

the uncontrolled commercialization of this area may be checked.

In view of the seriousness of the situation of Lake Austin and its environs and the necessity of immediate action in preventing the possible depreciation of this area and thus destroying one of the greatest assets for the future prosperity and growth of this City, the City Plan Commission requests the Council to appoint a committee for an investigation of the jurisdictions now controlling the lake region, and for the presentation of a definite plan for controlling this area for the benefit and general welfare of all the citizens in this city and county. The committee should include representation from the City Plan Commission, the Zoning Board of Adjustment, the Engineering Department of the City, the Legal Department, the Police Department, and Civic Committee of the Chamber of Commerce and such other individuals of the community who are in sympathy with the aims of those who are endeavoring to preserve the beauty, safety, health, and land values of the lake region.

The Commission begs to express its appreciation for the cooperation of the City Council and various departments of the City. It is the earnest desire of the Commission to render a definite service to the City Council and to promote in every possible way the general welfare and happiness of the City of Austin.

Very truly yours,

(Signed) H. F. Kuehne
Chairman, City
Plan Commission.

February 7, 1940. "

Upon motion, seconded and carried, the meeting was recessed at 12:10 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:
Shelley M. Kellan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 15, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, February 15, 1940, at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

The Minutes of the regular meeting of February 8, 1940, were read, and upon motion of Councilman Wolf were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Messrs. Raymond Brooks, Chas. Matula, and O. L. Norman, representing the Colorado River Authority, appeared before the Council and requested permission to raze the old power house at the Austin Dam to the Lake floor line and to build a railing around it for an observation station. The request was granted, with the understanding that the crane there will become the property of the City if not used by the CRA.

It was moved by Mayor Miller that the firm of Maxwell & Cox, Accountants, be employed for another year, at a salary of \$1500, to make monthly audits of the City's books, and that said firm be paid

an additional \$250 for a general overhauling and checking of the accounts of Brackenridge Hospital. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

It was moved by Mayor Miller that the following persons be appointed as members of the Navigation Committee for Lake Austin:

C. A. Gerjes
Geo. S. Nalle
E. R. Kennedy
Freeman Taylor
Harry Bernhard

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

It was moved by Councilman Alford that Benjamin Charlie Jackson, 1402 East Second Street, be granted a taxicab driver's permit, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

In accordance with the recommendations of the Traffic Division and the Chief of Police, as submitted by the City Manager, Councilman Wolf moved that the City Attorney be instructed to prepare the necessary ordinance covering the installation of parking meters at the following locations:

- 6 - One hour meters in the 500 block Colorado Street on the east side
- 8 - One hour meters in the 100 block East Fifth Street on the south side from the alley east to Brazos Street
- 8 - One hour meters in the 100 block East Fifth Street on the north side from the alley east to Brazos Street
- 14 - One hour meters in the 100 block West Eighth Street on the south side from the alley west to Colorado Street

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

The following resolution was introduced by Councilman Alford, who moved its adoption:

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 EVANS AVENUE from Fiskville Road southerly 362 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Evans Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in GLENVIEW AVENUE from a point 75 feet south of West 33rd Street northerly 65 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Glenview Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in EAST 37TH STREET from Speedway Alley westerly 63 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north property line of said East 37th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ 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.

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

The following resolution was introduced by Councilman Gillis, who moved its adoption:

WHEREAS, Frank Rundell is the Contractor for the erection of a building located at 405 West 21st Street and desires a portion of the street and alley space abutting Lot 30, Outlet 22 $\frac{1}{2}$, Division "E", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, during the erection 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 Frank Rundell, the boundary of which is described as follows:

Street and Alley Working Space

Beginning at a point on the south property line approximately 40 feet west of the alley line; thence in a southerly direction and at right angles with the centerline of West 21st Street to a point 10 feet south of the north curb line; thence in an easterly direction and parallel with the centerline of West 21st Street 40 feet to a point; thence at an angle of approximately 45° to a point 6 feet east of the southeast corner of the above described property; thence in a northerly direction and parallel with the centerline of the alley, 70 feet to a point; thence in a westerly direction to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Frank Rundell, herein-after 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 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 is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

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

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

(8) 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.

(9) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the alley and street immediately after the necessity for their existence on said alley or street has ceased, such time to be determined by the City Manager, and in any event all such barricades, materials, equipment, and other obstructions shall be removed not later than May 1, 1940.

(10) 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.

(11) 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.

(12) 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.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000.00), 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.

