

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 9, 1938.

The City Council met in regular session at its regular meeting place in the City Hall on Thursday, June 9, 1938, 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, and Councilman Oswald G. Wolf; absent, Councilman G. M. Bartholomew.

The reading of the Minutes was dispensed with.

G. A. Martins, Attorney, submitted a protest on behalf of the bonded taxicab owners against the operation of taxicabs by unlicensed operators. The matter was referred to the Legal Department for attention in the drafting of a revised taxicab ordinance.

Councilman Alford introduced 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 Alford, seconded by Councilman Gillis, the rule was suspended and the ordinance was passed to its second reading, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

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

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

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: Leo Weaver, 700 West Avenue; L. J. Hagan, 2901 Speedway; Lyman Calvin Morris, Jr., 503 Walsh Street; and David Rex Osteen, 104 West 16th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis offered the following resolution:

WHEREAS, Jamie Odom is the Contractor for the alteration of a building located at 502 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 1, Block 55, of the Original City of Austin, Travis County, Texas, during the alteration of the 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 said Jamie Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Congress Avenue to a point 14 feet east of the west curb line of Congress Avenue; thence in a northerly direction and parallel with the centerline of Congress Avenue, 30 feet to a point; thence in a westerly direction and at right angles with the centerline of Congress Avenue to the above described property line.

Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles with the centerline of West 5th Street to a point 14 feet south of the north curb line; thence in an easterly direction and parallel with the centerline of West 5th Street, 30 feet to a point; thence in a northerly direction to the above mentioned property line.

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

(1) That the Contractor shall erect and maintain continuously in good condition a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail 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, and at any time in the opinion of the city officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his 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 this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

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

(4) That "No Parking" signs shall be placed on the street side of the barricades.

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

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

(7) 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.

(8) 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 August 1, 1938.

(9) That the City reserves the right to revoke at any time any and all the provisions herein granted or to require the erection or installation of additional

barriers or safeguards if the conditions demand it.

(10) 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.

(11) 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 the Contractor, City forces, or public utilities, shall be replaced at the Contractor's expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

WHEREAS, Jamie Odom is the Contractor for the alteration of a building located at 401-403 Colorado Street, and desires a portion of the sidewalk and street space abutting Lots 11 and 12, Block 43, of the Original City of Austin, Travis County, Texas, during the alteration of the 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 said Jamie Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a southerly direction and at right angles with the centerline of 4th Street to a point 12 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of West 4th Street, 100 feet to a point; thence in a northerly direction and at right angles with the centerline of West 4th Street to the above described property line.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail 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, and at any time in the opinion of the city officials it becomes necessary for any reason to install a board floor within the walkway, the contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his 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 this gate to

warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or depestrian traffic.

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

(4) That "No Parking" signs shall be placed on the street side of the barricades.

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

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

(7) 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.

(8) 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 August 1, 1935.

(9) 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.

(10) 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.

(11) 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 the Contractor, city forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims or 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 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf 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 AVENUE H northerly 42 feet from a point 99 feet south of the south line of West 46th Street, the centerline of which gas main shall be 25.5 feet east of and parallel to the west line of said Avenue H.

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

(2) A gas main in WESTOVER ROAD from Jefferson Street easterly 42 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Westover Road.

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

(3) A gas main in JEFFERSON STREET across Westover Road, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Jefferson 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 out 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent,

The Mayor declared the public hearing open on the proposal of the City Council to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change same from "A" Residence District to "O" Commercial District: the property of Dr. H. B. Granberry fronting on both sides of the Fredericksburg Road for a depth of 150 feet, more particularly described as all of Lot 11 and the south 165 feet of Lot 10, Evergreen Heights, in the City of Austin, Texas; and the property of G. W. Fair fronting on both sides of the Fredericksburg Road for a depth of 150 feet, more particularly described as 140 feet out of the northeast corner of Lot 12, Evergreen Heights, in the City of Austin, Texas.

No one appearing to protest the proposed changes, the City Attorney was instructed to prepare an amendment to the Zoning Ordinance embodying the same.

