

The above resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor McFadden, Councilman Mueller, 3; nays, none; Councilmen Alford and Steck absent, 2.

No further business coming before the Council, Councilman Gillis moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilman Gillis, Mayor McFadden, Councilman Mueller, 3; nays, none; Councilmen Alford and Steck absent, 2.

The Council then recessed.

Approved: *P. H. McFadden*
M a y o r .

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 3, 1931.

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

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

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Unit or District of Improvement as follows:

TENTH STREET from the east property line of Brazos Street to the west property line of San Jacinto Street, known and designated as Unit or District No. P-184; the Mayor thereupon stated that all persons desiring to protest the levying of assessments against abutting property on the above mentioned street and within the limits above stated, or who desired to be heard with reference to the improvements proposed to be assessed against said property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing, would now be heard from, and no one appearing to protest the Mayor laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND LEVYING ASSESSMENTS FOR PART OF THE COST OF IMPROVING A PORTION OF TENTH STREET IN THE CITY OF AUSTIN, TEXAS, FIXING A CHARGE AND LIEN AGAINST PROPERTY ABUTTING THEREON AND AGAINST THE OWNERS THEREOF, PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS AND THE ISSUANCE OF ASSIGNABLE CERTIFICATES IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen

Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution, which was introduced at the last regular meeting and laid over:

RESOLUTION DECLARING THE NECESSITY FOR, AND PROVIDING FOR FLUSH COATING A PORTION OF SEVENTH STREET AND PORTIONS OF SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, APPROVING FORM OF CONTRACT AND BOND, AND APPROPRIATING MONEY TO PAY THE COST THEREOF.

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

I.

That a necessity exists that the following streets in the City of Austin, Texas, be improved by flush coating the same with bitulithic double flush coating, in accordance with the specifications therefor on file with the City of Austin, Texas:

SEVENTH STREET from the east line of Colorado Street to the west line of Brazos Street;

EIGHTH STREET from the east line of Colorado Street to the west line of Brazos Street;

SECOND STREET from the east line of Colorado Street to the west line of Brazos Street;

II.

That the bid of Southwest Bitulithic Company for such flush coating at and for the price of fifteen cents per square yard be and the same is accepted, and it is hereby ordered and provided that the contract for making such street improvement is hereby let to said Southwest Bitulithic Company, and the form of said contract having been submitted, together with a form of construction bond securing the performance of said contract, said forms of contract and bond are hereby approved and the City is hereby authorized and directed to execute a contract with said Southwest Bitulithic Company upon said form of contract in the name of the City of Austin, Texas, and to impress the corporate seal of said City thereon, and is authorized and directed to receive and approve a construction bond executed upon said form of bond, in the sum of \$950.00, upon presentation of said bond duly executed by said contractor and surety company authorized to do business in the State of Texas.

It is ordered that any ordinance, resolution, rule or regulation requiring or providing for competitive bid shall be and the same is hereby waived and dispensed with and suspended for the purposes of the improvements herein ordered, and for the purpose of the contract hereby let.

III.

That the City of Austin shall and will pay in cash the entire cost of such flush coating, upon completion and acceptance thereof by the City of Austin.

IV.

That the sum of \$1900.00 is hereby appropriated out of the Street Improvement Fund of the City of Austin for the purpose of the cost of such flush coating, which amount is

to be kept in a sacred fund and applied to the purpose named.

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

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, CANCELLING THE CONTRACT AND BOND BETWEEN THE CITY OF AUSTIN AND L. E. WHITHAM & COMPANY FOR THE IMPROVEMENT OF PORTIONS OF EAST FIRST STREET IN THE CITY OF AUSTIN, AND CANCELLING AND RELEASING THE ASSESSMENT HERETOFORE LEVIED AGAINST THE PROPERTY AND THE OWNERS THEREOF ABUTTING SAID PORTIONS OF SAID STREETS, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, CANCELLING THE CONTRACT AND BOND BETWEEN THE CITY OF AUSTIN AND L. E. WHITHAM & COMPANY FOR THE IMPROVEMENT OF ALLEY IN BLOCK 21 AND SUNDRY OTHER ALLEYS, IN THE CITY OF AUSTIN, AND CANCELLING AND RELEASING THE ASSESSMENT HERETOFORE LEVIED AGAINST THE PROPERTY AND THE OWNERS THEREOF ABUTTING SAID PORTIONS OF SAID ALLEYS, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be passed finally. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, CANCELLING THE CONTRACT AND BOND BETWEEN THE CITY OF AUSTIN AND L. E. WHITHAM & COMPANY FOR THE IMPROVEMENT OF ALLEY IN OUTLOT 22-1/2 IN DIVISION "D" IN THE CITY OF AUSTIN, AND CANCELLING AND RELEASING THE ASSESSMENT HERETOFORE LEVIED AGAINST THE PROPERTY AND THE OWNERS THEREOF ABUTTING SAID ALLEY AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford,

Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be passed finally. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Judge Ike D. White, Attorney for Fay Stevens, et al., submitted a proposition of his clients to pay for the paving abutting the strip of ground owned by the City on Waller Boulevard at the intersection of Park Place, and which adjoins property owned by said clients, provided the City would deed this land to them. The matter was taken under advisement by the Council and referred to the Consulting Engineer to find out the attitude of the adjacent property owner relative to the closing of the street.

A committee from the Lions Club appeared before the Council and asked that provision be made in the new budget for the payment of \$735.00 due the National Playgrounds Association of America for a preliminary survey of the City made by said organization in 1926 at the instance of said club, suggesting that if it were not possible to pay the whole amount at one time, that one-half of same be paid in 1932 and the other half in 1933.

Councilman Steck moved that the above matter be taken under advisement with the City Manager. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The following report of the Board of Adjustment was read:

"Austin, Texas, December 3, 1931.

Honorable City Council,
City of Austin.

Gentlemen:

As requested on November 12, 1931, the City Council postponed action on an ordinance for establishing building lines on East 1st Street from East Avenue to the City limits to permit the Board of Adjustment to study the report of the City Engineer and his recommendations. At a meeting held on November 27, 1931, the City Engineer appeared before the Board of Adjustment and presented his report with an explanation of all facts and conditions pertaining thereto.

After careful consideration of the matter, the Board concurred with the recommendations of the City Engineer and recommends to the City Council the establishment of the building lines as prescribed by the City Engineer's report.

Yours respectfully,

BOARD OF ADJUSTMENT,

By (Sgd) H. F. Kuehne,
Chairman. "

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE ESTABLISHING THE BUILDING
LINES ON EAST FIRST STREET IN THE CITY OF
AUSTIN.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The foregoing ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be passed finally. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Mayor McFadden moved that, having considered the protests of property owners and the City Plan Commission against the proposed change in the USE designation of all of original Lots 1, 2, and 3, Block 159, and all of Lots 1, 2, and 3, Block 160, of the Original City of Austin, from Residence "B" to Commercial "C", the City Council deny the request for such proposed change. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor announced that the hearing called for this day, by published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance of the City of Austin in the following particulars:

(1) To amend the USE designation of Lots 14, 15, and 16, in Wendlandt & Stachely Addition, in Outlet 45, Division "O", which property is located at the northwest corner of the intersection of Holly Street with Navasota Street, so as to change the same from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT;

would now be opened. No one appearing to protest, the Mayor laid before the Council the following report of the City Plan Commission:

"Austin, Texas, December 3, 1931.

Honorable City Council,
City of Austin,
Austin, Texas.

Gentlemen:

The following resolution was passed by the City Plan Commission at a meeting held on November 30, 1931:

"WHEREAS, the City Council, in accordance with the terms of the Zoning Ordinance, has submitted to the City Plan Commission, for its consideration and recommendation, an amendment to the Zoning Ordinance providing for the change of the USE designation of all that property designated as Lots 14, 15, and 16, in Wendlandt and Stachely Addition, Outlet 45, Division "O", of the City of Austin, being a block bounded by Holly, Navasota, Taylor and Cross Streets, from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT; and

WHEREAS, a large delegation of adjacent property owners appeared before the Commission and approved the change; and

WHEREAS, no objections thereto were presented to the Commission; and

WHEREAS, the Commission carefully considered the proposed amendment and found no objections thereto; therefore,

BE IT RESOLVED BY THE CITY PLAN COMMISSION OF THE CITY OF AUSTIN:

THAT the above amendment to the Zoning Ordinance and change in the USE District map be and is hereby approved and recommended to the City Council of the City of Austin.

CITY PLAN COMMISSION,

(By) H. F. Kuehne,
Chairman."

The above report was received and filed.