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

The following resolution was introduced by Councilman Gillis, who moved its adoption:

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

THAT the City Council of the City of Austin hereby approves the erection of dock and piers on the property owned by the Austin Boy Scouts as described in the Travis County Deed Records, on the shore of Bull Creek, and hereby authorizes the said Austin Boy Scouts to construct, maintain and operate this dock and piers, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this dock and piers after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Austin Boy Scouts have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Building Inspector's
Recommendations attached)

"Austin, Texas
February 15, 1940

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

The undersigned has reviewed the plans and considered the application of the Austin Boy Scouts, owners of a piece of property abutting on Bull Creek, known as Camp Tom D. Wooten and listed in the Travis County Deed Records, for permission to construct and maintain a boat dock and landing pier projecting out into Bull Creek and also in an arroyo extending inland from said creek.

We recommend that the Austin Boy Scouts be granted permission to construct and maintain said docks

and piers, subject to the following conditions:

1. That nothing but creosoted piles and galvanized iron bolts be used in the construction of this dock and piers.
2. That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares or merchandise, and no living quarters of any character shall be erected on this dock and piers.
3. That said dock and piers be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

Respectfully submitted,

(Signed) J. C. Eckert
Building Inspector.

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

The following resolution was introduced by Councilman Alford, who moved its adoption:

WHEREAS, the curb and sidewalk specifications of the City of Austin, which have been previously adopted by the City Council of the City of Austin, require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, Herbert S. Gannaway, owner of a portion of Lots 21 and 22, Bryker Woods C, a subdivision within the City of Austin, Travis County, Texas, which property abuts the north side of West 29th Street at a location west of Jefferson Street, and being locally known as 1710 West 29th Street, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT Herbert S. Gannaway, owner of a portion of Lots 21 and 22, Bryker Woods C, a subdivision within the City of Austin, Travis County, Texas, which property abuts the north side of West 29th Street at a location west of Jefferson Street, and being locally known as 1710 West 29th Street, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

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

The following resolution was introduced by Councilman Gillis, who moved its adoption:

WHEREAS, Densil Dickerson, owner of a portion of Lot 8, Block 50, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Rio Grande Street at a location south of West Sixth Street, and being locally known as 511 Rio Grande Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line of Rio Grande Street adjacent to the above described property, thereby relieving traffic congestion by creating a greater width of travelway on Rio Grande Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

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

THAT permission is hereby granted Dennis Dickerson, owner of a portion of Lot 8, Block 50, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Rio Grande Street at a location south of West Sixth Street, and being locally known as 511 Rio Grande Street, to set the curb back from the established curb line on Rio Grande Street adjacent to the above described property.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached, marked 2-C-849, and made a part hereof, and in accordance with the following conditions:

1. That the construction of the setback area on Rio Grande Street shall be carried out in accordance with the accompanying plan marked 2-C-849 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.
2. That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.
3. That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-849.
4. That all such expansion joints shall be of the pre-moulded type.
5. That all concrete work within the street area shall be done by a bonded sidewalk contractor.
6. That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.
7. That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

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

It was moved by Mayor Miller that Dr. Elizabeth Gentry be appointed as physician to make out-patient calls from Barckenridge Hospital, at a salary of \$150 per month. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, Geo. W. Walling, Jr., and Tom B. Walling, of Travis County, Texas, did, on the 14th day of April, 1918, grant to the City of Austin the right to construct and perpetually maintain a sanitary sewer easement in, upon, and across the following described real estate: All of Outlet 10, in Division "Z" of the City of Austin, Travis County, Texas, except (1) One acre on Shoal Creek owned by Charles Steward as conveyed to him by Herman Schieffer by deed recorded in Book 256, page 454, Travis County Deed Records; (2) One acre owned by Gustav Schlueter on Shoal Creek, as conveyed to him by deed recorded in Book 80, page 374, of the Travis County Deed Records; and (3) 3.45 acres on Shoal Creek, owned by John Orr and John A. Wayland, conveyed to said parties by deed recorded in Book 96, page 83, of the Travis County Deed Records; and

WHEREAS, the City of Austin has built and again rebuilt a sanitary sewer on a course following within and along the bed of Shoal Creek thereby not interfering with any property developed for residential purposes adjacent to said Creek; and

WHEREAS, on April 18, 1935, at 9:00 o'clock A. M., W. T. Caswell did file for record a map or plat of a subdivision of land showing various lots, some of said lots being out of Outlet 10, Division "Z" of said Government Outlots adjoining the Original City of Austin, Travis County, Texas; and said Subdivision being known as Shoal Terrace, and was recorded on April 19, 1935, at 3:00 o'clock P. M., in Book 3, at page 225, of the Plat Records of Travis County, Texas; and

