

APPRO. NO. 234

AN ORDINANCE 10,085

APPROPRIATING \$965.00 OUT OF THE 1949  
GENERAL FUND - PROCEEDS OF NOTES -  
VARIOUS DEPARTMENTS-TO PAY FOR IND-  
DEPENDENT HIRE OF TEAMS AND TRUCKS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that,

the sum of \$965.00, be and the same is hereby appropriated out of the 1949  
General Fund - Proceeds of Notes - Various Department - to pay for Independent Hire  
of Teams and Trucks for period of July 1st, 1949 to July 15th, 1949, inclusive, as  
per approved Engineer's estimates on file in the City Auditor's Office, out of the  
following Departments:

PARKS & PLAZAS.....	\$ 225.00
GARBAGE & SANITATION.....	558.00
RIVER & DITCHES.....	182.00
	<u>\$965.00</u>

PASSED AND APPROVED ON THE 19th day of July, 1949.

ATTEST:

J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 235

AN ORDINANCE 10,086

APPROPRIATING \$2,580.70 OUT OF TRENCH  
MAINTENANCE FUND TO PAY PER DIEM PAYROLL

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that,

the sum of \$2,580.70 be and the same is hereby appropriated out of the  
TRENCH MAINTENANCE FUND to pay per diem payroll for period ending July 15, 1949,  
in the amount of .....\$2,580.70

PASSED AND APPROVED ON THE 19th day of July, 1949

ATTEST:

J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 236

AN ORDINANCE 10,087

APPROPRIATING \$1,867.23 OUT OF THE STREET &  
BRIDGE C-45 FUND TO PAY PER DIEM PAYROLL.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that,

the sum of \$1,867.23 be and the same is hereby appropriated out of the  
STREET & BRIDGE C-45 FUND to pay per diem payroll for period ending July 15, 1949,  
in the amount of.....\$1,867.23

PASSED AND APPROVED ON THE 19th day of July, 1949

ATTEST:

J. Frank Gallagher  
City Clerk

A. C. White  
\*M A Y O R

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APPRO. NO. 237

AN ORDINANCE 10,088

APPROPRIATING \$99.86 OUT OF THE SANITARY  
SEWER PLANT & SYSTEM A-47 FUND TO PAY PER  
DIEM PAYROLL.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that,

the sum of \$99.86 be and the same is hereby appropriated out of the Sanitary  
Sewer Plant & System A-47 Fund to pay per diem payroll for period ending July 15, 1949,  
in the amount of.....\$99.86

PASSED AND APPROVED ON THE 19th day of July, 1949.

ATTEST:

J. Frank Gallagher  
City Clerk

A. C. White  
\* M A Y O R

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APPRO. NO. 238

AN ORDINANCE 10,089

APPROPRIATING \$1,415.20 OUT OF THE 1949 GENERAL FUND-PARKING METER ACCOUNT, PAYABLE TO THE AMERICAN-LA FRANCE-FOAMITE CORPORATION TO COVER INSTALLMENT NO.10, BEING FINAL PAYMENT ON CONTRACT NO.3 ON 200 ALFCO TWIN AUTOMATIC PARKING METERS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that, the sum of \$1,415.20, be and the same is hereby appropriated out of the 1949 General Fund-Parking Meter Account, payable to the American-La France-Foamite Corporation-to cover installment No. 10, being final payment on contract No. 3 on 200 AlfcO Tw Twin Automatic Parking Meters under contract with the Twin Meter Sales Company of Texas, created by Ordinance No. 7133, passed and approved on May 13th, 1948, which contract was assigned by the Twin Meter Sales Company of Texas to the International Meter Inc., and reassigned by the International Meters Inc., to the American-La France-Foamite Corporation, as per letters of assignment attached to the original contract.

PASSED AND APPROVED ON THE 19th day of July, 1949.

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

APPRO. NO. 239

AN ORDINANCE 10,090

APPROPRIATING \$965.00 OUT OF PARK REVENUE BOND-1945 FUND TO PAY PAYROLL FOR WILLOW SPRINGS GOLF COURSE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that, the sum of \$965.00 be and the same is hereby appropriated out of the PARK REVENUE BOND-1945 FUND to pay payroll for willow springs Golf Course for period ending July 15, 1949, in the amount of.....\$965.00

PASSED AND APPROVED ON THE 19th day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

AN ORDINANCE 10,091

APPOINTING AND CONFIRMING J. FRANK NORTON TO THE POSITION OF ASSISTANT CITY CLERK

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That J. Frank Norton is hereby appointed and confirmed in the position of Assistant City Clerk, beginning the 16th day of July, 1949 and to continue from month to month until otherwise ordered.

2. PASSED AND APPROVED THIS 19th day of July, A.D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

APPRO. 240

AN ORDINANCE 10,091-A

REFUNDING CITY TAXES PAID IN ERROR

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That the hereinafter named party be refunded the amount set out below as a refund for City Taxes paid in error, all as more fully set out in his Petition for refund, which bears the favorable recommendation of the Commissioner of Taxation, to-wit:

To Benjamin Wilborn, 926 Culebra Avenue, this City, the amount of \$14.55 for the fiscal year 1946, Current Receipt #75546, paid on April 15th., 1947.

And the sum of Fourteen and 55/100 (\$14.55) Dollars, be and the same is hereby appropriated out of the Back Tax General Fund, for the purpose of making the above refund.

2. PASSED AND APPROVED this 21 day of July, A.D. 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White,

M A Y O R

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APPRO. NO. 241

AN ORDINANCE 10,092

TRANSFERRING \$78,701.09 (\$1,600.00 OUT OF THE BACK TAX GENERAL FUND, \$41.50 OUT OF THE 1946 GENERAL FUND-TAXES, LICENSES, FINES ETC. ACCOUNT, \$59.58 OUT OF THE 1947 GENERAL FUND-TAXES, LICENSES, FINES ETC. ACCOUNT AND \$77,000.00 OUT OF THE 1948 GENERAL FUND - TAXES, LICENSES, FINES ETC. ACCOUNT) TO THE 1949 GENERAL FUND - TAXES, LICENSES, FINES ETC. ACCOUNT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$78,701.09, be and the same is hereby ordered transferred (\$1,600.00 OUT OF THE BACK TAX GENERAL FUND, \$41.51 out of the 1946 General Fund-Taxes, Licenses, Fines etc. Account, \$59.58 out of the 1947 General, Fund - Taxes, Licenses, Fines etc. Account and \$77,000.00 out of the 1948 General Fund-Taxes, Licenses, Fines etc. Account) to the 1949 General Fund -Taxes, Licenses, Fines etc. Account.

TRANSFER FROM:

Back Tax General Fund.....	\$ 1,600.00
1946 Gen. Fund-Taxes, Lic. Fines etc. Acct.....	41.51
1947 Gen. Fund-Taxes, Lic., Fines etc. Acct.....	59.58
1948 Gen. Fund-Taxes, Lic., Fines etc. Acct.....	77,000.00
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	\$78,701.09

TRANSFER TO:

1949 Gen. Fund-Taxes, Lic., Fines Etc. Acct. \$78,701.09

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 242

AN ORDINANCE 10,093

APPROPRIATING \$19,119.11 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-VARIOUS DEPARTMENTS-TO PAY CITY PUBLIC SERVICE BOARD FOR GAS AND ELECTRICITY FOR THE MONTH OF JUNE, 1949

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$19,119.11, be and the same is hereby appropriated out of the 1949 General Fund-Proceeds of Notes-VariouS Departments-to pay City Public Service Board for gas and electricity for the month of June, 1949, as per approved purchase orders on file in the City Auditor's office, out of the following departments:

Public Affairs in General.....	\$1,481.71	
Dept. of San., Parks & Pub. Prop.....	5,745.07	
Dept. of Street & Public Impr.....	1,106.17	
Dept. of Fire and Plice.....	10,786.16	\$19,119.11

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 243

AN ORDINANCE 10,094

APPROPRIATING \$94,901.60 OUT OF THE 1949 GEN-  
FUND-GARBAGE AND SANITATION DEPARTMENT, TO PAY  
VARIOUS CONCERNS AS LISTED BELOW, FOR EQUIPMENT  
TO BE USED BY THE GARBAGE AND SANITATION DEPARTMENT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:that,

The sum of \$94,901.60, be and the same is hereby appropriated out of the  
1949 General Fund-Garbage and Sanitation Department, to pay various concerns as listed  
below, for equipment to be used by the garbage and sanitation Department.

Downtown Motors, 415 Main Ave., City

6-Ford F-6, V 8 Motor, equipped with Pak Mor body,  
priced at \$3,990.00 each plus \$30.00 for he eight cylinder motor, making  
a total for the six of-----\$24,120.00  
1-Ford 1/2 Ton Pick Up Truck----- 1,210.00  
(Total appropriation.....\$25,330.00) \$

Gillespie Motor Company, 321 Broadway, City.

6- Ford F-6, V 8 Motor, equipped with Pak Mor body,  
priced at \$3,990.00 each plus \$30.00 for the  
eight cylinder mtor, making a total for the  
six of-----\$ 24,120.00  
1- Ford 1/2 Ton Pick Up Truck----- 1,210.00  
( Total appropriation.....\$25,330.00)

Jordan Motor Company, South Alamo Street, City.

8- Ford F-6 V 8 Motor, equipped with Pak Mor body,  
priced at \$3,990.00 each plus \$30.00 for the  
eight cylinder motor, making a total for the  
eitht of-----\$ 32,160.00  
2. Ford 1/2 Ton Pick Up Trucks, at \$1,210.00 each,  
making a total for the two trucks of----- 2,420.00  
( Total appropriation-----\$34,580.00)

Motor Equipment Corporation, 626 Main Avenue, City.

4- Diamond T Dump Trucks at \$2,355.40 each, plus  
\$60.00 each for 2 speed axle, making a total-----  
for the four dump trucks of-----\$ 9,661.60  
(total appropriation \$9,661.60)

ITEMIZED AS FOLLOWS:

DOWNTOWN MOTORS, TOTAL APPROPRIATION-----\$25,330.00  
GILLESPIE MOTOR COMPANY, TOTAL APPROPRIATION----- 25,330.00  
JORADAN MOTOR COMPANY, TOTAL APPROPRIATION----- 34,580.00  
MOTORA EQUIPMENT CORPORATION, APPROPRIATION----- 9,661.60  
\$94,901.60

REQUISITION MADE FOR THE FOLLOWING EQUIPMENT  
ARE ON FILE IN THE PURCHASING DEPARTMENT.

PASSED AND APPROVED ON THE 21 day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 244

AN ORDINANCE 10,095

APPROPRIATING \$1022.75 OUT OF THE STREET  
& BRIDGE FUND, TO PAY FRITH & GRAY FOR  
FURNISHING EQUIPMENT, WITH OPERATORS, FOR  
WORK DONE ON BOSWELL STREET AND THORVALD  
AVENUE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

that sum of \$1,022.75, be and the same is appropriated hereby out of the  
Street and Bridge C-45 Fund, to pay Frith & Tray for furnishing equipment, with operators,  
for work done on Boswell Street and Thorvald Avenue in accordance with contracts on file  
in the office of the City Clerk dated May 25th., and October 21, 1948, and as per approved  
Engineer's estimates on file in the City Auditor's office.

ATTEST:  
J. Frank Gallagher  
City Clerk

PASSED AND APPROVED ON THE 21st day of July, 1949.

A. C. White  
M A Y O R

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APPRO. NO. 245

AN ORDINANCE 10,096

ACCEPTING PROPOSAL, CREATING CONTRACT  
AND MAKING AN APPROPRIATION FOR EQUIP-  
MENT WITH UNDERWOOD CORPORATION, 226 D  
DWYER AVE., SAN ANTONIO, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That this Ordinance evidences the acceptance of the attached Bidders Proposal, and makes and manifests a contract according to the terms of the Proposal, the Charter and relevant Ordinances of the City of San Antonio, with Underwood Corporation, 226 Dwyer Avenue, San Antonio 5, Texas.

2. An Appropriation is made hereby in the amount of \$328.50 from the 1949 General Fund, Street Maintenance Dept. Fund to pay the debt created by this Ordinance; and the issue of a Warrant is authorized to be delivered to the Contractor, according to the terms of this contract, upon certification for payment under the Ordinances of the City of San Antonio, and in conformity with Section 17 of the Finance Ordinance.

3. This contract shall become effective upon adoption by the Board of Commissioners of The City of San Antonio, and all agreements, if any existing heretofore between the contracting parties relating to the subject matter of this contract, are superseded expressly hereby and are null and void.

4. This instrument in writing constitutes the entire contract between the parties, there being no other written nor parole agreement wity officer of employee of The City of San Antonio; it being understood that the Charter of San Antonio requires all contracts of the City to be in writing and adopted by ordinance.

5. Accepting the attached Proposal and making Contract to furnish the Street Maintenance Department with one Electrically operated, full automatic, 10 key, 11 column adding machine, with subtraction key and credit balance, and appropriating the sum of \$328.50 out of the 1949 General Fund, Street Maintenance Department in payment for same.

PASSED AND APPROVED this 21st day of July, A.D. 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White,

M A Y O R

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APPRO. NO. 246

AN ORDINANCE 10,097

ACCEPTING PROPOSAL, CREATING CONTRACT  
AND MAKING AN APPROPRIATION FOR EQUIPMENT,  
WITH HI-WAY MACHINERY COMPANY, 401 S. MAIN  
AVE., SAN ANTONIO, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That this Ordinance evidences the acceptance of the attached Bidders Proposal, and makes and manifests a contract according to the terms of the Proposal, the Charter and relevant Ordinances of the City of San Antonio, with Hi-Way Machinery Company, 401 S. Main Ave., San Antonio 5, Texas.