The following resolution of the City Plan Commission, passed at their meeting of November 30, 1931, was read and ordered filed:

"WHEREAS, the City Plan Commission has carefully considered the proposal for the construction of a low-water dam on the Colorado River at some point between East Avenue and the east city limits for the creation of a lake to extend from the dam to a point beyond Deep Eddy for recreational purposes and for a general beautification of the river bed adjacent to the City; and

WHEREAS, it was the consensus of opinion of the members of the Commission that such a lake would be a great asset and benefit to the City from an aesthetic and civic point of view and would materially add to the pleasure and happiness of the citizens of Austin; and

WHEREAS, such a lake would be a very desirable feature in the larger city plan for Austin; therefore,

BE IT RESOLVED BY THE CITY PLAN COMMISSION OF THE CITY OF AUSTIN:

THAT the building of such a dam and creation of a lake is approved in principal by the Commission on condition that the same is proved to be practical, expedient and not excessive in cost so as to create unnecessary additional burdens upon the tax payers and that all details of engineering and financing be left to the judgment of the City Council of the City of Austin.

CITY PLAN COMMISSION,

By (Sgd) H. F. Kuehne,
Chairman. "

The following resolution of the City Plan Commission, passed at their meeting of November 30, 1931, was read:

"WHEREAS, East 10th Street now terminates on the west line of East Avenue and continues again from San Marcos Street to Navasota Street and there being only an alley from the east line of East Avenue to San Marcos Street; and

WHEREAS, the property between East Avenue and Navasota Street along this alley is built up with a number of houses; and

WHEREAS, the area is zoned as "A" RESIDENCE DISTRICT; and

WHEREAS, under the terms of the Zoning Ordinance, no permits can be granted for residences facing on an alley; therefore,

BE IT RESOLVED BY THE CITY PLAN COMMISSION OF THE CITY OF AUSTIN:

THAT the City Council be requested to establish building lines on this alley so as to permit the future extension of East 10th Street from East Avenue to San Marcos Street, the distance between said building lines to be left to the judgment of the City Council, which would provide a continuous cross street from the western limits of the City to the State Cemetery on Navasota Street.

CITY PLAN COMMISSION,

By (Sgd) H. F. Kuehne,
Chairman. "

Mayor McFadden moved that the above recommendations of the City Plan Commission be approved and adopted and the matter referred to the City Manager and City Engineering Department for attention and report back to the Council. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The following resolution of the City Plan Commission, passed at their meeting of November 30, 1931, was read:

"WHEREAS, East Ninth Street terminates on the west line of East Avenue and continues again from an alley east of East Avenue a distance of 125 feet from the east line of East Avenue to Navasota Street; and

WHEREAS, East Ninth Street now extends from East Avenue to Navasota Street with the exception of the closure between the east line of East Avenue and the aforementioned alley; and

WHEREAS, the City Plan Commission deemed that this street should be opened and made continuous for the benefit of the property fronting on this street east of East Avenue; therefore,

BE IT RESOLVED BY THE CITY PLAN COMMISSION OF THE CITY OF AUSTIN:

That the City Council be requested to take such steps as may be necessary to extend the east portion of East 9th Street through to East Avenue.

CITY PLAN COMMISSION,

By (Sgd) H. F. Kuehne,
Chairman. "

Mayor McFadden moved that the foregoing recommendations of the City Plan Commission be approved and adopted and the matter referred to the City Manager and City Engineering Department for attention and report back to the Council. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

W. T. Caswell, Chairman of the Park Board, presented resolutions of said Board recommending the purchase of three tracts of land from Miss Julia E. Vance, Dr. Goodall H. Wooten, and Mrs. Katherine Parr Hamilton, respectively, for the completion of the Shoal Creek Boulevard and gave a review of the work done by said Board, especially with reference to the Shoal Creek project. The Mayor expressed the appreciation of the Council for the valuable work done by the Park Board.