WHEREAS, said sanitary sewer easement rights granted the City by Geo. W. Walling, Jr., and

Tom B. Walling, as previously referred to, do cover, among other portions of Outlet 10, Division "Z", all of said Outlet 10, Division "Z" now known as Shoal Terrace; and

WHEREAS, the owner or owners of the various lots in said Shoal Terrace that are a portion of said Outlet 10, Division "Z", have requested the City of Austin to release the said lots from the provisions of the aforesaid easement, and by a survey upon the ground, it has been determined that the various lots in said Shoal Terrace that are a part of the land over which sanitary sewer easement rights was granted the City of Austin by the said Geo. W. Walling, Jr., and Tom B. Walling are not a part of the land required for the construction, maintenance or operation of the aforesaid sanitary sewer; and

WHEREAS, the City Council of the City of Austin has considered the aforesaid request and deems it wise that same be granted; therefore,

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

THAT the aforesaid sanitary sewer, being located within and along the bed of Shoal Creek, beginning at the south line of said Outlet 10, Division "Z", and extending in an upstream direction to the west or northwest line of said Outlet 10, Division "Z", has been constructed and maintained by the City of Austin, and that no other part of the property described in the aforesaid easement executed by Geo. W. Walling, Jr., and Tom B. Walling is required for the said sanitary sewer constructed under the provisions of said easement; and

BE IT FURTHER RESOLVED;

THAT Guiton Morgan, City Manager of the City of Austin, is hereby authorized to execute a release of the aforesaid Walling sanitary sewer easement as to all of Outlet 10, in Division "Z", of the City of Austin, Travis County, Texas, except (1) One acre on Shoal Creek owned by Charles Steward, as conveyed to him by Herman Schieffer by deed recorded in Book 256, page 454, Travis County Deed Records; (2) One acre owned by Gustav Schlueter, on Shoal Creek, as conveyed to him by deed recorded in Book 80, page 374, of the Travis County Deed Records; and (3) 3.45 acres on Shoal Creek, owned by John Orr and John A. Wayland, conveyed to said parties by deed recorded in Book 96, page 83, of the Travis County Deed Records, other than that portion of said described land along which said sanitary sewer has been located in the bed of Shoal Creek, beginning at the south line of said Outlet 10, Division "Z", and extending in an opposite direction to the west or northwest line of said Outlet 10, Division "Z"; unto the public and the various owners of the various lots in said Shoal Creek that are a portion of said Outlet 10, Division "Z", and their heirs and assigns.

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

X The following resolution was introduced by Mayor Miller, who moved its adoption:

WHEREAS, the City of Austin has acquired by purchase and gift certain lands, consisting of all or a part of Outlots 58, 68, 69, and 70, Division "O" of the Government Outlots to the Original City of Austin, and comprising approximately 40 acres of land adjacent to the Colorado River, and lying within the corporate limits of the City of Austin; and

WHEREAS, the United States Government, through its Bureau of Fisheries, has indicated that if the City of Austin will convey by warranty deed a part of said lands to the United States Government, the Bureau of Fisheries will locate, establish and maintain a fish cultural station on the lands so conveyed; and

WHEREAS, the United States Bureau of Fisheries has available approximately \$40,000 to be expended for superintendence, equipment, and material in the establishment and construction of a fish hatchery at said location, and has indicated that the north portions of Outlots 69 and 70, consisting of 21.68 acres of land will be suitable for the Bureau's fish cultural station; and

WHEREAS, arrangements have been made with the Board of Water Engineers of the State of Texas for the appropriation annually of 2500 acre-feet of water from the Colorado River to be used in the operation

of said Federal fish hatchery; and

WHEREAS, by supplying only the land for the location of said fish hatchery, the City of Austin may enjoy all the benefits to be derived from the location and maintenance of such a project within the City and may obtain fish from such hatchery for stocking Lake Austin, of which 18.6 miles lie within the City of Austin, and over which the City of Austin exercises general police power, by virtue of its Charter; and

WHEREAS, the location and maintenance of such Federal fish hatchery will be an integral part of an improvement and development program on said 40-acres, including the dedication, construction and maintenance of a scenic boulevard, and the location and maintenance of a "Youth Center," with club houses, parks and playgrounds and other recreational facilities, together with all necessary additional street lighting, and general improvement of surrounding streets approaching said fish hatchery and the immediate area to be used for other public purposes named above; and