2. An Appropriation is made hereby in the amount of \$3,883.00 from the 1949 General Fund-Proceeds of Notes, Street Maintenance Fund to pay the debt created by this Ordinance; and the issue of a Warrant is authorized to be delivered to the Contractor, according to the terms of this contract, upon certification for payment under the Ordinances of the City of San Antonio, and in conformity with Section 17 of the Finance Ordinance.

3. This contract shall become effective upon adoption by the Board of Commissioners of The City of San Antonio, and all agreements, if any existing heretofore between the contracting parties relating to the subject matter of this contract are superseded expressly hereby and are null and void.

4. This instrument in writing constitutes the entire contract between the parties, there being understood that the Charter of San Antonio requires all contracts of the City to be in writing and adopted by ordinance.

5. Accepting the attached Proposal and making Contract to furnish the Street Maintenance Department with one Model Seaman M.H.D.-72T-55K Pulvi Mixer Machine, and appropriating the sum of \$3,883.00 out of the 1949 General Fund - Proceeds of Notes Street Maintenance Department, in payment for same

PASSED AND APPROVED THIS 21st Day of July, A.D. 1949.

ATTEST:

J. Frank Gallagher,  
City.

A. C. White

M A Y O R

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APPRO. NO. 247

AN ORDINANCE 10,098

APPROPRIATING \$86.31 OUT OF THE INTERREGIONAL HIGHWAY A-45 FUND TO PAY CITY TAX COLLECTOR FOR TAXES ON PROPERTY PURCHASED BY THE CITY OF SAN ANTONIO FROM G. BATTISTA PERRI.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$86.31, be and the same is hereby appropriated out of the INTERREGIONAL HIGHWAY A-45 FUND to pay CITY TAX COLLECTOR for Taxes on property purchased by the City of San Antonio from G. BATTISTA PERRI, said property being Part of Lots 4 and 5 Block 1, New City Block 294, as per approved statement on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 248

AN ORDINANCE 10,099

APPROPRIATING \$6,600.00 OUT OF THE STREET & BRIDGE C-45 FUND, PAYABLE TO STEWART TITLE GUARANTY COMPANY FOR THE PURCHASE OF 101 MOON STREET FROM THE FRISCHMUTH ESTATE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, THAT,

the sum of \$6,600.00 be and the same is hereby appropriated out of the STREET & BRIDGE C-45 FUND, payable to STEWART TITLE GUARANTY COMPANY for the purchase of 101 Moon Street, being the East 85 feet of Lot 22, Block 11, New City Block 2909 situated within the corporate limits of the City of San Antonio, Bexar County, Texas, from the FRISCHMUTH ESTATE, as follows: Elva L. Frischmuth Yager and husband, from the FRISCHMUTH ESTATE, as follows: Elva L. Frischmuth Yager and husband; Glen C. Yager, \$2,750.00; Edith Frischmuth Askey and husband, Otho Askey \$770.00; James F. Holster, \$770.00; Edith Frischmuth Askey, Guardian of the Estate of Esther Florine Frischmuth, a minor, \$1,540.00; and Elsie Frischmuth King and husband, Donald King \$770.00; supporting papers in this transaction on file in the City Auditor's office.

PASSED AND APPROVED on the 21 day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 249

AN ORDINANCE 10,100

APPROPRIATING \$72.80 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY PONCE BROS. FOR HAULING GRAVEL FROM OTIS FLOYD PITT OF ( F & F. GRAVEL CO., ) FOR HAULING GRAVEL FROM VARIOUS PITS TO VARIOUS STREETS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$72.80 be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Ponce Bros. for hauling gravel from Otis Floyd Pit ( F. & F. Gravel Co. ) to various streets, in accordance with contract on file in the office of the City Clerk dated September 23, 1948, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White,

M A Y O R

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APPRO. NO. 250

AN ORDINANCE 10,101

APPROPRIATING \$63.04 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY PONCE BROS. FOR HAULING GRAVEL FROM OTIS FLOYD PIT ( F & F. GRAVEL CO.) TO VARIOUS STREETS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$63.04, be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Ponce Bros., for hauling gravel from Otis Floyd Pit ( F & F. Gravel Pit Co) to: Goliad Road and Thorvald Avenue and from E. E. Hood Pit to: Thorvald Avenue, in accordance with contract on file in the office of the City Clerk dated September 23, 1938, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 251

AN ORDINANCE 10,102

APPROPRIATING \$75.00 OUT OF THE 1949 GENERAL-FUND-PROCEEDS OF NOTES-STREET MAINTENANCE, TO PAY JACK SKELTON FOR USE OF LOW-BOY MOVING HEAVY EQUIPMENT TO VARIOUS LOCATIONS IN THE CITY.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$75.00, be and the same is appropriated hereby out of the 1949 General Fund-Proceeds of Notes-Street Maintenance, to pay Jack Skelton for use of Low-Boy for moving heavy equipment, in accordance with contract on file in the office of the City Clerk dated September 25, 1947, and as per approved Entineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED ON THE 21st day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 252

AN ORDINANCE 10,103

APPROPRIATING \$904.50 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-STREET MAINTENANCE TO PAY KELLY CONSTRUCTION COMPANY, FOR FURNISHING EQUIPMENT, WITH OPERATOR, FOR WORK DONE STRIPPING AT WORTHY & HEIDRICH PITS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$904.50, be and the same is appropriated hereby out of the 1949 General Fund-Proceeds of Notes Street Maintenance to pay Kelly Construction Company for furnishing equipment, with operator, for work done on the stripping at Worth & Heidrich Pits, as per approved purchase orders on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 253

AN ORDINANCE 10,104

APPROPRIATING \$2,563.05 OUT OF THE SANITARY SEWER PLAND & SYSTEM A-47 FUND TO PAY H. B. ZACHRY CO. FOR EXTRA WORK DONE IN CONNECTION WITH CONSTRUCTION OF SALADO CREEK SEWER MAIN SECTION 1, APPROVED BY THE STREET COMMISSIONER AND MAYOR IN LETTER DATED JULY 11, 1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that, the sum of \$2,563.05, be and the same is appropriated hereby out of the Sanitary Sewer Plant & System A-47 Fund, to pay H. B. Zachry Co., for Extra Work done in connection with construction of Salado Creek Sewer Main Section 1; in conjunction with contract dated March 26, 1949, but not included therein; authorized by the City Engineer and approved by the street commissioner and the Mator in Letter dated July 11, 1949, attached to approved Engineer's estimate on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST: J. Frank Gallagher

A. C. White  
M A Y O R

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APPRO. NO. 254

AN ORDINANCE 10,105

APPROPRIATING \$573.50 OUT OF THE STREET & BRIDGE C-45 FUND, TO PAY GUILBERTINO ACOSTA, JOE V. GONZALES, JOHN V. GONZALES, M. TOVAR, IGNACINO PEREZ, M. CARMONA AND J. B. YERES, FOR HAULING GRAVEL TO ROLLINS STREET IN ACCORDANCE WITH CONTRACT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that the sum of \$573.50, be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Guilbertino Acosta, Joe V. Gonales, John V. Gonzales M. Tovar, Ignacio Perez, M. Carmona and J. B. Reyes for hauling gravel to Rollins St., in accordance with contracts on file in the office of the City Clerk, and as per approved Engineer's estimates on file in the City Auditor's office:

Guilbertino Acosta, RFD 4, Box 61-A.....	\$63.00
Joe V. Gonzales, 610 S. Zarzamora St.....	63.00
John V. Gonzales, 618 Brady Blvd-----	195.50
M. Tovar, 1410 Chihuahua St-----	63.00
Ignacio Perez, 153 Henry St.....	63.00
M. Carmona, 427 Hawthorn St.....	63.00
J. B. Reyes, 3811 W. MartinSt.....	63.00
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	\$573.50

PASSED AND APPROVED ON THE 21st day of July, 1949

ATTEST: J. Frank Gallagher, City Clerk

A. C. White  
M\* A Y O R

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APPRO. NO. 255

AN ORDINANCE 10,106

APPROPRIATING \$3,477.01 OUT OF THE THE 1949 GENERAL FUND-PROCEEDS OF NOTES-STREET MAINTENANCE, TO PAY H HEATER PLANER COMPANY OF TEXAS FOR RENTAL OF HEATER PLANER MACHINE FOR WORK DONE ON NOGALITOS STREET.

BE IT ORDAINED BY THE COMMISSIONER OF THE CITY OF SAN ANTONIO: that, The sum of \$3,477.01, be and the same is appropriated hereby out of the 1949 General Fund-Proceeds of Notes-Street Maintenance, to pay the Heater Planer Company of Texas, for rental of Heater Planer Machine, with operator, for work done on Notalitos Street, from S. Flores to Taft Blvd., in accordance with contract on file in the office of the City Clerk, dated June 16, 1949, and as per approved Engineer's Estimate on file in the City Auditor's Office.

PASSED AND APPROVED on the 21st day of July, 1949.

ATTEST: J. Frank Gallagher, City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 256

## AN ORDINANCE 10,107

APPROPRIATING \$2,475.00 OUT OF THE 1949 GENERAL FUND - OF NOTES - STREET MAINTENANCE, TO PAY L. C. BOULIER, BENITO C. BOTELLO, TONEY CARMONA, A. L. GRANATA, MILTON C. LANG, JESSIE LOPEZ, J. B. MERCHANT, GEO. PRIOR, DANIEL TREVINO. S. G. ARCOS WARD CONNER, R. Q. BELL, R. RENZ, & W. H. PETTY, FOR HAULING GRAVEL IN ACCORDANCE WITH CONTRACTS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$2,475.00 be and the same is appropriated Hereby out of the 1949 General Fund-Proceeds of Notes-Street Maintenance, to pay L. C. Boulrier, Benito C. Botello, Toney Carmona, A. L. Granato, Milton C. Lang, Jessie Lopez, J. B. Merchants, Geo. Prior, Daniel Trevino, S. G. Arcos, Ward Conner, R. Q. Bell, R. Renz, W. H. Petty, For hauling gravel in accordance with contracts on file in the office of the City Clerk, and as per approved Engineer's estimates on file in the City Auditor's office:

L. C. BOULIER, 2730 Houston (E)	\$180.00
BENITO C. BOTELLO, 1120 Morales	180.00
TONEY CARMONA, 427 Hawthorne	180.00
A. L. GRANATA, 104 Pendleton	180.00
MILTON C. LANG, 112 Peyton	180.00
JESSIE LOPEZ, 507 Elvira	180.00
J. B. MERCHANT, 719 Culberson Ave.,	180.00
GEO. PRIOR, Blue Bonnet Hotel	126.00
DANIEL TREVINO, 208 Maury	180.00
S. G. ARCOS, 1713 W. Laurel	180.00
WARD CONNER, 230 Claremont	180.00
R. Q. Bell, 335 Monticello Ct.	180.00
R. RENZ, 1323 Avant	243.00
W. H. PETTY, 503 Mason	126.00
	<hr/>
	\$2,475.00

PASSED AND APPROVED ON THE 21st day of July, 1949

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 257

## AN ORDINANCE 10,108

APPROPRIATING \$731.00 OUT OF THE STREET & BRIDGE C-45 FUND, TO PAY FRANK P. MCELWRATH, JR. FOR FURNISHING EQUIPMENT, WITH OPERATORS, FOR WORK DONE ON GREER STREET.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$731.00, be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Frank P. McElwrath, Jr., for furnishing equipment, with operators, for work done on Greer Street, in accordance with contract on file in the office of the City Clerk dated April 28, 1949, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED on the 21st., day of July, 1949.

ATTEST:

J. Frank Gallagher  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 258

AN ORDINANCE 10,109

APPROPRIATING \$3,412.50 TO PAY JOHN E ZELLER,  
FIVE PER CENT FEE ON LAND AND IMPROVEMENTS  
PURCHASED FOR THE URBAN EXPRESSWAY.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$3,412.50, be and the same is hereby appropriated to pay  
John E. Zeller, five per cent fee on \$68,250.00, being amount paid by the City of San  
Antonio, for land and improvements acquired for the Urban Expressway in accordance  
with contract and ordinance passed and approved on February 14th, 1947, and approved  
statement on file in the City Auditor's Office out of the following funds:

Interregional Highway A-45 Fund.....	\$ 1,887.50
Street & Bridge C-45 Fund.....	1,525.00
	<hr/>
	\$3,412.50

PASSED AND APPROVED on the 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 259

AN ORDINANCE 10,110

APPROPRIATING \$1,757.75 OUT OF THE 1949 GEN-  
ERAL FUND-STREET MAINTENANCE TO PAY FRANK P.  
McELWRATH, JR. FOR FURNISHING EQUIPMENT WITH  
OPERATORS, FOR WORK DONE ON PINE ST & FAIR AVE.,

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:- that

the sum of \$1,757.75, be and the same is appropriated hereby out of the  
1949 General Fund-Street Maintenance to pay Frank P. McElwrath, Jr., for work done,  
furnishing equipment, with operators, on Pine Street and Fair Avenue, in accordance with  
contract on file in the office of the City Clerk dated April 28, 1949, and as per  
approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED ON THE 21st day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 260,

AN ORDINANCE 10,111

APPROPRIATING \$281.07 OUT OF THE 1949 GENERAL  
FUND-PROCEEDS OF NOTES-SAN ANTONIO MUNICIPAL  
AIRPORT, PAYABLE TO PERRY & SAVAGE FOR MUNICI-  
PAL AIRPORT LIABILITY POLICY INSTALLMENT  
PREMIUM #2.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$281.07, be and the same is hereby appropriated out of the  
1949 General Fund-Proceeds of Notes-San Antonio Municipal Airport, payable to Perry &  
Savage for municipal Airport Liability Policy No.MG-1-307 Installment Premium #2, as  
per approved Purchase Order on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 261

AN ORDINANCE 10,112

APPROPRIATING \$16.07 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-HEALTH DEPARTMENT, PAYABLE TO DR. AUSTIN E. HILL, DIRECTOR OF PUBLIC HEALTH, FOR INCIDENTAL EXPENDITURES.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that

the sum of \$16.07 be and the same is hereby appropriated out of the 1949 General Fund-Proceeds of Notes-HEALTH DEPARTMENT, payable to Dr. Austin E. Hill, Director of Public Health, to be used for incidental expenditures of the Health Department as provided by Section No. 16 of Finance Ordinance.