The Mayor then laid before the Council 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 to purchase from Miss Julia E. Vance, for a cash consideration of Ten Thousand (\$10,000.00) Dollars, and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following described tract of land, to-wit:

12.845 acres of land on the east side of Shoal Creek between 17th and 19th Streets, being a part of Lots 12 and 13 of the Government Tract in Division "E" in the City of Austin, Travis County, Texas, described by metes and bounds as follows:

Beginning at the northwest corner of Lot No. 13 of the Government Tract in Division "E" of the City of Austin, Texas, said corner being an iron stake in the bed of Shoal Creek at its intersection with the south line of 19th Street;

Thence with the south line of 19th Street, same being the north line of the above mentioned Lot No. 13, S. 71° E. for a distance of 633 feet to a wood stake in fence line for corner;

Thence S. 42° E. for a distance of 574.3 feet to a stake for corner;

Thence S. 29° 45' E. for a distance of 540 feet to a stake in the north line of 17th street at a point N. 71° W. 157 feet from the southwest corner of the Ewell Nalle place;

Thence with the north line of 17th Street N. 71° W. for a distance of 395 feet to an iron stake in the bed of Shoal Creek;

Thence in the bed of Shoal Creek with its meanders, in an upstream direction, as follows:

N. 57° 02'	W. 317 feet;
N. 55° 33'	W. 241.6 feet;
N. 42° 15'	W. 136 feet;
N. 48° 53'	W. 221 feet;
N. 62° 51'	W. 205.5 feet;
N. 44° 58'	W. 94.7 feet;
N. 21° 37'	E. 715 feet, more or less

to the place of beginning, containing 12.845 acres of land.

BE IT FURTHER RESOLVED:

THAT the sum of Ten Thousand (\$10,000.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to Miss Julia E. Vance, and to be delivered to said party, after approval of title to said land by the City Attorney and delivery by said party of her general warranty deed to said land.

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

The Mayor laid before the Council 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 to purchase from Goodall H. Wooten, for a cash consideration of Nine Thousand Six Hundred Fifty-three Dollars (\$9,653.00), and upon showing of good and merchantable title in said owner at the time

of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following described two tracts of land, to-wit:

FIRST TRACT: An undivided one-half interest in Lots Nos. 9, 10, 11, 13, 14, and 15, in Block No. 2 in the Subdivision of Outlet No. 44; Lots Nos. 6, 7, 8, 9, 11, and 12, in Block No. 3, in the Subdivision of Outlet No. 43; Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 in Block No. 4 in the Subdivision of Outlet No. 43; Lots Nos. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 24, 25, and 26, in Block No. 5 in the Subdivision of Outlet No. 55; also all his interest in Lot 20, in Block 5, Outlet 55; all in Division "D" in the City of Austin, Travis County, Texas, as shown by map or plat of Robard's Subdivision of record in Plat Book 1, Page 12, of the Records of Travis County, Texas.

SECOND TRACT: All of the interest owned by Dr. Wooten in that portion of Block No. 3 in the Subdivision of Outlet No. 43, in Division "D" lying west of the alley through said Block and lying south of Lots Nos. 9, 10, 11, 12, and 13 in said Block; also all that portion of Block No. 4 lying north of Lot No. 12, and all of said Block No. 4 lying west of the alley and west of Lots Nos. 4 to 11, both inclusive; also all that portion of Block No. 5, in the Subdivision of Outlet No. 55, in Division "D" in the City of Austin, lying east of the alley through said Block and north of a line drawn easterly in prolongation of the north line of Lot No. 25, of said block; also all of his interest in those portions of Blocks Nos. 3 and 4, in the Subdivision of Outlet No. 43, in Division "D", not hereinbefore specified, lying west of Third Street as shown upon the plat hereinbefore referred to; also all his interest in those lots known as Anderson's Subdivision in Division "D" in the City of Austin, Travis County, Texas, lying below the bottom of the bluff and between Leon or Grandview Street and San Gabriel Street.

BE IT FURTHER RESOLVED:

THAT the sum of Nine Thousand Six Hundred Fifty-three Dollars (\$9,653.00) be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to Goodall H. Wooten, and to be delivered to said party after approval of title to said land by the City Attorney, and delivery by said party of his general warranty deed to said land.

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

The Mayor laid before the Council 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 to purchase from Mrs. Katharine Parr Hamilton, for a cash consideration of Ten Thousand Dollars (\$10,000.00) and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following described lots or tracts of land, to-wit:

