN BOOK "K" AT PAGES 201-215 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was suspended and the ordinance was passed to its second reading, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The ordinance was read the second time and laid over.

Councilman Alford offered 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 in the name of the City of Austin to sell and convey by warranty deed to Mosella Ainsworth Kuehne, for the consideration of Six Hundred and Fifty Dollars (\$650) cash, the following described property: Two lots situated south of West 28 $\frac{1}{2}$ Street and which abut the east side of San Gabriel Street, being all of tract No. 2 described in deed of conveyance from Burt Brydson and wife to the City of Austin by deed dated October 18, 1929, as recorded in Volume 442 at pages 449-451, of the Deed Records of Travis County, Texas, and being all of Lots 1 and 2 in Block 3 of the James Byrne's subdivision of Outlots 70 and 71 in Division "D" of the City of Austin, Texas, as recorded in the Travis County Deed Records in Plat Book No. 3, page 72.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, city taxes for the years 1934 to 1936, inclusive, have been assessed against W. R. Hudson, Jr., and are delinquent on Lots 5 and 6, in Block 149, Original City, in the City of Austin, Travis County, Texas, and taxes have been assessed and

are delinquent on a 1933 model Pontiac Sedan State License No. 966509 for the year 1935, same having also been assessed against W. R. Hudson, Jr., said taxes aggregating \$1063.79, and the penalty assessed thereon for the non-payment of same aggregates \$53.19 and the interest on said taxes from the date the taxes became delinquent aggregates \$84.68, the taxes, penalty and interest assessed against W. R. Hudson, Jr. on said property aggregating \$1201.66, less deposits thereon for \$399.65, leaving the aggregate amount due of taxes, penalty and interest, less said deposits, \$802.01; and

WHEREAS, under the circumstances it is deemed equitable and advisable by the City Council of the City of Austin to remit all penalties on said taxes and to reduce and waive 1/2 the interest on the delinquent taxes on the aforesaid property, the said penalties aggregating \$53.19 and 1/2 the interest aggregating \$42.34, said penalty and 1/2 the interest amounting to \$95.53, on the condition that said W. R. Hudson, Jr. shall promptly pay the taxes on said property; therefore

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

THAT the penalty aggregating \$53.19 and 1/2 of the interest, aggregating \$42.34 on the delinquent taxes on the above property for the years 1934 to 1936, inclusive, is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to strike same from his assessment rolls and to issue a receipt in full to said W. R. Hudson, Jr., on his payment to the City of Austin of the sum of \$706.48 in accordance with the terms of this resolution.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Upon motion, duly seconded and carried, the meeting was recessed at 12:15 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie McFellan
City Clerk