PASSED AND APPROVED on the 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White,  
MAYOR

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APPRO. NO. 262

AN ORDINANCE 10,113

APPROPRIATING \$7.00 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-ELECTIONS- TO PAY WM. D. OUTLAW FOR SERVICE AS A JUDGE IN THE CITY ELECTION HELD ON MAY 10th., 1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$7.00, be and the same is hereby appropriated out of the 1949 General Fund-Prlceeds of Notes-Elections-to pay Wm. D. Outlaw for service as a judge in the City Election held on May 10th., 1949, as per approved statement on file in the City Auditor's Office.

PASSED AND APPROVED on the 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 263

AN ORDINANCE 10,114

APPROPRIATING \$54.06 OUT OF THE 1949, GENERAL FUND-PROCEEDS OF NOTES-VARIOUS DEPARTMENTS- TO PAY DAN QUILL, POSTMASTER, FOR POSTAGE STAMPS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$54.06, be and the same is hereby appropriated out of the 1949 General Fund-Proceeds of Notes-Various Departments - to pay Dan Quill, Postmaster, for postage stamps, as per approved Purchase Orders on file in the City Auditor's Office, as listed below:

Mayor.....	\$ 9.00
Health.....	15.00
Assessor.....	15.03
Back Tax Collector.....	15.03
	<hr/>
	\$54.06

PASSED AND APPROVED on the 21st day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 264

## AN ORDINANCE 10,115

APPROPRIATING \$162.35 OUT OF THE COMMERCE BUILDING FUND TO PAY CITY PUBLIC SERVICE BOARD FOR ELECTRICITY AND POWER FOR THE MONTH OF JUNE 1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$162.35, be and the same is hereby appropriated out of the Commerce Building Fund to pay City Public Service Board for Electricity and power for the month of June, 1949, as per approved Purchase Order on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 21st day of July, 1949

ATTEST:  
J. Frank Gallagher  
City

A. C. White  
M A Y O R

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APPRO. NO. 265

## AN ORDINANCE 10,116

APPROPRIATING \$86.60 OUT OF THE PARK REVENUE BOND - 1945 FUND - TO PAY CITY PUBLIC SERVICE BOARD FOR ELECTRICITY AND POWER FOR WILLOW SPRINGS GOLF COURSE, FOR THE MONTH OF JUNE, 1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$86.00, be and the same is hereby appropriated out of the Park Revenue - 1945 Fund - to pay City Public Service Board for electricity and power for Willow Springs Golf Course for the month of June 1949, as per approved Purchase Order on file in the City Auditor's Office.

PASSED AND APPROVED on the 21st day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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## AN ORDINANCE 10,117

GRANTING THE PETITION OF ST. PAULS EVANGELICAL LUTHERAN CHURCH FROM CITY TAXES ON LOT 3, AND EAST 25 FEET OF LOT 2, BLOCK 8, NEW CITY BLOCK 6641, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That the property known as the St. Pauls Evangelical Lutheran Church, and being Lot 3, and East 25 feet of Lot 2, Block 8, N.C.B. 6641, in the City of San Antonio, Bexar County Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxaion; and it further appearing that the tax rolls of the City of San Antonio show taxes assessed against said property for the years 1947 and 1948, inclusive, at which time said property was of an exempt character and not subject to taxation, said assessments are found to be void and should be stricken from the rolls. Furthermore, tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

2. PASSED AND APPROVED this 21st day of July, A. D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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## AN ORDINANCE 10,118

GRANTING THE PETITION OF GULF STREET  
CHURCH OF CHRIST FROM CITY TAXES ON  
LOTS 1A AND 1B, BLOCK 8, NEW CITY  
BLOCK 6342, IN THE CITY OF SAN  
ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the property owned by the Gulf Street Church of Christ, and being Lots 1A and 1B, Block 7, N.C.B. 6342, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; therefore, tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

2. PASSED AND APPROVED this 21 day of July, A.D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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## AN ORDINANCE 10,119

GRANTING THE PETITION OF MOST REV. ROBT.  
E. LUCY, FROM CITY TAXES ON LOT 14, AND THE  
EAST 20 FEET OF LOT 13, BLOCK "C", N.C.B.  
2418, IN THE CITY OF SAN ANTONIO, BEXAR  
COUNTY,

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the property owned by The Most Rev. Robert E. Lucy, Archbishop, and being Lot 14, and the East 20 feet of Lot 13, Block "C", N.C.B. 2418, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; and is further appearing that the tax rolls of the City of San Antonio show taxes assessed against said property for the years 1947 and 1948 at which time said property was of an exempt character and not subject to taxation, said assessments are found to be void and should be stricken from the rolls. Furthermore, tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

2. PASSED AND APPROVED this 21 day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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## AN ORDINANCE 10,120

CANCELLING ASSESSMENT OF AD VALOREM TAXES  
FOR CERTAIN YEARS ON PROPERTY BELONGING TO  
SOUTH TEXAS PEACOCK MILITARY ACADEMY, AN  
INSTITUTION EXEMPT BY THE CONSTITUTION AND  
STATUTES OF THE STATE OF TEXAS FOR THE YEARS  
ASSESSED.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That the tax rolls show a tax assessment for the years 1926, 1927 and 1928, against the following properties and improvements thereon, being lots 1 to 12 inclusive, N.C.B. 2011; lots 1 to 12 inclusive, N.C.B. 2006; lots 1 to 12 inclusive, N.C.B. 2005 and lots 1 to 12 inclusive, N.C.B. 2012.

2. Said properties were of an exempt character under the constitution and laws of the State of Texas for the years aforesaid, however the assessments aforesaid were erroneously made against said properties.

3. The aforesaid assessments are found to be void and are ordered stricken from the rolls, and said property is found to have been not subject to taxation for the fiscal years 1926, 1927 and 1928.

4. It appearing that the exempt character of said property has been continuously recognized since the dates aforesaid, it is not necessary to again grant such an exemption for future fiscal years.

5. PASSED AND APPROVED this the 21st day of July, A.D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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A RESOLUTION

MAKING APPLICATION FOR AIRPORT PROPERTY ON STINSON AIRPORT; AUTHORIZING MAYOR TO ACCEPT DELIVERY OF ALL AIRPORT PROPERTY AND TO EXECUTE ANY AND ALL INSTRUMENTS NECESSARY TO EFFECT TRANSFER FROM THE UNITED STATES OF AMERICA, GENERAL SERVICES ADMINISTRATION, WAR ASSETS, REGION 7.

BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the City of San Antonio, for use on the Stinson Airport, applies for Airport Property as listed in Schedule "A" in Notice from General Services Administration, War Assets, Region 7, dated July 14, 1949, in letter addressed to the Mayor of the City of San Antonio.

2. That the Mayor be and he is hereby authorized and directed to accept delivery of all the airport property and to execute any and all instruments necessary to effect this transfer, and the City of San Antonio agrees to accept and be bound by all the terms, reservations, restrictions, and conditions of transfer set forth in instrument of transfer pursuant to General Services Administration Regulations.

3. PASSED AND APPROVED this 21st day of July, A. D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

C. Ray Davis  
M A Y O R -Pro Tem.

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A RESOLUTION

MAKING APPLICATION FOR AIRPORT PROPERTY OF ALAMO AIRPORT; AUTHORIZING MAYOR TO ACCEPT DELIVERY OF ALL AIRPORT PROPERTY AND TO EXECUTE ANY AND ALL INSTRUMENTS NECESSARY TO EFFECT TRANSFER FROM THE UNITED STATES OF AMERICA, GENERAL SERVICES ADMINISTRATION, WAR ASSETS, REGION 7.

BE IT RESOLVED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That the City of San Antonio, for use on the Alamo Airport, applies for Airport Property as listed in Schedule "A" in Notice from General Services Administration, War Assets, Region 7, dated July 14, 1949, in letter addressed to the Mayor of the City of San Antonio.

2. That the Mayor be and he is hereby authorized and directed to accept delivery of all the airport property and to execute any and all instruments necessary to effect this transfer, and the City of San Antonio agrees to accept and be bound by all the terms, reservations, restrictions, and conditions of transfer set forth in instrument of

of transfer pursuant to General Service Administration Regulations.

2 3. PASSED AND APPROVED this 21st day of July, A.D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

C. Ray Davis  
M A Y O R-Pro-Tem

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APPRO. NO. 266

AN ORDINANCE 10,121

APPROPRIATING \$70,215.16 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES- VARIOUS DEPARTMENTS-TO PAY FOR MATERIALS, EQUIPMENT, SUPPLIES AND MISCELLANEOUS EXPENDITURES, FOR THE MONTH OF JUNE, 1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that,

the sum of \$70,215.16, be and the same is hereby appropriated out of the 1949 General Fund-Proceeds of Notes-VariouS Departments- For materials, equipment, supplies and miscellaneous expenditures, payable to the person, persons, or firms, as shown on the attached list, as per approved purchase orders on file in the City Auditor's Office out of the following departments (for the month of June, 1949):

Public Affairs in General.....	\$9,230.11
Department of Taxation.....	3,288.86
Department of Sanitation, Parks & Pub. Prop.....	23,464.33
Department of Streets & Public Improvements...	13,950.28
Department of Fire and Police.....	9,567.73
Storeroom.....	<u>10,713.85</u>
	\$70,215.16

PASSED AND APPROVED on the 26th day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 267

AN ORDINANCE 10,122

APPROPRIATING \$1,062.07 OUT OF THE 1949 GENERAL FUND - VARIOUS DEPARTMENTS TO PAY THE COLLECTOR OF INTERNAL REVENUE, GOVERNMENT TAX ON ADMISSIONS FOR THE MONTH OF JUNE, 1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$1,062.07, be and the same is hereby appropriated out of the 1949 General Fund - Various Departments - to pay the Collector of Internal Revenue, being tax on admissions from June 1st, 1949 to June 30th, 1949, inclusive, as per atement on file in the City Auditor's Office as follows:

Governor's Palace.....	\$50.04
Witte Museum.....	60.48
Swimming Pools.....	<u>951.55</u>
	\$1,062.07

PASSED AND APPROVED on the 26th day of July, 1949

ATTEST:  
J. Frank Gallagher  
City Hall

A. C. White  
M A Y O R

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APPRO. NO. 268

AN ORDINANCE 10,123

APPROPRIATING \$92.50 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY P.L. TSCHIRHART FOR APPRAISAL REPORTS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$92.50, be and the same is hereby appropriated out of the Street & Bridge C-45 Fund to pay P.L. Tschirhart for appraisal reports on two parcels of real estate on the South Side Artery Project, as per approved statement on file in the City Auditor's Office, and listed below:

Parcel # 109 Edward Klause	\$ 60.00
" 110 M. Maud and Helen E. Muller	32.50
	<u>\$ 92.50</u>

PASSED AND APPROVED on the 26th day of July, 1949

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 269

AN ORDINANCE 10,124

APPROPRIATING \$169.75 OUT OF THE STREET & BRIDGE C-45 FUND, TO PAY KELLY CONSTRUCTION COMPANY FOR FURNISHING EQUIPMENT, WITH OPERATORS, FOR WORK DONE ON LOVERA STREET.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

The sum of \$169.75 be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Kelly Construction Company for furnishing equipment, with operator, for work done on Lovera Street, in accordance with contract on file in the office of the City Clerk dated May 5, and October 28, 1948, and as per approved Engineer's estimate on file in the office of the City Auditor's office.

PASSED AND APPROVED on the 26th., day of July, 1949

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 270

AN ORDINANCE 10,125

APPROPRIATING \$534.00 OUT OF THE 1949 GENERAL FUND-STREET MAINTENANCE TO PAY PONCE BROS. FOR HAULING GRAVEL FROM OTIS FLOYD PIT) ( F. & F. GRAVEL CO.) TO SO. PINE STREET.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$534.00, be and the same is appropriated hereby out of the 1949 General Fund-Street Maintenance, to pay Ponce Bros. for hauling gravel from Otis Floyd Pit (F & F Gravel Co.) to: S. Pine St. 1068 Cu. Yds. @ 50¢ per yard \$534.00

Total: 534.00

( as per attached statement)

PASSED AND APPROVED on the 26th day of July, 1949

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. No. 271

AN ORDINANCE 10,126

APPROPRIATING \$11.00 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-REFUNDS-PAYABLE TO IRIS EASTWOOD, BEING REFUND OF A CORPORATION COURT FINE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$11.00, be and the same is hereby appropriated out of 1949 General Fund-Proceeds of Notes - Refunds - payable to Iris Eastwood, being refund of a

Corporation Court Fine, Case No. 44044, as per approved statement on file in the City Auditor's Office.