WHEREAS, the fish hatchery will be parked and landscaped and provided with walks and passageways and will be open to the general public at reasonable times for the use and enjoyment of the public generally and the citizens of Austin, thus furnishing to the people of Austin an educational and recreational feature not now available within thirty miles of the City of Austin; and

WHEREAS, the City Council deems it advisable and beneficial to the City of Austin and its citizens to convey said 21.68 acres of land to the United States Government for the location, establishment and maintenance of a Federal fish cultural station; now, therefore

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

THAT the City Manager be and he is hereby authorized and directed for and in behalf of the City of Austin, to convey by general warranty deed to the United States of America, or its assigns, that certain 21.68 acres of land, a portion of Outlots 69 and 70, Division "O" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which said 21.68-acre tract of land is more particularly described as follows:

Twenty-one and 68/100 (21.68) acres of land out of Outlots 69 and 70, in Division "O" of the Government Tracts adjoining the City of Austin, in said Travis County, Texas, according to the Map or Plat of said Government Outlots on file in the General Land Office of Texas, in which said 21.68 acres are a portion of that certain lot, tract or parcel of land conveyed to John S. Martin, E. A. Giraud and W. L. Stark by J. P. Schneider by deed recorded in Vo. 257, at page 473 of the Deed Records of Travis County, Texas, described by metes and bounds as follows:

BEGINNING at an iron stake in the east line of Waller Street, which iron stake is at the northwest corner of Outlet 70, Division "O" of said Government Outlots and at the southwest corner of Lot 1, Block 1 of Magnolia Addition, according to a map or plat of said Magnolia Addition of record in Book 4, at pages 92 and 93 of the Plat Records of Travis County, Texas;

Thence following the north line of Outlots 70 and 69, said Division "O" and the south line of said Magnolia Addition, S. 67° 10' E. 1287.45 feet to an iron stake in the west line of Comal Street, which iron stake is at the northeast corner of said Outlet 69, and the southeast corner of Lot 5, Block 2 of said Magnolia Addition;

Thence following the west line of Comal Street and the east line of Outlet 69, S. 22° 51' W. 786.2 feet to an iron stake;

Thence N. 67° 09' W. 166 feet to an iron stake;

Thence N. 62° 42' W. 631.5 feet to an iron stake;

Thence N. 58° 28' W. 203.5 feet to an iron stake;

Thence N. 45° 10' W. 314.97 feet to an iron stake in the east line of Waller

Street and in the west line of Outlet 70, said Division "O";

Thence following the east line of Waller Street and the west line of said Outlet 70, N. 22° 56' E. 588.49 feet to the point of beginning.

The motion was seconded by Councilman Wolf. The roll being called on the adoption of the resolution, the result was as follows: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent, whereupon the Mayor declared the resolution duly adopted.

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, City of Austin taxes were assessed in the name of Mrs. T. J. Ing Estate for the years 1930 to 1939, both inclusive, on Lot No. 25, Block 5, Outlet 77, Buddington Addition, Plat No. 71, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$255.74; and for non-payment of same at maturity penalty in the sum of \$11.55 has been assessed, and interest in the sum of \$69.51,

making the total amount of taxes, penalty and interest, \$336.80; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$11.55, and one-half of the interest in the sum of \$34.76; therefore

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

THAT the aforesaid penalty in the sum of \$11.55, and one-half of the interest, in the sum of \$34.76, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$11.55, and one-half of the interest in the sum of \$34.76, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

Upon roll call, the foregoing 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 12:10 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Harris McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 23, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on February 23, 1940, at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Alford. The regular meeting falling on a legal holiday, the same was held on Friday following.

The Minutes of the regular meeting of February 15, 1940, were read, and upon motion of Councilman Gillis, seconded by Councilman Bartholomew, the same were adopted as read by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Alford absent.

Messrs. Hilliare Nitschke and D. C. Durbin submitted to the Council a petition signed by the owners of acreage property between the Upper and Lower Georgetown Roads, asking that Peck Avenue be extended south to the Blind Institute, in order that their property may be subdivided into lots facing east and west on said street. The matter was referred to the City Manager and the City Engineer for consideration and recommendation.

Judge D. J. Pickle submitted to the Council a petition signed by the owners of all the lots in Block "C", Monte Vista Addition, asking that the alley in said block be closed. The matter was referred to the City Manager and the City Engineer for consideration and recommendation.