Lots Nos. 9, 10, 11, 13, 14, and 15, in Block No. 2 in the Subdivision of Outlet No. 44; Lots Nos. 6, 7, 8, 9, 11, and 12, in Block No. 3 in the Subdivision of Outlet No. 43; Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, in Block No. 4, in the Subdivision of Outlet No. 43; Lots Nos. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, and 26, in Block No. 5, in the Subdivision of Outlet No. 55; all in Division "D" in the City of Austin, Travis County, Texas, all of said lots being shown upon a map or plat of Robard's Subdivision of record in Plat Book 1, Page 12 of the Records of Travis County, Texas, to which said plat and the record thereof reference is here made for description; also all of her interest in and to all that portion of Block No. 3 in the Subdivision of Outlet No. 43 in Division "D" lying west of the alley through said block and lying south of Lot No. 13 in said block; also, all that portion of Block No. 4 lying north of Lot No. 12 and all of said Block No. 4 lying west of the alley and west of Lots Nos. 4 to 11, both inclusive; also, all of her interest in those portions of Blocks Nos. 3 and 4 in the Subdivision of Outlet No. 43, in Division "D", not hereinbefore specified, lying west of Third Street as shown upon the plat hereinbefore referred to.

BE IT FURTHER RESOLVED:

THAT the sum of Ten Thousand (\$10,000.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund, for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to Mrs. Katharine Parr Hamilton and to be delivered to said party, after approval of title to said land by the City Attorney,

and delivery by said party of her general warranty deed to said land.

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

The Mayor laid before the Council the following resolution:

WHEREAS, on the 30th day of November, 1931, the City Park Board passed a motion recommending that the City Council transfer the sum of \$2617.41, saved in the development of East Avenue between Fourth and Eighth Streets, to the further development of East Avenue between Eighth and Fourteenth Streets; and

WHEREAS, the City Council has favorably considered same;

Therefore,

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

THAT the additional sum of \$2617.41 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of additional improvements to be constructed on East Avenue between Eighth and Fourteenth Streets.

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

The Mayor laid before the Council the following resolution:

WHEREAS, on the 30th day of November, 1931, the City Park Board passed a resolution recommending that the City Council appropriate Three Thousand Dollars (\$3000.00) for the development of the central parkways on East Twelfth Street between Brazos Street and East Avenue; and

WHEREAS, the City Council has favorably considered same;

Therefore,

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

THAT the sum of Three Thousand Dollars (\$3000.00) is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of developing the central park area on East Twelfth Street between Brazos Street and East Avenue.

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

The Mayor laid before the Council the following resolution:

WHEREAS, on the 30th day of November, 1931, the City Park Board passed a resolution requesting the City Council to appropriate an additional Five Hundred Dollars (\$500.00) for engineering expenses in relation to various city park developments; and

WHEREAS, the City Council has favorably considered same;

Therefore,

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

THAT an additional Five Hundred Dollars (\$500.00) is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of taking care of engineering expenses, and that said \$500.00 be applied to the Park Engineer's budget.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the premises abutting the north and south sides of Graham Place from the west line of Rio Grande Street to the east line of San Pedro Street have never been numbered in accordance with the City of Austin's scheme of numbering houses; and

WHEREAS, the City Engineer has made a study of the situation and has prepared a map showing the recommended scheme of numbering said premises and said map has been considered by the City Council;

Therefore,

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

THAT the premises abutting the north and south sides of Graham Place from the west line of Rio Grande Street to the east line of San Pedro Street shall be numbered in accordance with the recommended numbers shown on the plan hereto attached marked 2-C-278, which plan is hereby made a part of this resolution.

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

The Mayor laid before the Council 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 EAST FIFTH STREET beginning at a point $33\frac{1}{2}$ feet east of and $33\frac{1}{2}$ feet north of the intersection of the center line of East Fifth Street and the center line of Trinity Street.

Thence in an easterly direction $33\frac{1}{2}$ feet north of and parallel to the center line of East Fifth Street, a distance of one block to the west line of Neches Street. Said gas main described above shall have a cover of not less than 3 feet.

(2) A gas main in TRINITY STREET beginning at a point $33\frac{1}{2}$ feet east of and $33\frac{1}{2}$ feet north of the intersection of the center line of East Fifth Street and the center line of Trinity Street.

Thence in a northerly direction, $33\frac{1}{2}$ feet east of and parallel to the center line of Trinity Street, a distance of one block to the south line of East Sixth Street. Said gas main described above shall have a cover of not less than 3 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 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 wherever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back-filling 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 above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the taxes for the year 1928 against Simms Fish Market, amounting to \$64.58, have not been paid; and

WHEREAS, Mr. Walter Simms, proprietor of Simms Fish Market, says that when he paid his other taxes for said year 1928, he was not presented with the taxes against Simms Fish Market, and that he would have paid same at that time; and

WHEREAS, the merchandise and fixtures against which these taxes were levied have since been sold and Mr. Simms has tendered the Tax Department his check in the sum of \$64.58, which does not include penalty and interest in full settlement of said account, and same has been temporarily accepted pending authorization for final acceptance by the City Council;

Now, therefore,

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

THAT the Tax Assessor and Collector is hereby authorized to accept said check of Walter Simms in the sum of \$64.58, in full settlement of the taxes against Simms Fish Market for the year 1928.