PASSED AND APPROVED on the 26th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 272

AN ORDINANCE 10,127

TRANSFERRING \$2,000.00 FROM THE PARK REVENUE BOND 1945 FUND TO THE 1949 GENERAL FUND PARKING METER ACCOUNT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,  
the sum of \$2,000.00, be and the same is hereby ordered transferred from the Park Revenue Bond -1945 Fund to the 1949 General Fund - Parking Meter Account.

TRANSFER FROM:

Park Revenue Bond -1945 Fund.....\$2,000.00

TRANSFER TO:

1949 Gen. Fund - Parking Meter Account..... 2,000.00

PASSED AND APPROVED ON THE 26th Day of July, 1949.

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 273

AN ORDINANCE 10,128

TRANSFERRING \$31,300.00 (\$6,000.00 OUT OF THE BACK TAX GENERAL FUND AND \$25,000.00 OUT OF THE 1948 GENERAL FUND - TAXES, LICENSES, FINES ETC. ACCT.) TO THE 1949 GENERAL FUND - TAXES, LICENSES, FINES ETC. ACCOUNT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,  
the sum of \$31,300.00, be and the same is hereby ordered transferred \$6,000.00 out of the Back Tax General Fund and \$25,300.00 out of the 1948 General Fund - Taxes, Licenses, Fines etc. acct) to the 1949 General Fund - Taxes, Licenses, Fines etc. Account.

TRANSFER FROM :

Back Tax General Fund.....\$6,000.00  
1948 General Fund-Taxes, Licenses, Fines etc. account.....25,300.00  
\$31,300.00

TRANSFER TO:

1949 General Fund-Taxes, Licenses, Fines etc. Account..... \$31,000.00

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 274

AN ORDINANCE 10,129

APPROPRIATING \$155,834.83 OUT OF THE 1949 GENERAL FUND, PROCEEDS OF NOTES ACCOUNT TO PAY REGULAR SEMI-MONTHLY PAYROLLS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$155,834.83 be and the same is hereby appropriated out of the 1949 General Fund, Proceeds of Notes Account to pay regular semi-monthly payrolls for period ending July 31, 1949, as follows:

PUBLIC AFFAIRS IN GENERAL.....	\$26,080.60
TAXATION DEPARTMENT.....	7,644.90
PARKS, SANITATION & PUBLIC PROPERTY.....	19,345.59
STREETS & PUBLIC IMPROVEMENTS.....	14,159.12
FIRE & POLICE DEPARTMENTS.....	88,604.62
	<hr/>
	\$155,834.83

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 275

AN ORDINANCE 10,130

APPROPRIATING \$52.50 OUT OF THE SAN JOSE BURIAL PARK OPERATING FUND TO PAY W. J. FERGUSON FOR 50 LOADS OF BALCK DIRT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$52.50, be and the same is hereby appropriated out of the San Jose Burial Park Operating Fund to pay W.J. Ferguson for 50 Loads pf Black Dirt, as per approved purchase Order on file in the City.

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 276

AN ORDINANCE 10,131

ACCEPTING PROPOSAL, CREATING CONTRACT AND MAKING AN APPROPRIATION FOR EQUIPMENT WITH SAN ANTONIO MACHINE & SUPPLY CO., SAN ANTONIO, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

1. That this Ordinance evidences the acceptance of the attached Bidders Proposal, and makes and manifests a contract according to the terms of the Proposal, the Charter and relevant Ordinances of the City of San Antonio, with San Antonio Machine & Supply Co., San Antonio, Texas.

2. An Appropriation is made hereby in the amount of \$344.00 from the 1949 General Fund,, Old City Cemetery Fund and San Jose Burial Park Fund to pay the ; debt created by this Ordinance; and the issue of a Warrant is authorized to be delivered to the Contractor, according to the terms of this contract, upon certification for payment under the Ordinances of the City of San Antonio, and in conformity with Section 17 of the Finance Ordinance.

3. This contract shall become effective upon adoption by the Board of Commissioners of The City of San Antonio, and all agreements, if any existing heretofore between the contracting parties relating to the subject matter of this contract, are superseded expressly hereby and are null and void.

4. This instrument in writing constitutes the entire contract between the parties there being no other written nor parole agreement with officer or employee of The City of San Antonio; it being understood that the Charter of San Antonio requires all contracts of the City to be in writing and adopted by ordinance.

5. Accepting the attached Proposal and making Contract to furnish the Old City Cemetery and the San Jose Burial Park each with one, Power Lawn Mower, 1 1/2 H.P., Briggs and Stratton, V-Belt, 20" blade length, Rotary Blade Type, and appropriating the sum of \$172.00 out of the 1949 General Fund, Old City Cemetery, and appropriating the sum of \$172.00 out of the 1949 General Fun, San Jose Burial Park in payment for same.

Passed and Approved this 28th day of July, A. D. 1949.

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 277

AN ORDINANCE 10,132

APPROPRIATING \$62.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND PAYABLE TO COMMERCIAL ABSTRACT & TITLE CO., COVERING TITLE FEES ON LAND PURCHASED BY THE CITY OF SAN ANTONIO.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$62.00, be and the same is hereby appropriated out of the Sanitary Sewer Plant & System A-47 Fund payable to Commercial Abstract & Title Co., covering title fees on land purchased by the City of San Antonio, as per approved statements on file in the City Auditor's Office, and as listed below:

Thomas C. Vogt.....\$ 33.50  
Approx. .2376 acres of land out of Lot 1 Garden Block 11

John Cotter Sullivan..... 28.50  
Approx. .0825 acres of land out of Lot 2, Block 9, Grand View Add.

\$ 62.00

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 278

AN ORDINANCE 10,133

APPROPRIATING \$179.69 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND TO PAY VARIOUS MERCHANTS FOR SUPPLIES AND MISCELLANEOUS MATERIALS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$179.69, be and the same is hereby appropriated out of the Sanitary Sewer Plant & System A-47 Fund, for supplies and miscellaneous materials payable to the person, persons or firms, as per approved Purchase Orders on file in the City Auditor's Office as shown below:

Commercial Recorder.....\$ 64.96

The Southern Company..... 114.73  
\$179.69

PASSED AND APPROVED ON THE 28th DAY OF JULY, 1949.

ATTEST:  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 279

AN ORDINANCE 10,134

APPROPRIATING \$99.75 OUT OF THE STREET OPENING & WIDENING FUND OF 1928 PAYABLE TO COMMERCIAL ABSTRACT & TITLE COMPANY AND GUARDIAN ABSTRACT AND TITLE COMPANY, COVERING TITLE FEES ON LAND PURCHASED BY THE CITY OF SAN ANTONIO.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$99.75, be and the same is hereby appropriated out of the Street Opening Widening Fund of 1928, payable to Commercial Abstract & Title Co., Guardian Abstract and Title Company, covering title fees on land purchased by the City of San Antonio, as per approved statements on file in the City Auditor's Office, and as listed below;

Commercial Abstract & Title Co.

Clara C. Zimmerlie.....\$ 33.00  
Part of Lots 6 & 7, NCB 6589

Guardian Abstract and Title Company

C. H. Guenther & Son, Inc..... 33.00  
A portion of Lot 13, NCB 2565

Florencio Pedroza, et ux..... 33.75  
\$ 99.75

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White,  
MAYOR

\* \* \*

APPRO NO. 280

AN ORDINANCE 10,135

APPROPRIATING \$2,472.50 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND TO PAY REGULAR SEMI-MONTHLY PAYROLL.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$2,472.50 be and the same is hereby appropriated out of the SANITARY SEWER PLANT & SYSTEM A-47 FUND to pay regular semi-monthly payroll for period ending July 31, 1949, in the amount of .....\$ 2,472.50

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 281

AN ORDINANCE 10,136

APPROPRIATING \$830.00 OUT OF THE TRENCH MAINTENANCE FUND TO PAY REGULAR SEMI-MONTHLY PAYROLL

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: THAT,

the sum of \$830.00 be and the same is hereby appropriated out of the TRENCH MAINTENANCE FUND TO PAY REGULAR semi-monthly payroll for period ending July 31, 1949, in the amount of.....\$ 830.00

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 282

AN ORDINANCE 10,137

APPROPRIATING \$1,425.00 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY REGULAR SEMI-MONTHLY PAYROLL.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

The sum of \$1,425.00 be and the same is hereby appropriated out of the STREET & BRIDGE C-45 FUND to pay regular semi monthly payroll for Period ending July 31, 1949, in the amount of.....\$1,425.00

PASSED AND APPROVED on the 28th., day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 283

AN ORDINANCE 10,138

APPROPRIATING \$6,280.71 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY VARIOUS MERCHANTS FOR SUPPLIES AND MISCELLANEOUS MATERIALS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$6,280.71, be and the same is hereby appropriated out of the Street & Bridge C-45 Fund, for supplies and miscellaneous materials payable to the person, persons or firms, as per approved Purchase Orders on file in the City Auditor's Office as shown below:

Alamo Iron Works.....	\$ 59.77
E. J. Burke Lumber Co.....	140.92
James Donaldson, Inc.....	1674.00
I & G N Wood, Coal & LumberCo.....	233.76
V. J. Keefe.....	147.95
Kelly Construction Company.....	1787.68
Leon Sand & Gravel Co., Inc.....	1176.10
McDonough Brothers, Inc.....	861.30
Prassel Sash & Door Co.....	99.00
San Antonio Machine & Supply Co.....	9.37
The Southern Company.....	66.36
W. H. Winterborne & Sons.....	24.50
	<hr/>
	\$6,280.71

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City

A. C. White,  
M A Y O R

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APPRO. NO. 284

AN ORDINANCE 10,139

APPROPRIATING \$152.50 OUT OF THE STREET & BRIDGE C-45 FUND, TO PAY RODGERS & STEWART, INC. FOR FURNISHING EQUIPMENT, WITH OPERATORS, FOR WORK DONE ON MCKINLEY AVE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$152.50 be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Rodgers & Stewart, Inc. for furnishing equipment, with Operators, for work done on McKinley Avenue, in accordance with contract on file in the office of the City Clerk dated April 28, 1949, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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APPRO. NO. 285

AN ORDINANCE 10,140

APPROPRIATING \$305.00 OUT OF THE 1949 GENERAL FUND-STREET MAINTENANCE TO PAY KELLY CONSTRUCTION COMPANY FOR FURNISHING EQUIPMENT WITH OPERATOR IN CONNECTION WITH WORK DONE ON SOUTH PINE ST.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$305.00, be and the same is appropriated hereby out of the 1949 General Fund - Street Maintenance to pay Kelly Construction Co. for furnishing equipment with Operator, in connection with work done on S. Pine St., in accordance with contract on file in the office of the City Clerk dated May 5, and October 28, 1948; and as per approved Engineers estimate on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 28th day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 286

AN ORDINANCE 10,141

APPROPRIATING \$977.50 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-STREET MAINTENANCE-TO PAY OTIS FLOYD, ROLAND SCHMIDT, E. E. HOOD & SON, & MRS. ANNA HEIDRICH, FOR GRAVEL IN ACCORDANCE WITH CONTRACTS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$877.50, be and the same is appropriated hereby out of the 1949 General Fund-Proceeds of Notes-Street Maintenance, to pay the following for gravel in accordance with contracts on file in the office of the City Clerk, and as per approved Engineer's estimates on file in the City Auditor's office.

OTIS FLOYD (F & F GRAVEL CO)	
138 Cu. Yds. Gravel @ 0.30¢ per cu yd.	\$ 41.40
ROLAND SCHMIDT	
128 Cu.Yds. Gravel @ 0.25¢ per cu yd.	32.00
E. E. Hood & Son	
1460 Cu.Yds. Gravel @ 0.35¢ per cu.yd.	511.00
Mrs. Anna Heidrich	
7862 Cu. Yds. Gravel @ 0.05¢ per cu. yd.	393.10
	<hr/>
	\$ 977.50

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 287

AN ORDINANCE 10,142

APPROPRIATING \$71.00 TO GUARDIAN ABSTRACT & TITLE CO., IN PAYMENT FOR LAND TO BE CONVEYED BY SAM B LIFSHUTZ, SILVERSTER MEDINA & WIFE, LUCY G. MEDINA, TO THE CITY OF SAN ANTONIO, FOR STREET WIDENING AND EXTENSION.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$71.00, be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to Guardian Abstract & Title Co., in payment for land to be conveyed by Sam B. Lifshutz, Silvester Medina and wife, Lucy G. Medina, to the City of San Antonio, for street widening and extension; \$1.00 to be paid to Sam B. Lifshutz, and \$70.00 payable to Silvester Medina and wife, Lucy G. Medina; being a part of Lot 1, in New City Block 6860, more particularly described in the deed; lying and being situated within the corporate limits of the City of San Antonio, Bexar County, Texas.