Councilman Wolf offered the following resolution:

WHEREAS, in Book 1, at page 79, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Tobin-Johnson Addition; and

WHEREAS, upon said map or plat there are shown various streets; and

WHEREAS, on May 28, 1938, Stanford Payne did file for record with the County Clerk of Travis County, Texas, a map or plat of a subdivision of land known as Sherwood Forest; and

WHEREAS, upon said map or plat of Sherwood Forest there were shown various Streets; and

WHEREAS, upon said map or plat of Sherwood Forest there was shown a street bearing the name of Clearview Drive; and

WHEREAS, the street bordering Tobin-Johnson Addition on the north side thereof, which street is known as Chestnut Street, is a direct continuation of Clearview Drive, as shown upon the map or plat of Sherwood Forest; and

WHEREAS, much confusion among delivery services in general is caused by having two different names for the same street; and

WHEREAS, in another part of the City of Austin more fully developed than the area adjacent to the north side of Tobin-Johnson Addition there is a street known as Chestnut Street; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin to take steps at this time to avoid further confusion among delivery services as a result of duplicate street named; therefore

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

THAT that certain street known as Chestnut Street, as shown upon the map or plat of Tobin-Johnson Addition, within the City of Austin, Travis County, Texas, be known and designated hereafter as CLEARVIEW DRIVE.

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

Councilman Wolf offered the following resolution:

WHEREAS, in Book 3, at page 26, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Walsh Place on Lake Austin; and

WHEREAS, upon said map or plat there appears various streets, three of which streets are named Summit Avenue, Forest Avenue, and Cedar Street, respectively; and

WHEREAS, in other parts of the City of Austin more fully developed than the area included in said Walsh Place there are streets bearing the same names as those mentioned above; and

WHEREAS, on May 28, 1938, Stanford Payne filed for record with the County Clerk of Travis County, Texas, a map or plat of a subdivision known as Sherwood Forest; and

WHEREAS, upon said map or plat of Sherwood Forest there were shown various streets, one of which street is a continuation of Summit Avenue in Walsh Place and said street in Sherwood Forest is known as Robin Hood Trail, and one of which streets in Sherwood Forest is known as Schulle Avenue, and is a continuation of Forest Avenue, as shown upon the map or plat of Walsh Place, and another of which streets shown upon the map or plat of Sherwood Forest known as Clearview Drive is the same street shown as Cedar Street upon the map or plat of Walsh Place; and

WHEREAS, much confusion is caused among delivery services in general as a result of having different names for the same streets or duplicate names for different streets; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin at this time to take steps to prevent further confusion resulting from confusing street names; therefore

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

THAT that certain street known as Summit Avenue as shown upon the aforesaid map or plat of Walsh Place on Lake Austin, be known and designated hereafter as ROBIN HOOD TRAIL; and

THAT that certain street known as Forest Avenue shown upon the map or plat of Walsh Place on Lake Austin be known and designated hereafter as SCHULLE AVENUE; and

THAT that certain street shown upon the map or plat of said Walsh Place as Cedar Street be known and designated as CLEARVIEW DRIVE.

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

Councilman Wolf offered the following resolution:

WHEREAS, in Volume 333, at page 461, of the Deed Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Laurel Heights; and

WHEREAS, upon said map or plat of Laurel Heights there appears various streets, one of which streets is shown as Mary Street and another of which streets is shown as Taylor Avenue; and

WHEREAS, on May 25, 1938, Stanford Payne did file for record with the County Clerk of the County of Travis, Texas, a map or plat of a subdivision of land known as Sherwood Forest; and

WHEREAS, upon said map or plat of Sherwood Forest there were shown various streets, one of which streets was shown as Gilbert Street and another of which streets was shown as Stevenson Avenue; and

WHEREAS, in another section of the City of Austin more fully developed than Laurel Heights there is a street known as Mary Street and a street known as Taylor Avenue; and

WHEREAS, much confusion is caused among delivery services in general by having different streets of the same name; and

WHEREAS, Mary Street, as shown upon the map or plat of Laurel Heights is a continuation of Gilbert Street, as shown upon the map or plat of Sherwood Forest; and

WHEREAS, Taylor Avenue, as shown upon the map or plat of Laurel Heights is a continuation of Stevenson Avenue, as shown upon the map or plat of said Sherwood Forest; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin to take the necessary steps at this time to prevent further confusion resulting from different streets having the same name; therefore

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

THAT that certain street shown as Mary Street upon the map or plat of Laurel Heights be known and designated hereafter as GILBERT STREET; and

THAT that certain avenue shown upon the map or plat of Laurel Heights as Taylor Avenue be known and designated hereafter as STEVENSON AVENUE.

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

A petition signed by the business firms on West Fifth Street between Congress Avenue and Colorado Street, asking for two-hour parking meters in this area, was received and the matter was taken under advisement.

A petition signed by the business firms in the 500 block of Lavaca Street, asking for a two-hour parking limit in this block, was received and referred to the City Manager and Police Department to have the matter attended to.