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

The Mayor laid before the Council the following resolution:

WHEREAS, James R. Moore is assessed for the years 1927, 1928, 1929, and 1930 with the improvements on Lot 4, Outlot 3, Division "Z", Brooks and Shelley Subdivision, Flat 95, with the valuation of \$3,070.00; and

WHEREAS, the Tax Department of the City of Austin, after a careful study of said valuation, recommends that an adjustment in the unit and the depreciation be made, whereby the valuation on said improvements be placed at \$2,675.00; and

WHEREAS, due to a controversy concerning said value, said James R. Moore has tendered each year payment of his taxes on a figure lower than that which was authorized by either the Board of Equalization or the City Council and his payment was refused by the Tax Department;

Now, therefore,

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

THAT the Tax Assessor and Collector is hereby authorized to change the valuation of the improvements on Lot 4, Outlot 3, Division "Z", Brooks and Shelly Subdivision, Flat 95, from \$3,070.00 to \$2,675.00 for the years 1927, 1928, 1929, and 1930, and to collect taxes on same including interest to date, the penalty to be remitted due to an offer of payment prior to delinquency, and Suit No. 46241 to be dismissed by the City of Austin.

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

The Mayor laid before the Council the following resolution:

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

THAT the City Manager be and is hereby authorized and directed to purchase from Bruce Bogle for a cash consideration of Seven Hundred and Seventy-five Dollars (\$775.00), and upon showing of good and merchantable title in said owner at the time of conveyance and free from all liens and incumbrances as determined by the City Attorney, and after accurate survey thereof, and further conditioned upon the City of Austin's securing assur-

ance of title to a tract of land running north and south across property owned by E. M. Bohls, forty (40) feet wide, to be used for street purposes, and upon delivery to the City of the owners general warranty deed, the following described tract of land, to-wit:

A portion of a tract of six acres, more or less, in Swisher Addition to Austin, Travis County, Texas, the same being in the Isaac Decker League and being a portion of that six acre tract set apart to John H. Robinson in Cause No. 4445 in the District Court of Travis County, Texas, styled, James Monroe Swisher vs John Milton Swisher, et al., and being generally described by metes and bounds as follows:

Beginning at a point on the southwest line of a tract of land now owned by E.M.Bohls about 160 feet N. 59°58' W. from the southeast corner of a tract of land formerly owned by J. P. Schneider and now owned by E. M. Bohls, and being also about N. 59°58' W. 160 feet distant from the northeast corner of that tract of land conveyed to Bruce Bogle by M. E. Bogle by deed recorded in Travis County Deed Records in Book 474, Page 29;

Thence N. 59°58' W. with the southwest line of the M. E. Bohls tract, 83.5 feet, more or less, to a point which is N. 59°58' W. 243.5 feet distant from the northeast corner of that certain tract of land conveyed to Bruce Bogle by M. E. Bogle according to a deed recorded in Travis County Deed Records, Book 474, Page 29;

Thence in a southwesterly direction to the north line of Live Oak Street to a point which is N. 60°52' W. 231.65 feet distant from the southeast corner of that tract of land conveyed to Bruce Bogle by M. E. Bogle;

Thence with the north line of Live Oak Street S. 60°52' E. 57 feet, more or less;

Thence in a northeasterly direction about 155 feet to the place of the beginning.

BE IT FURTHER RESOLVED:

THAT the sum of Seven Hundred and Seventy-five Dollars (\$775.00) be and the same is hereby appropriated out of the Street Improvement Bond Fund of the City of Austin for the purpose mentioned above, and that a warrant in said amount issue therefor payable to Bruce Bogle and to be delivered to said party subject to conditions heretofore set forth in this resolution and after approval of title to said land by the City Attorney and delivery by said party of his general warranty deed to said land.

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

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON WEST SIXTH STREET, BETWEEN ITS INTERSECTION WITH LAVACA STREET AND ITS INTERSECTION WITH GUADALUPE STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING A PENALTY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be passed finally. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

No further business coming before the Council, Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved: 
M a y o r .