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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APPRO. NO. 288

AN ORDINANCE 10,143

APPROPRIATING \$1.00 OUT OF THE STREET & BRIDGE C-45 FUND, TO GUARDIAN ABSTRACT & TITLE CO., IN PAYMENT FOR LAND TO BE CONVEYED BY G. A. GIPSON, A SINGLE MAN TO THE CITY OF SAN ANTONIO, FOR STREET WIDENING AND EXTENSION.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$1.00, be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to Guardian Abstract & Title Co., in payment for land to be conveyed by G. A. Gipson, a single man, to the City of San Antonio, for street widening and extension; being the East 20 feet of Tract 8, and the East 20 feet of the North 47 feet of Tract 9, which tract is also known as arbitrary Lot 6, New City Block 8268, L. E. Sanders Subdivision, lying and being situated within the corporate limits of the City of San Antonio, Bexar County, Texas.

PASSED AND APPROVED ON THE 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 289

AN ORDINANCE 10,144

APPROPRIATING \$772.99 OUT OF THE 1949 GENERAL FUND - PROCEEDS OF NOTES - STREET MAINTENANCE, TO PAY HEATER PLANTER COMPANY OF TEXAS FOR RENTAL OF HEATER PLANER MACHINE FOR WORK DONE ON W. COMMERCE STREET.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$772.99, be and the same is appropriated hereby out of the 1949 General Fund - Proceeds of Notes - Street Maintenance, to pay the Heater Planer Company of Texas, for rental of Heater Planer Machine, with operator, for work done on W. Commerce Street, in accordance with contract on file in the office of the City Clerk, dated June 16, 1949, and as per approved Engineer's Estimate on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White,  
MAYOR

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APPRO. NO. 290

AN ORDINANCE 10,145

APPROPRIATING \$97.81 OUT OF THE STREET & BRIDGE C-45 FUND TO PAY COMMERCIAL ABSTRACT & TITLE CO. AND GUARDIAN ABSTRACT AND TITLE COMPANY, COVERING TITLE FEES ON LAND PURCHASED BY THE CITY OF SAN ANTONIO.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that,

the sum of \$97.81, be and the same is hereby appropriated out of the street & Bridge C-45 Fund to pay Commercial Abstract & Title Company and Guardian Abstract and Title Company, covering title fees on land purchased by the City of San Antonio, as per approved statements on file in the City Auditor's Office, and as listed below:

<u>Commercial Abstract &amp; Title Co.</u>	
Ruben Guerra and wife Maria L. Hernandez Guerra,.....	\$ 63.81
Lots 3 & 4, NCB 6860	
<u>Guardian Abstract and Title Company,</u>	
Juanita Rodriguez et al.....	34.00
E 5 ft. of Lots 7 & 8 Blk. E. NCB 2558	
	\$ 97.81

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 291

AN ORDINANCE 10,146

APPROPRIATING \$440.40 OUT OF THE 1949 GENERAL FUND-STREET MAINTENANCE TO PAY PONCE BROS. FOR HAULING GRAVEL FROM VARIOUS PITS TO VARIOUS STREETS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$440.40, be and the same is appropriated hereby out of the 1949 General Fund-Street Maintenance, to pay Ponce Bros. for hauling gravel from Otis Floyd pit, and from Roland Schmidt pit to various streets, in accordance with contract on file in the office of the City Clerk dated September 23, 1948, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

MAYOR

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APPRO. NO. 292

AN ORDINANCE 10,147

APPROPRIATING \$59.49 OUT OF THE STREET & BRIDGE C-45 FUND, TO PAY ELMO DANIELS FOR HAULING GRAVEL TO GRANT AVENUE & CUNNINGHAM.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, THAT,

the sum of \$59.49, be and the same is appropriated hereby out of the Street and Bridge C-45 Fund, to pay Elmo Daniels for hauling gravel to Grant Avenue and Cunningham from Kelly Pit, in accordance with contract on file in the office of the City Clerk dated March 3, 1949, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

MAYOR

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APPRO. NO. 293

AN ORDINANCE 10,148

APPROPRIATING \$896.20 OUT OF THE 1949 GENERAL FUND-PROCEEDS OF NOTES-STREET MAINTENANCE, TO PAY PONCE BROS. FOR HAULING GRAVEL FROM OTIS FLOYD PIT ( F.F. GRAVEL CO. TO: VARIOUS STREETS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$896.20, be and the same is appropriated hereby out of the 1949 General Fund-Procced of Notes-Street Maintenance, to pay Ponce Bros. for hauling gravel from Otis Floyd Pit to: S. Pine, between Ward Ave and Dauchy Road; Fair Ave. from Goliad R. to S. Mittman and from Roland Schmidt pit to: S. Pine, in accordance with contract on file in the office of the City Clerk dated September 23, 1948, and as per approved Engineer's estimate on file in the City Auditor's office.

PASSED AND APPROVED on the 28th day of July, 1949

ATTEST:

J. Frank Gallagher  
City Clerk

A. C. White

MAYOR

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APPRO. NO. 294

AN ORDINANCE 10,149

APPROPRIATING \$600.00 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND, TO STEWART TITLE GUARANTY COMPANY, IN PAYMENT FOR LAND TO BE CONVEYED BY GERALD DIMRY & WIFE, LIDA DIMRY, TO THE CITY OF SAN ANTONIO, REQUIRED FOR EASEMENT PURPOSES IN CONNECTION WITH CONSTRUCTION OF SALADO CREEK SEWER LINE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$600.00, be and the same is appropriated hereby out of the Sanitary Sewer Plant & System A-47 Fund, to Stewart Title Guaranty Co., in payment for land to be conveyed to Gerald Dimry and wife, Lida Dimry, to the City of San Antonio, for sewer easement purposes in connection with construction of Salado Creek Sewer Line; being Lots 7 and 34, in County Block 18, Homestake Addition, lying and being situated within the corporate limits of the City of San Antonio, Bexar County, Texas.

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 295

AN ORDINANCE 10,150

APPROPRIATING \$28.40 OUT OF THE FIRE STATION U-45 FUND TO PAY JOHN LEMONS SHADE COMPANY FOR TWO VENETIAN BLINDS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$28,40, be and the same is hereby appropriated out of the Fire Station U-45 Fund to pay John Lemons Shade Company for two Venetian Blinds, as per approved Purchase Order on file in the City Auditor's Office.

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 296

AN ORDINANCE 10,151

APPROPRIATING \$150.32, OUT OF THE PARK REVENUE BOND - 1945 FUND TO PAY VARIOUS MERCHANTS FOR SUPPLIES AND MISCELLANEOUS SUPPLIES.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the sum of \$150.32, be and the same is hereby appropriated out of the Park Revenue Bond - 1945 Fund, for supplies and miscellaneous materials payable to the person, persons or firms, as per approved Purchase Orders on file in the City Auditor's Office as shown below;

DIXIE PETROLEUM COMPANY.....	\$ 31.62
Firestone Stores.....	13.35
Golden West Oil Co.....	2.80
Magnolia Petroleum Co.....	60.55
Winter-Dobson, Inc.....	42.00
	<u>\$150.32</u>

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:  
J. Frank Gallagher  
City Clerk

A. C. White  
MAYOR

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APPRO. NO. 297

AN ORDINANCE 10,152

## AMENDING AN ORDINANCE

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

The third paragraph of Council Appropriation No. 240, passed and approved on the 21st day of July, A.D. 1949, be stricken out, and amended to read as follows:

And the sum of Fourteen and 55/100 (\$14.55) Dollars, be and the same is hereby appropriated out of the 1949 General Fund - Proceeds of Notes - Refunds Account, for the purpose of making the above refund.

Instead of the Back Tax General Fund.

PASSED AND APPROVED ON THE 28th day of July, 1949

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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## AN ORDINANCE 10,153

GRANTING THE PETITION OF FIRST CHURCH OF  
THE NAZARENE FOR EXEMPTION FROM CITY TAXES  
ON LOT 10, BLOCK 7, N.C.B 1959, IN THE CITY  
OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

1. The property known as the First Church of the Nazarene, and being Lot 10, Block 7, N.C.B. 1959, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; and it further appearing that the tax rolls of the City of San Antonio show taxes assessed against said property for the year 1948, at which time said property was of an exempt character and not subject to taxation, said assessment is found to be void and should be stricken from the rolls. Furthermore, tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

PASSED AND APPROVED ON THE 28TH DAY OF JULY, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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## AN ORDINANCE 10,154

GRANTING THE PETITION OF GROVE AVENUE CHURCH  
CHURCH OF CHRIST FROM CITY TAXES ON LOTS 7 &  
8 BLOCK 10, N.C.B. 3129, IN THE CITY OF SAN  
ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the property known as the Grove Avenue Church of Christ, and being Lots 7 and 8, Block 10, N.C.B. 3129, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; therefore tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

PASSED AND APPROVED this 28th day of July, A.D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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## AN ORDINANCE 10,155

GRANTING THE PETITION OF SAN ANTONIO PRIMITIVE BAPTIST CHURCH FROM CITY TAXES ON LOTS 11,12 AND 13, BLOCK 159, N.C.B. 8817, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

1. The property known as the San Antonio Primitive Baptist Church, and being Lots 11,12 and 13, Block 159, N.C.B. 8817, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; therefore tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

PASSED AND APPROVED on the 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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## AN ORDINANCE 10,156

GRANTING THE PETITION OF HARLANDALE CHRIST CHURCH FROM CITY TAXES ON LOTS 12,13,14 AND 15, BLOCK 2, N.C.B. 7830, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the property known as the Harlandale Christ Church, and being Lots 12,13,14 and 15, Block 2, N.C.B. 7830, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; and it further appearing that the tax rolls of the City of San Antonio show taxes assessed against said property for the years 1945 through 1948 inclusive, at which time said property was of an exempt character and not subject to taxation, said assessments are found to be void and should be stricken from the rolls. Furthermore, tax exemption from City Taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

2. PASSED AND APPROVED this 28th day of July, A.D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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## AN ORDINANCE 10,157

GRANTING THE PETITION OF CHURCH OF GOD FROM CITY TAXES ON LOTS 1,2 AND 3, NEW CITY BLOCK 1730, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the property known as the Church of God, and being lots 1,2, and 3, New City Block 1730, in the City of San Antonio, Bexar County, Texas, be and is hereby declared to be of an exempt character and not subject to ad valorem taxation; and it further appearing that the tax rolls of the City of San Antonio show taxes assessed against said property for the years 1947 and 1948, at which time said property was of an exempt character and not subject to taxation, said assessments are found to be void and should be stricken from the rolls. Further more tax exemption from City taxes is hereby granted, and said property is hereby exempted from taxation for the fiscal year 1949, and fiscal years subsequent thereto, said exemption to be effective from year to year so long as said property continues to qualify for exemption.

2. PASSED AND APPROVED this 28th day of July, A.D., 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White  
M A Y O R

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## AN ORDINANCE 10,158

DECLARING VOID TAX ASSESSMENT AGAINST CERTAIN LOTS IN N.C.B 2980, FOR CERTAIN YEARS WHILE OWNED BY GROVE AVENUE CHURCH OF CHRIST, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, that, that,

1. The tax rolls of the City of San Antonio, show taxes assessed against Lot S. 10 feet of 18 and all of 19, exc. for W. Tri. 20 feet, N.C.B. 2980, San Antonio, Bexar County, Texas, for the fiscal years 1947 and 1948, at which time said property was owned by the Grove Avenue Church of Christ, and was used exclusively as a parsonage for the Minister of said church, and was of an exempt character and not subject to taxation, said assessments are found to be void and are ordered stricken from the rolls.

2. However, it appearing that said property is at present being used for a non-exempt purpose and exemption is not granted for any years except the aforesaid fiscal years 1947 and 1948, and said property is not now considered to be exempt.

PASSED AND APPROVED ON THE 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White,  
MAYOR

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## AN ORDINANCE 10,159

ACCEPTING AGREEMENT WITH M. GROTHUES FOR THE THE RE-PLATTING OF NEW CITY BLOCK 9254, AND AUTHORIZING THE MAYOR TO SIGN AGREEMENT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO: that,

the Mayor is hereby authorized to sign an agreement with M. Grothues for the re-platting of New City Block 9254, attached hereto and made a part hereof, and which is accepted hereby.

PASSED AND APPROVED ON THE 28th day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White,  
MAYOR

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## AN ORDINANCE 10,160

DIRECTING THAT REQUIREMENTS OF PLUMBING ORDINANCES BE WAIVED AS TO CERTAIN HOUSES OWNED BY THE CITY OF SAN ANTONIO.