A petition signed by the business firms in the 400 block of West Sixth Street and the 600 block of Guadalupe Street, asking for a two-hour parking limit in said blocks, was received and referred to the City Manager and Police Department to have the matter attended to.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE MAP OR PLAT SHOWING SECTION "C" OF EVERGREEN CEMETERY, THE SAME BEING A PORTION OF OUTLOT 25, DIVISION "B" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS.

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, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

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

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, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Mayor Miller offered the following resolution:

WHEREAS, the City Council of the City of Austin, by resolution duly adopted and approved on May 26, 1938, authorized its City Manager, Guiton Morgan, in consideration of \$1,000 cash to it paid, to convey to R. E. Leigh, by good and sufficient warranty deed, the following described property, subject to the right of said City to construct, maintain and operate public utilities in, upon and across the hereinafter described property; and

WHEREAS, said R. E. Leigh does not desire to carry out the aforesaid proposition, but has submitted in lieu thereof an offer to purchase the hereinafter described property for the sum of \$200.00 cash in hand paid to the City of Austin, and the execution and delivery by him to said City of Austin of a vendor's lien not in words and figures as follows:

\$200.00

Austin, Texas, \_\_\_\_\_, 1938.

For value received, and in installments as hereinafter provided, I promise to pay to the City of Austin, at Austin, Travis County, Texas, the principal sum of EIGHT HUNDRED DOLLARS (\$800.00), together with interest thereon from June 15, 1938, at the rate of six and one-half per cent (6½%) per annum.

This note is payable in installments of TEN DOLLARS (\$10.00), or more, per month, the first installment being due and payable on the fifteenth day of July, 1938, and a like installment of Ten Dollars (\$10.00), or more, being due and payable on the fifteenth day of each and every month thereafter until said entire note and all interest hereon are fully paid; it being provided herenow that when an installment is paid a sufficient amount thereof to cover interest on this entire note or the unpaid balance hereof shall be set aside and applied to the payment of interest up to the date of the payment of said installment, and the balance shall be applied to the principal, and so on until this entire note and all interest and attorney's fees hereon are fully paid. Failure to pay any installment hereon as herein provided, or to keep and observe the terms and conditions of deed of even date herewith, to mature this entire note at the option of the holder.

I further agree that if this note is not paid in full at maturity and is placed in the hands of an attorney for collection, or is collected by law or through the probate court, an additional ten per cent (10%) on the principal and interest remaining unpaid hereon shall be added hereto as attorney's fees.



This note is given in part payment of the following described property, to wit: Lots Nos. Five (5) and Six (6), Block No. Eleven (11), W. A. Harper Subdivision of Outlots Nos. Seven (7) and Eight (8), Division 'C', City of Austin, Travis County, Texas, this day conveyed to me by the City of Austin, and the vendor's lien is retained in said deed of conveyance, and is herenow acknowledged.

WITNESS:

and

WHEREAS, the City Council of the City of Austin deems it advisable to accept said proposition; therefore,

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

THAT the aforesaid resolution adopted by the City Council on May 26, 1938, authorizing its City Manager, Guiton Morgan, to convey the land therein described to R. E. Leigh on the payment by him of \$1,000.00 in cash, is in all things rescinded, set aside and held for naught; and

BE IT FURTHER RESOLVED:

THAT Guiton Morgan, City Manager of the City of Austin, is hereby directed and authorized to execute a good and sufficient warranty deed of conveyance to said R. E. Leigh, in the name and on behalf of the City of Austin, upon the payment to the City of Austin of \$200.00 cash and the execution by said R. E. Leigh of a vendor's lien note, conditioned, as above set out, to all those certain tracts or parcels of land situated in the City of Austin, Travis County, Texas, and more particularly described as follows:

Lots Nos. 5 and 6, Block 11, of the W. A. Harper Subdivision of Outlots 7 and 8, Division "C", in the City of Austin, Travis County, Texas, according to a map or plat recorded in Book 3, at page 89 of the Plat Records of Travis County, Texas, to which said map or plat and the record thereof reference is here made for further description, same being also the land conveyed by W. A. Harper to the City of Austin on September 9, 1927, said deed recorded in Book No. 413, at pages 123-124 of the Deed Records of Travis County, Texas, which deed and its record reference is hereby made for all pertinent purposes.

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

Councilman Wolf offered the following resolution:

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

THAT the sum of \$7,121.73 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing 231 "Parkrite" parking meters.

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

Upon motion, seconded and carried, the meeting was recessed at 11:25 A. M., subject to call of the Mayor.

Approved: Tom Miller

Mayor

Attest:

Helene McKeen  
City Clerk