1. WHEREAS, the City of San Antonio, in order to clear the right-of-way for the new Interregional Highway, will have to move at its own expense the houses hereinafter described; and,

2. WHEREAS, the Plumbing Code requires new plumbing to be installed which would cost the City an extra \$2500.00; and,

3. WHEREAS, the present plumbing is sufficient for all purposes and the Plumbing Inspector is willing to permit connection to be made to present plumbing if authorized by the City Commission; NOW, THEREFORE:-

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

4. That the Plumbing Inspector be and he is hereby authorized and directed to waive the requirements of the Plumbing Ordinances as to the following houses, insofar as said ordinance prohibits the use of the present plumbing; said houses and the lots on which they are situated being as follows, viz:-

1626 N.W. 23rd Street - Lot 5, New City Block 6289

1600 Mission Road - Larkin C. Smith Tract, Tract B

701-70s-705-707-709 North Laredo Street, Lots 7 and 8 New City Block 325

538 North Laredo Street - Lots 10 and 11, New City Block 178

202-204 Odis Street - Lots 1 and 2, New City Block 6718

5. PASSED AND APPROVED this 28th day of July, A.D. 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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AN ORDINANCE 10,161

PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE BOUNDARIES OF THE CITY, DESIGNATED AS ALLENA VILLAGE A SUBDIVISION NORTH OF BASSE ROAD, BETWEEN BLANCO ROAD AND THE SO. PAC. R.R.R.R.O.W. OUT OF O.C.L. 15 and 16 RANGE 5, DISTRICT 3, BEXAR COUNTY.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the bounds and limits of the City of San Antonio are hereby changed and fixed and the extension thereof provided for and additional territory lying adjacent to said City, Designated as Allena Village a subdivision North of Basse Road, between Blanco Road and the Southern Pacific R. R. right-of-way, out of O.C.L. 15 and 16, Range 5, District 3, in Bexar County, Texas, is annexed; and the present bounds and limits of said City are changed so as to include all of the territory described hereby within the incorporated limits of the City of San Antonio; which annexed territory is described and included as follows:

2. Beginning at a point in the present City Limits, said point being at the intersection of the South property line of Basse Road, and the West property line of Blanco Road; Thence in a Westerly direction along the South line of said Basse Road, a distance of 3887.24 feet to the West R/W of the Southern Pacific Railroad, same also being the present City Limits; thence in a Northeasterly direction along the West R/W line of said Southern Pacific R. R., a distance of 1169 feet to the most westerly northwest corner of area herein described; thence N 89° 33' 45" East, a total distance of 828.10 feet to an angle point; thence N 0° 20' East, a distance of 439.47 feet to the most northerly northwest corner of area herein described; thence N 89° 39' East, a distance of 1865.02 feet to an angle point; thence S 0° 4' 15" East, a distance of 550.05 feet to an angle point; thence N 89° 28' East, a distance of 989.77 feet to the West line of Blanco Road; thence South 0° 28' 30" East along the West line of said Blanco Road, a total distance of 1039.5 feet to the South line of said Basse Road, and the place of beginning.

3. The aforesaid bounds and limits shall include the territory over which the City of San Antonio has jurisdiction.

4. That the City of San Antonio shall become liable and bound for the payment of all legal indebtedness, or pro rata thereof, owing by said area, territory or district for which the City is justly liable upon annexation to the City.

5. That the additional territory and area so annexed, shall be a part of the City of San Antonio, and the inhabitants thereof shall be entitled to all rights and privileges of all the other citizens of the City of San Antonio and shall be bound by the acts, ordinances and regulations of the City of San Antonio.

6. That the City Engineer shall change the records of his office to conform to the new bounds and limits of the City of San Antonio, as changed and fixed by this Ordinance.

7. The City Tax Assessor shall change the records of his office to conform to the new bounds and limits, and shall proceed to assess taxes and collect taxes on the property included in the new bounds and limits for the next fiscal year, as now provided by the Charter and Ordinances of the City of San Antonio.

8. After the introduction of this ordinance, and after it has been amended as desired by the Commissioners of the City of San Antonio for final passage, it shall be published in the "COMMERCIAL RECORDER", in the City of San Antonio, one time; and shall not be passed finally thereafter until at least thirty days have elapsed after said publication.

9. PASSED AND APPROVED this 28th day of July, A.D. 1949.

ATTEST:

J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

\* \* \*

## AN ORDINANCE 10,162

RELEASING SEWER EASEMENT IN LOTS 29 AND 30,  
NEW CITY BLOCK 6727, ON EAST LULLWOOD AVENUE,  
IN THE CITY OF SAN ANTONIO, BEXAR COUNTY,  
TEXAS, AND ACCEPTING EASEMENT OF SAMUEL AND  
LEAH SHERMAN FOR SEWER PURPOSES.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That this ordinance makes and manifests a release and quitclaim of the City of San Antonio, which conveyance and release shall be executed by the Mayor of the City of San Antonio, in words and figures as follows:

2. That the City of San Antonio, a municipal corporation, situated in Bexar County, Texas, acting herein by and through its Mayor who is thereunto duly authorized hereby, for and in consideration of the removal of a cloud from title and the conveyance to the City of San Antonio of a sewer easement by Samuel Sherman and Leah Sherman, does by these presents release and forever quitclaim unto Samuel Sherman and Leah Sherman, their heirs and assigns, all the right, title and interest in and to easement dedicated in plat of Northcrest Addition to the City of San Antonio, by B.G. Irish, said plat having been filed for record on November 21, 1925, and recorded in Bexar County Plat Records, Book 642, page 230, only insofar as the same affects the following described land, towit:

3. A 6.5 foot strip through Lots 29 and 30, New City Block 6727, Northcrest Addition to the City of San Antonio, Bexar County, Texas, more particularly described as follows: Beginning at a point in the south property line of East Lullwood Avenue, this point being 3.25 feet west of the division line of Lots 29 and 30, New City Block 6727; thence south along a line parallel to the east line of Lot 29, a distance of 127.9 feet to a point; thence east with a line parallel to the south line of Lots 29 and 30, a distance of 6.5 feet to a point; thence north with a line parallel to the west line of Lot 30, a distance of 127.9 feet to the south property line of East Lullwood Avenue; thence west along the south property line of East Lullwood Avenue a distance of 6.5 feet to the point of beginning.

4. Which the City of San Antonio may have, except as to any claim for taxes or assessments of any character now or that may hereafter become due.

5. To have and to hold the said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging, unto said Samuel Sherman and Leah Sherman, their heirs and assigns, forever, so that neither the City of San Antonio nor its successors or assigns, nor any person or persons claiming under it, shall, at any time hereafter, having, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof, except as to taxes or assessments as above set forth.

6. That the easement, dated 18th day of July, 1949, executed by Samuel Sherman and wife, Leah Sherman, of Bexar County Texas, for a 6.5 foot strip of land being a part of Lots 29 and 30, Block 3, New City Block 6727, more particularly described therein, as sewer right-of-way, in exchange for the conveyance of the above described tract by the City of San Antonio, be and the same is accepted hereby.

7. PASSED, APPROVED AND EXECUTED this 28th day of July, A.D.1949.

CITY OF SAN ANTONIO

BY A.C. White  
Mayor

ATTEST:  
J. Frank Gallagher  
City Clerk

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## AN ORDINANCE 10,163

AN ORDINANCE AMENDING AN AORDINANCE PASSED AND APPROVED 3 NOVEMBER, 1938, ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND STRUCUTRES; PER CENT OF LOT THAT MAY BE OCCUPIED; THE SIZE OF YARDS, COURTS AND OPEN SACPES; DENSITY OF POPULATION; LOCATION AND USE OF BUILDINGS, STRUCUTRES AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES DIVIDING THE CITY OF SAN ANTONIO INTO DISTRICTS, REGULATING AND RESTRICTING THE ERECTION, CONSTRUCTION, RE-CONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICT; PROVIDING THE UNIFORM REGULATIONS FOR CLASSES OR KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE RESTRICTED DISTRICT; ADOPTING ZONING MAP DISCLOSING VARIOUS DISTRICTS, USE, AREAS, RESTRICTIONS, LIMITATIONS AND PROVISION S APPLICABLE TO DISTRICTS AND AREAS; PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS THEREOF; TO RE-ZONE: PROPOSITION A, NORTH COLORADO AND CULEBRA AVENUE; AND PROPOSITION B, QUITMAN AND SPOFFARD STREETS. ANY PERSON WHO VIOLATES THIS ORDINANCE OR THE OWNER OF ANY BUILDING OR PREMISES OR PART THEREOF WHERE ANYTHING IN VIOLATION OF THIS ORDINANCE SHALL BE PLACED OR SHALL EXIST, AND ANY ARCHITECT, BUILDER, CONTRACTOR, AGENT, PERSON OR CORPORATION EMPLOYED IN CONNECTION THEREWITH, WHO MAY HAVE ASSISTED IN THE COMMISSION OF ANY SUCH VIOLATION SHALL BE GUILTY OF A SEPARATE OFFENSE AND UPON CONVICTION MAY BE FINED IN NOT MORE THAN \$100.00 AND EACH DAY SUCH VIOLATION EXISTS SHALL CONSTITUTE A SEPARATE OFFENSE. PASSED AND APPROVED JULY 28,1949.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That an ordinance entitled "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.:", passed and approved by the Commissioners of the City of San Antonio on the 3rd day of November, A.D. 1938, be and the same is hereby amended as follows:

2. PROPOSITION "A" :

That the recommendation of the Zoning Commission that the re-zoning of North Colorado and Culebra Avenue as "L" Manufacturing District be denied, was unanimously adopted by the Commissioners, and the present zone of said area will remain, as "B" Residential District.

3. PROPOSITION "B" :

"To re-zone Quitman and Spofford Streets, as "J" COMMERCIAL DISTRICT, as follows:

Lots A-50 and A-51	New City Block 1256	"
Lot 51	New City Block 1259	"
Lot A-45	New City Block 1255	"

4. All ordinances and parts of ordinances in conflict herewith are repealed..

5. The Building Inspector is ordered to change his records and zoning maps accordingly.

6. This ordinance being of urgent importance to the public peace, health and safety of the City of San Antonio, the same shall be in full force and effect from and after its passage by a four-fifths vote of the Commissioners and signature of the Mayor, as made and provided by the Charter of the City of San Antonio.

7. The City Clerk shall publish the descriptive caption of this ordinance which states in summary the purpose of the ordinance and the penalty for violation thereof, 10 times in the "COMMERCIAL RECORDER", a newspaper published in the City of San Antonio.

8. PASSED AND APPROVED this 28th day of July, A. D. 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk

A. C. White

M A Y O R

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AN ORDINANCE 10,164

AUTHORIZING THE ISSUE OF CITY OF SAN ANTONIO PARK REVENUE BONDS, SERIES OF 1949, IN THE AMOUNT OF \$40,000.00, BEARING INTEREST AT THE RATE OF 4% PER ANNUM, FOR THE PURPOSE OF PURCHASING LANDS AND BUILDINGS TO BE USED AS A PARK AND RECREATIONAL ESTABLISHMENT, AND AS A PART OF THE "LA VILLITA" PROJECT: PRESCRIBING THE FORM OF SAID REVENUE BONDS AND THE COUPONS ATTACHED THERETO: HOW SAID BONDS AND COUPONS SHALL BE EXECUTED: PLEDGING THE NET REVENUES FROM THE OPERATION OF SAID FACILITIES: AND, AS A SEPARABLE SECURITY, AUTHORIZING THE MAYOR TO EXECUTE A MORTGAGE ON SAID PROPERTY TO CREATE A FIRST LIEN THEREON: AND OTHER MATTERS RELEVANT TO THE SUBJECT.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That the Board of Commissioners of the City of San Antonio have determined that it is proper and necessary to purchase, own, maintain and operate the property hereinafter described as a recreational establishment and a park, and as a part of the "LA VILLITA" project, and to encumber such property and to evidence the obligations therefor by bonds, to secure the payment of funds to purchase the same with such instrument of mortgage as may be deemed to be desirable, pursuant to the provisions of the Charter, the Constitution and the Laws of the State of Texas; particularly Chapter 470, page 1848, of the Acts of the 44th Legislature, 1935, Second Called Session, effective the 19th day of November, 1935, carried forward in Vernon's Civil Statutes of the State of Texas as Article 1180b.

2. For the purpose there shall be issued "City of San Antonio, Texas, Park Revenue Bonds, Series of 1949", aggregating \$40,000.00, which bonds shall be numbered from 1 to 80, both inclusive, of the denomination of \$500.00 each.

3. The bonds shall be for \$500.00 each, substantially in the form prescribed herein, shall be dated the 15th day of July, 1949, shall bear interest at the rate of 4% per annum, interest payable semi-annually on the 15th day of January and July of each year, the first interest date to be the 15th day of January, 1950; principal and interest shall be payable in lawful money of the United State of America, upon the presentation and surrender of the proper bond or the proper coupon at the office of the City Treasurer of the City of San Antonio, Texas, or at the fiscal agency of the City of San Antonio in New York City, New York.

4. The bonds and the interest shall mature serially as follows;

YEAR	INTEREST	NUMBER	PRINCIPAL	TOTAL
Jan. 15, 1950	\$800.00		\$	\$ 800.00
July 15, 1950	800.00			800.00
Jan. 15, 1951	800.00	1-2	1,000.00	1,800.00
July 15, 1951	780.00			780.00
Jan. 15, 1952	780.00	3-4	1,000.00	1,780.00
July 15, 1952	760.00			760.00
Jan. 15, 1953	760.00	5-6	1,000.00	1,760.00
July 15, 1953	740.00			740.00
Jan. 15, 1954	740.00	7-8-9	1,500.00	2,240.00
July 15, 1954	710.00			710.00
Jan. 15, 1955	710.00	10-11-12	1,500.00	2,210.00
July 15, 1955	680.00			680.00
Jan. 15, 1956	680.00	13-14-15	1,500.00	2,180.00
July 15, 1956	650.00			650.00
Jan. 15, 1957	650.00	16-17-18-19	2,000.00	2,650.00
July 15, 1957	610.00			610.00
Jan. 15, 1958	610.00	20-21-22-23	2,000.00	2,610.00
July 15, 1958	570.00		2,000.00	2,570.00
Jan. 15, 1959	570.00	24-25-26-27	2,000.00	2,570.00
July 15, 1959	530.00			530.00
Jan. 15, 1960	530.00	28-29-30-21	2,000.00	2,530.00
July 15, 1960	490.00			490.00
Jan. 15, 1961	490.00	32-33-34-35	2,000.00	2,490.00
July 15, 1961	450.00			450.00
Jan. 15, 1962	450.00	36-37-38-39-40	2,500.00	2,950.00
July 15, 1962	400.00			400.00
Jan. 15, 1963	400.00	41-42-43-44-45	2,500.00	2,900.00
July 15, 1963	350.00			350.00
Jan. 15, 1964	350.00	46-47-48-49-50	2,500.00	2,850.00
July 15, 1964	300.00			300.00
Jan. 15, 1965	300.00	51-52-53-54-55-56	3,000.00	3,300.00
July 15, 1965	240.00			240.00
Jan. 15, 1966	240.00	57-58-59-60-61-62	3,000.00	3,240.00
July 15, 1966	180.00			180.00
Jan 15, 1967	180.00	63-64-65-66-67-68	3,000.00	3,180.00
July 15, 1967	120.00			120.00
Jan. 15, 1968	120.00	69-70-71-72-73-74	3,000.00	3,120.00
July 15, 1968	60.00			60.00
Jan. 15, 1969	60.00	75-76-77-78-79-80	3,000.00	3,060.00

5. Each of said bonds shall be signed by the Mayor of the City of San Antonio, countersigned by the City Clerk and the seal of the City shall be impressed upon each of them. The facsimile signatures of the Mayor and the City Clerk may be lithographed or printed upon the coupons attached to each of the bonds and such facsimile signatures shall have the same effect as if manually executed by said Officers.

6. The form of the bonds shall be as follows:

UNITED STATES OF AMERICA  
STATE OF TEXAS  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO.  
PARK REVENUE BONDS - SERIES 1949.

No. \_\_\_\_\_

\$500.00

1. City of San Antonio, in the County of Bexar, and state of Texas, for value received, acknowledges itself indebted to and promises to pay to W. W. McAllister, or his order, on the 15th day of January, 19\_\_\_\_, the sum of

FIVE HUNDRED DOLLARS

in lawful money of the United States of America, With interest thereon from date at the rate of four (4) percent per annum, payable on the 15th day of January, 1950, and semi-annually thereafter, until the amount hereof shall have been paid, both principal and interest being payable upon the presentation and the surrender of the bond or the interest coupon at the office of the City Treasurer of the City of San Antonio, Texas, in San Antonio, Bexar County, Texas, or at the fiscal agency of the City of San Antonio in New York City, New York.

2. This is one of a series of 80 bonds of like tenor and effect, except as to number and maturity, numbered from 1 to 80, both inclusive, in the denomination of \$500.00 each, aggregating \$40,000.00, issued by the City of San Antonio for the purpose of purchasing certain real estate buildings, fixtures and property for use as a part and recreational establishment, and as a part of the "La Villita" project in accordance with the provisions of the City Charter, the Constitution and the Laws of the State of Texas, particularly Chapter 470, page 1848, of the Acts of the 44th Legislature, 1935, Second Called Session, effective the 19th of November, 1935, carried forward in Vernon's Civil Statutes of the State of Texas as Article 1180b, and pursuant to an Ordinance passed and approved by the Board of Commissioners of the City of San Antonio, Texas, and duly recorded in the Minutes of said Board of Commissioners.

3- This bond, and the series of which it is a part, constitute special obligations of the City of San Antonio, payable both as to principal and interest from, and secured by an exclusive first lien and mortgage on and pledge of the net revenues of the real estate and premises hereinafter described, together with all buildings and improvements situated thereon, and appertaining thereto; and as an additional separable and independent security for the payment of this bond, and the series of which it is a part, the City of San Antonio has executed a mortgage and a deed of trust, dated the 15th day of July, 1949, with the National Bank of Commerce of San Antonio, as Trustee, imposing a first lien on said property purchased with the proceeds of the series of bonds of which this bond is a part. Reference is made hereby to said mortgage and deed of trust for the extent of the security, the rights of the holders of the bonds and the duties of the Trustee with respect to such security, and the terms and conditions on which these bonds are issued, to all of which the holder hereof assents by the acceptance of this bond.

4 - The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. This obligation shall never be a debt of this city, but solely a charge upon the property encumbered, and the revenues thereof; and, shall never be reckoned in determining the power of the City to issue any bonds for any purpose authorized by law.

5 - It is hereby certified and recited that the issuance of this bond, and the series of which it is a part, is duly authorized by law; that all acts, conditions and things required to exist and to be done precedent to and in the same lawful and valid, have been properly done, have happened and been performed in regular and due time, form and manner as required by the Constitution and the Laws of the State of Texas and the Ordinance hereinabove mentioned; and, that this series of revenue bond does not exceed any constitutional or any statutory limitation; and, that provision has been made for the payment of the principal and the interest of this bond, and the series of which it is a part, by pledging irrevocably the net revenues of the said real estate, property and premises, and the mortgage thereof.

6. - If the bonds are place in the hands of an attorney at law for collection or if collected by an action at law, after default in payment of principal or interest, then the City of San Antonio agrees to pay five per centum additional on the amount due, as collection fees.

7 - IN TESTIMONY WHEREOF, the City of San Antonio has caused this bond to be signed by the Mayor of the City of San Antonio and countersigned by the City Clerk of the City of San Antonio, and the seal of the City of San Antonio impressed hereon, and the annexed coupons to be signed by the facsimile signature of the Mayor and of the City Clerk of said City, all as of this 15th day of July, A. D. 1949.

A. C. White,

Mayor, City of San Antonio, Texas.

COUNTERSIGNED:

City Clerk, City of San Antonio, Texas.

(Seal)

7. The form of said interest coupons shall be substantially as follows;

"No. \_\_\_\_\_ On the 15th day of January 19\_\_\_\_, the City of San Antonio, will pay bearer out of revenues specified in the bond to which this coupon is attached, at the office of City Treasurer of City of San Antonio, Texas, or fiscal agency of City of San Antonio in New York City, New York, \$ \_\_\_\_\_ in lawful money of United States of America, as semi-annual interest due to this day on City of San Antonio Park Revenue Bonds, Series 1949, dated July 15, 1949, bearing number specified hereon. Holder shall never have the right to have this coupon paid out of any funds raised or to be raised by taxation.

Mayor, City of San Antonio, Texas.

City Clerk City of San Antonio, Texas.

The semi-annual interest coupons maturing on July 15th of each year, except as to maturity date, are identical with the semi-annual interest coupons maturing January 15th. of each year.

8. The form of Endorsement which shall be printed on the back of each Bond shall be substantially as follows:

"For value received, the undersigned hereby sells, transfers and conveys, without recourse, all right, title and interest in and to this bond.

By \_\_\_\_\_ "

9. The form of the State Comptroller's Certificate shall be printed on the back of each bond substantially as follows:

"Office of Comptroller  
State of Texas.

Register Number \_\_\_\_\_

I hereby certify that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond has been examined by him as required by law, and that he finds that it has been issued in conformity with the Constitution and Laws of the State of Texas, and that it is a valid and binding special obligation of the City of San Antonio, Texas, payable from the revenues pledged to its payment by and in the ordinance authorizing the same, and said bond has this day been registered by me.

WITNESS my hand and seal of office at Austin, Texas, this \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_ 1949.

\_\_\_\_\_  
Comptroller of Public Accounts, of  
the State of Texas."

10. Said property and premises hereinafter described, together with all buildings and improvements situated thereon, and together with all extensions, additions, replacements and improvements thereto hereafter constructed, shall constitute a part of the "LA VILLITA" project as created and established by the Commissioners of the City of San Antonio, on October 12, 1939, and which project was dully incorporated under the laws of Texas, and referred to as the La Villita Corporation.

11. The said real estate and premises hereinabove referred to, together with all buildings and improvements situated thereon or appertaining thereto, and which together with all extensions, additions, replacements and improvements hereafter made thereto, shall constitute a part of said "LA VILLITA" project, is described as follows:

Lying and being situated within the corporate limits of the City of San Antonio, in Bexar County, Texas, at the South-West corner of South Alamo and Villita Streets, and being the East part of Lot No. None (1), and all of Lot No. Two (2) or arbitrary lots red one (1) and two (2) as designated on the City Tax Assessor's books and records, in New City Block No. One Hundred fourteen (114), and said property and premises fronting 108.2 feet on the west side of South Alamo Street, and fronting 84.54 feet on the south side of Villita Street, and said property and premises being described by metes and bounds as follows, to-wit:  
Beginning at the intersection of the South line of Villita St. and the Westline of S. Alamo St., for the North-East corner of this parcel of land,  
Thence in a Westerly direction, along the South line of Villita St., a distance of 44.0 feet to an angle point in the South line of Villita St.,  
Thence angle left 1° 21' and continue along the South line of Villita St., a distance of 40.54 feet to a point in the South line of Villita St., for the North-West corner of this parcel,  
Thence angle left 88° 20' and continue in a Southerly direction, a distance of 108.18 feet to a point, for the South-West corner of this parcel,  
Thence angle left 91° 01' and continue in an Easterly direction, a distance of 84.67 feet to a point in the West line of S. Alamo St., for the South-East corner of this parcel,

Thence angle left 89° 04' and continue in a Northerly direction, along the West Line of S. Alamo St., a distance of 108.2 feet, to place of beginning.

Surveyed by F. T. Drought, Engineer, August 22, 1940.

12. As used in this ordinance, the Deed of Trust and the Bonds, the term "net revenues" shall mean the revenues pledged to the payment of the principal of and interest on the Bonds and are defined as that income derived from the property and premises in excess of the amount necessary to operate and maintain such property, including all salaries, labor, materials, interest, repairs and necessary extensions, all of which shall constitute a first lien and charge upon the revenues from such property and premises.

13. The term "Trustee" as used herein shall mean the Trustee for the time being, whether original or successor under the Deed of Trust authorized in this Ordinance.

Neither the original trustee named in the deed of trust, nor any substitute trustee appointed under the terms of the deed of trust, shall ever be required to furnish bond or other security.

14. All net revenues from said property and premises are hereby irrevocably pledged to the payment of said Series 1949 Revenue Bonds.

15. And as additional, separable and independent security for the payment of the bonds, the Mayor is hereby authorized to execute and deliver to National Bank of Commerce of San Antonio, as Trustee, and the City Clerk is hereby authorized to attest on the City of San Antonio, a Deed of Trust constituting a first lien on the said property and premises, and a first lien on and pledge of the net revenues from said property and premises, with power of sale granted to the Trustee in the event of default in payment of principal or interest continued for a period of more than ninety days from date due. The Mayor is hereby directed to file a duly executed copy of such instrument with the County Clerk of Bexar County. It is expressly understood that no holder of any rights under such Deed of Trust, or of any of the bonds, shall have the right to demand payment of the

bonds out of moneys raised or to be raised by taxation of property in the City.

17. The Interest and Sinking Fund of this issue of bonds shall be established and maintained in the City Depository.

18. The City shall keep accounts and books of records in which complete and correct entries shall be made of all transactions relating to this property, separate from all other accounts and records of the City. This account shall be designated as the "PARK REVENUE BOND - 1949 FUND" as a special fund of the City of San Antonio for all receipts and disbursements on account of said property and premises, and all moneys received by the City of San Antonio through the operation of said property and premises shall be deposited in this special fund, and all expenditures for operation, maintenance, salaries, labor, materials, interest, repairs and extensions and every other item of expense shall be entered in said account, and disbursements shall be made therefrom as provided by the ordinances of the City of San Antonio. The remainder shall be deposited in the Interest and Sinking Fund.

19. The net revenues as defined in this ordinance will be collected promptly by the City of San Antonio and deposited immediately with the City Depository of the City of San Antonio to be credited to the Interest and sinking Fund of the issue.

20. The City of San Antonio shall never be obligated to make any deposit in said fund, when and after the amount therein shall be equal to the principal of all outstanding bonds plus interest thereon to their maturity, unless the fund is depleted otherwise than by payment of said bonds and interest in full while any of the bonds are outstanding.

21. While any of the bonds are outstanding, the City shall not issue any additional bonds payable from the revenues of the property and premises, unless the lien of such bonds on the revenues of the property and premises is made junior and subordinate in all respects to the lien of the bonds authorized in this ordinance and only under such terms and conditions as may be in accordance with then existing laws. In no event, while any of the bonds are outstanding will the City mortgage or otherwise encumber the property and premises or any part thereof, or sell, or otherwise dispose of any substantial portion of such property and premises. These provisions shall inure to the benefit of, and be enforceable by any holder of any of the bonds.

22. The City shall maintain the property and premises in good condition and operate the same in an efficient manner and at a reasonable cost. So long as any of the bonds are outstanding, the City agrees to maintain insurance, for the benefit of the holders of the bonds, on said property and premises, and the improvements thereon, of a kind and in an amount which usually would be carried by private companies engaged in a similar type of business.

23. The City shall furnish to any holder of any of the bonds, at the written request of such holder, not more than thirty days after the close of each six months' fiscal period, operating and income statements of the property and premises, in reasonable detail covering such six months' period, and, not more than sixty days after the close of each fiscal year, complete financial statement covering the property and premises, in reasonable detail, covering such fiscal year, certified by the Mayor and the City Clerk of said City.

24. Any holder or holders of 25 per centum of aggregate principal amount of the bonds at the time then outstanding, shall have the right at all reasonable times to inspect the property and premises, and all records, accounts and data of the City relating thereto.

25. Upon request, the City will furnish to any purchaser of 25 per centum of the bonds, information for the preparation of a bond circular in customary form, signed by the proper officials of the City, containing such data as such purchaser may reasonably request concerning the property and premises.

26. The City has the lawful power to pledge the revenues supporting the bonds and has lawfully exercised said power under the Constitution and Laws of the State of Texas, including power existing under Chapter 470, page 1848, Acts of the 44th Legislature, 1935, Second Called Session, effective November 19, 1935, Article 1180b Vernon's Civil Statutes of Texas; that the bonds shall be ratably secured under said pledge of income, in such manner that no one bond shall have preference over any other bond of said issue.

27. And as additional, separable and independent security for the payment of the bonds, the City has the lawful power to authorize and have executed the Deed of Trust constituting a first mortgage on said property and premises and everything pertaining thereto acquired or to be acquired.

28. That other than for the payment of the bonds herein provided for, the rents, revenues and income of the said property and premises, hereinabove referred to, have not in any manner been pledged to the payment of any debt or obligation of the City, or of said property and premises.

29. All orders and resolutions, and parts thereof, in conflict herewith are hereby expressly repealed insofar as they conflict herewith.,

30. In case any one or more of the provisions of this ordinance, the Deed of Trust or of the bonds or coupons issued hereunder or the application of such provisions to any person or situation shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this ordinance, the Deed of Trust or of said bonds or coupons or the application of such provisions to any other person or situation, but his ordinance, the Deed of Trust and said bonds and coupons shall be construed and enforced as if such illegal or invalid provisions had not been contained therein.

ATTEST:  
J. Frank Gallagher, City Clerk, City of San Antonio, Texas.

PASSED AND APPROVED THIS 28th day of July, A.D. 1949.

A. C. White  
Mayor, City of San Antonio, Texas.

## AN ORDINANCE 10,165

MAKING AND MANIFESTING A DEED OF TRUST AND MORTGAGE TO SECURE W.W. McALLISTER IN THE PAYMENT OF CITY OF SAN ANTONIO PARK REVENUE BONDS SERIES OF 1949, IN THE AMOUNT OF \$40,000.00, NATIONAL BANK OF COMMERCE OF SAN ANTONIO, TRUSTEE.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:-

1. That this ordinance makes and manifests a deed of trust and mortgage by the City of San Antonio, for the benefit of W. W. McAllister through the National Bank of Commerce of San Antonio, Trustee, all of the County of Bexar, State of Texas.

2. That the City of San Antonio for and in consideration of the sum of One Dollar (\$1.00) to it paid by the National Bank of Commerce, of San Antonio, the receipt of which is hereby acknowledged, as granted, bargained, sold and conveyed unto the said National Bank of Commerce, of bargained, sold and conveyed unto the said National Bank of Commerce, of San Antonio, Trustee, and its successors in trust, all and singular the following described real estate and premises, together with all buildings and improvements situated thereon and appertaining thereto, lying and being situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

3. Situated at the southwest corner of South Alamo and Villita Streets, and being the East part of Lot No. One (1) and all of Lot No. Two (2) or arbitrary lots red one (1) and two (2) as designated on the City Tax Assessor's books and records, in New City Block No. One Hundred fourteen (114), and said property and premises fronting 108.2 feet on the west side of South Alamo Street, and fronting 84.54 feet on the south side of Villita Street, and said property and premises being described by metes and bounds as follows, to-wit:

Beginning at the intersection of the South line of Villita St. and the West line of S. Alamo St., for the North-East corner of this parcel of land,

Thence in a Westerly direction, along the South line of Villita Street, a distance of 44.0 feet to an angle point in the South line of Villita St.,

Thence angle left  $1^{\circ}-21'$  and continue along the South line of Villita St., a distance of 40.-54 feet to a point in the South line of Villita St., for the North-West corner of this parcel,

Thence angle left  $88^{\circ}-20'$  and continue in a Southerly direction, a distance of 108.18 feet to a point, for the South-West corner of this parcel,

Thence angle left  $91^{\circ}-01'$  and continue in an Easterly direction, a distance of 84.67 feet to a point in the West line of S. Alamo St., for the South-Ease corner of this parcel,

Thence angle left  $89^{\circ}-04'$  and continue in a Northerly direction, along the West line of S. Alamo St., a distance of 108.2 feet, to place of beginning.

Surveyed by F. F. Drought, Engineer, August 22, 1940.

4. Together with all and singular the rights, members, hereditaments and appurtenances to the same belonging, or in anywise incident or appertaining.

5. TO HAVE AND TO HOLD the said property and premises unto the said National Bank of Commerce, of San Antonio, Trustee, its successors or assigns, forever, together with all rights and appurtenances thereto belonging; and hereby expressly bind the City of San Antonio and its legal representatives, to warrant and defend the title to said property and premises unto the said Trustee, its successors and assigns against all persons whomsoever claiming any part thereof.

6. This conveyance is in trust for the following purposes, and upon the following conditions:

7. If the City of San Antonio shall pay and discharge, or cause to be paid off and discharged, according to the tenor and effect thereof, the revenue bonds issued by the City of San Antonio, payable to W. W. McAllister, or his order, described as City of San Antonio Park Revenue Bonds, Series 1949, aggregating \$40,000.00, and which bonds are numbered from 1 to 80, both inclusive, and of the denomination of \$500.00 each dated July 15, 1949, bearing interest at the rate of four percent (4%) per annum, payable semi-annually on the 15th days of January and July of each year, the first interest date being the 15th day of January, 1950, and which bonds were issued for the purchase of the property described herein to be used as a park and recreational establishment, and as a part of the "LA VILLITA" project as created and established by the Commissioners of the City of San Antonio, on October 12, 1939, and which project is duly incorporated under the laws of Texas, and referred to as the La Villita Corporation; said bonds being issued and authorized by an ordinance passed and approved by the Board of Commissioners of the City of San Antonio, to which reference is made for a specific description thereof; said bonds being payable from the net revenue of said property, with the condition that the holder thereof shall never have the right to demand payment thereof from revenues raised or to be raised by taxation, and shall never constitute a charge on the general revenues of the City; and, shall pay or cause to be paid all other indebtedness secured by this deed of trust; then, this conveyance shall become null and void and the lien of this trust shall be duly released; but, if default shall be made in the payment of the principal or interest of such bonds; or if the terms and conditions of the contract of encumbrance are otherwise violated, then the said Trustee, or his successor in trust shall be and is hereby

authorized and empowered, when requested to do so by a holder or the holders of said bonds, or any of them, after such default, to sell the said property herein conveyed at public sale for cash, between the hours of 10:00 A.M., and 4:00 P.M., on the first Tuesday in any month at the door of the County Court House of Bexar County, Texas, after posting written notice thereof for three consecutive weeks prior to the day of sale in three public places in the County, One of which shall be at the door of said Court House. It is provided, however, that such foreclosure proceedings shall not be begun by said Trustee; no collection fees shall accrue, and no foreclosure proceedings shall be begun in any Court or through any trustee, and no option to mature any part of any such obligation because of any default in payment of any installment of principal or interest or violation of the terms and conditions of such pledge or loan, shall be exercised until ninety (90) days written notice shall be given to the Mayor and City Commissioners, or other governing body of the City of San Antonio, of the default claimed, which notice shall date from the sending of a prepaid registered letter to each person to be notified, addressed to them at the postoffice in such city. If the default claimed shall have been cured before the expiration of said 90 days, it shall have like effect as if no default has occurred or been claimed.

8. If the bonds are placed in the hands of an attorney at law for collection, or if collected by an action at law, after default in payment of principal or interest, then the City of San Antonio agrees to pay five per cent additional on the amount due, as collection fees.

9. In the event the property herein conveyed is sold pursuant to the provisions hereof, the Trustee, or its successors, shall make to the purchaser thereof a good and sufficient deed in fee simple to the premises so sold, making the usual covenants and warranties; and any statement or recital of facts in such deed as to the non-payment of the indebtedness hereby secured, the existence of such indebtedness, notice by advertisements, sale, the receipt of the money, and as to the appointment of a substitute Trustee, as hereinafter provided, shall be prima facie evidence of the truth of such statement or recital; and the Trustee shall apply the proceeds of said sale as follows; First, to the payment of all necessary costs and expenses incident to the execution of said trust, including a commission of 2-1/2 per cent upon the amount of the proceeds of sale to the Trustee as its compensation; Second, to the payment of the said bonds then unpaid, including principal and such interest of said bonds as shall have accrued, and all taxes, assessments, insurance premiums or other advancements made as provided for herein, with interest thereon, it being understood and agreed that when default shall have been made in the payment of said bonds, or any of them, or any part thereof, when due, or of any installment of interest thereon, said Bonds shall become due and payable at the option of the holders thereof. Third, the balance, if any, shall be paid to the City of San Antonio.

10. And the City does hereby covenant that until said indebtedness shall have been fully paid it will insure and keep insured in a good and solvent fire insurance company, or companies, acceptable to said Trustee, the buildings and improvements on the land hereinabove described to the full amount for which the same may be insurable, and will pay the premiums for such insurance and will cause the loss, if any, under the policies, to be made payable to said Trustee, as a further security for the payment of said debt, and will deliver such policies to said Trustee; provided, however, that if the said insured premises shall be injured or destroyed by fire before the maturity of said debt, the trustee may apply the insurance money received toward the payment of said bonds or towards the restoration of the insured premises, at the option of the holder or holders of said bonds, the premises so restored to be reinsured and kept insured in the manner as aforesaid; and that it will pay all lawful taxes and assessments upon the premises hereinbefore conveyed and any and all taxes and assessments charged against said bonds or this deed of trust; and if it shall fail to pay said insurance premiums, or taxes and assessments if due, the Trustee or the holder of said bonds may pay the same, and such payment shall be considered as part of the expenses of the execution of this trust and paid as such out of the proceeds of the sale of said premises hereby conveyed, together with interest thereon at 5 per centum per annum from the time of payment by such trustee or holder; provided, however, that the exercise of the right of advancement herein provided for shall in no wise be considered or constitute a waiver of the right of the holder of said bonds to declare same, and all other indebtedness hereunder, to be due and payable.

11. In the event of the death of any natural person serving as Trustee, or the refusal or inability of any Trustee for any reason to make said sale or perform said trust, then the holders of said bonds, or a majority of them, shall have the right and are hereby authorized and empowered to appoint in writing and record in the office of the County Clerk of Bexar County, Texas, a suitable person resident of Bexar County, Texas, who shall become the Trustee herein as substitute for the National Bank of Commerce, of San Antonio; and, said substitute Trustee shall hereupon succeed to all the estate, powers and trust hereinbefore granted and vested in the said National Bank of Commerce, of San Antonio; the City of San Antonio will pay a reasonable Trustee's service charge.

12. The National Bank of Commerce, of San Antonio, herein named the Trustee, accepts the trust and obligations imposed upon it hereby and in evidence of such acceptance, hereby causes these presents to be signed.

13. The management and control of the property and all other installations or establishments necessary or desirable as a part thereof, during the time they are encumbered, is placed in the Mayor and Commissioners of the City of San Antonio, acting by and through the Board of Trustees and the Board of Governors of the La Villita Corporation. The Mayor and Commissioners of the City of San Antonio, acting by and through said Board of Trustees and said Board of Governors of said La Villita Corporation, shall have the power to make rules and regulations governing the use and rental of the various installations, facilities, premises and establishments of such property, and for the payment of rentals and concession charges. The governing body of the City of San Antonio shall have power to provide penalties for the violation of such rules and regulations, and for the use of such property or the facilities and equipment thereof, without the consent or knowledge of the authorities in charge thereof, and to provide penalties for all interference, trespassing or injury to any part of such property, or the premises upon which the same may be located. This property is established under the

provisions of Chapter 470, page 1848, of the Acts of the 44th Legislature, 1935, Second Called Session, effective 19th of November, 1935, and carried forward in Vernon's Civil Statutes of Texas, in Article 1180b, and said statute is made a part of this deed of trust by reference.

14. The obligation of the City of San Antonio secured by this encumbrance shall not be a debt of the City of San Antonio, but it is a charge, pledge and a lien solely upon the property and the net revenue of the property.

15. The rate of rental and the concession charges for the use of the various installations, facilities and establishments of such property, shall be determined by the Board of Commissioners of the City of San Antonio, acting by and through the Board of Trustees and the Board of Governors, of said La Villita Corporation, and no free service or rental shall ever be allowed. Rental and concession charges shall be made and collected for the use of the various installations, facilities and establishments of such property in an amount sufficient to pay operating and maintenance expense, depreciation, replacements, salaries and to provide interest and sinking funds to pay the amount of the bonds issued to purchase this property, or any outstanding indebtedness against this property.

16. In case any one or more of the provisions of this Deed of Trust, or of the bonds or coupons issued hereunder or the application of such provisions to any person or situation shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Deed of Trust or of the Bonds or coupons or the application of such provisions to any other person or situation, but this Deed of Trust and the bonds and coupons shall be construed and enforced as if such illegal or invalid provisions had not been contained therein.

17. Neither the original trustee named in this deed of trust, nor any substitute trustee appointed under the terms of this deed of trust shall ever be required to furnish bond or other security.

PASSED AND APPROVED AND SIGNED on the 28th., day of July, 1949.

ATTEST:  
J. Frank Gallagher,  
City Clerk, City of San Antonio, Texas.

A. C. White,  
Mayor, City of San Antonio, Tex.

EXECUTED AND ACCEPTED this \_\_\_\_\_ day of \_\_\_\_\_ 1949

NATIONAL BANK OF COMMERCE, OF SAN ANTONIO.

THE STATE OF TEXAS.  
COUNTY OF BEXAR

By \_\_\_\_\_, the undersigned authority, a Notary Public in and for the State of Texas, in Trust Office.  
TRUSTEE.

\* \* \*