

Meeting of the Commissioners of the City of San Antonio:

Thursday, May 24th, A.D.1917, 4 P.M.

PRESENT: Honorable Clinton G. Brown, Mayor, presiding, and Commissioners Garland, Heuermann and Uhr.

Minutes of previous meeting were ordered approved.

----MEMORIALS AND PETITIONS-----

Petition of citizens for sewer on Iowa Street, was read and referred to Commissioner of Sanitation, Parks and Public Property.

The following petitions were read and referred to Commissioner of Fire and Police:

C. Ruiz, for permit to build shed.

Houston Street Park, for permit to erect temporary awnings.

The following petitions were read and referred to Commissioner of Taxation:

Carl Schulze, for refund of taxes.

T.J. Finnerty, for refund of taxes.

Jno. W. Kenney, for correction of assessment.

Commissioner Garland recommended that the petition of Harrison Theatre Co. for permit to erect tent for theatre on River Avenue be granted. Adopted.

Commissioner Heuermann introduced the following ordinance which was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann, and Uhr. Absent, Lambert.

MB-600 AN ORDINANCE

Declaring the inability of the City of San Antonio to agree with the owner of certain property located on the west side of Soledad Street, belonging to J.L. Wanersten, which property is necessary to the widening of Soledad Street to its full width, and directing that condemnation proceedings condemning said property be instituted.

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

Section 1: That the City declines to pay the price set upon the property hereinafter described because the same is unreasonable and exorbitant and in excess of the reasonable market value of the property.

Section 2. That the widening of Soledad Street at the point where the property hereinafter described is located is hereby declared to be necessary for the widening of said street, and that for the purpose of so widening said street it is necessary for the City of San Antonio to appropriate by condemnation proceedings the following described property to-wit:

Beginning at the old southeast corner of lot 2, C. Bl. 140- Thence in a northerly direction with the old east line of lot 2, a distance of 78.6 ft, to the north line of lot 2, Thence in a westerly direction with the north line of said lot 2, a distance of 10.5 to the new established line of Soledad Street- Thence in a southerly direction with said new established west line of Soledad Street, a distance of 78.6 ft, to the south line of lot 2, C. Bl. 140. Thence in an easterly direction with the said south line of lot 2, a distance of 10.7 ft. to the point of beginning.

That Whereas, the City of San Antonio has been unable to agree on the price of said property with J.L. Wanersten, who is the owner and claimant of said property.

THEREFORE, BE IT FURTHER ORDAINED:

That the City of San Antonio proceed without delay to condemn said property

in the manner provided by law, and that the City Attorney be and is now hereby directed to institute the necessary proceedings and represent the City of San Antonio in the condemnation proceedings now here provided for, and that a plat of the property proposed to be condemned be filed with the City Clerk. That the City Attorney is instructed to make any and all necessary parties defendant in the condemnation proceedings, including any mortgagors, lien holders or lessees, or any parties owning or claiming any interest of whatever character in the property.

Commissioner Heuermann introduced the following ordinance which was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann and Uhr. Absent, Lambert.

MB-601 AN ORDINANCE

Declaring the inability of the City of San Antonio to agree with the owner of certain property located on the west side of Soledad Street, belonging to J.W.Kleck, which property is necessary to the widening of Soledad Street to its full width, and directing that condemnation proceedings condemning said property be instituted.

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

Section 1: That the City declines to pay the price set upon the property hereinafter described because the same is unreasonable and exorbitant and in excess of the reasonable market value of the property.

Section 2: That the widening of Soledad Street at the point where the property hereinafter described is located is hereby declared to be necessary for the widening of said Street, and that for the purpose of so widening said street it is necessary for the City of San Antonio to appropriate by condemnation proceedings the following described property to-wit: Beginning at the old southeast corner of lot A.B. 16, C. Bl. 141- Thence in a northerly direction with the old east line of lot A.B. 10, a distance of 96.9 ft. to the north line of lot A.B. 10- Thence in a westerly direction with the north line of said lot A.B.10 a distance of 8.0 ft. to the new established west line of Soledad Street- Thence in a southerly direction with said new established west line of Soledad Street., a distance of 96.9 ft. to the south line of A.B.10, C.Bl. 141- Thence in an easterly direction with the said south line of lot A.B.10 a distance of 7.6 ft. to the point of beginning.

THAT WHEREAS the City of San Antonio has been unable to agree on the price of said property with J.W.Kleck; who is the owner and claimant of said property.

THEREFORE IT IS NOW FURTHER ORDAINED:

That the City of San Antonio proceed without delay to condemn said property in the manner provided by law, and that the City Attorney be and is now hereby directed to institute the necessary proceedings to represent the City of San Antonio in the condemnation proceedings now here provided for, and that a plat of the property proposed to be condemned be filed with the City Clerk.

That the City Attorney is instructed to make any and all necessary parties defendant in the condemnation proceedings, including any mortgagor, lien holders or lessees, or any parties owning or claiming any interest of whatever character in the property.

Commissioner Garland introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

MB - 602 AN ORDINANCE

Appropriating Two Thousand (\$2000.00) Dollars in payment of compromise of suit of Mrs. L.M.Adams vs. the City of San Antonio.

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

THAT WHEREAS, by an opinion dated the day of March, 1917, the City Attorney has recommended that the suit of Mrs. L.M.Adams vs. the City of San Antonio should be settled for the sum of Two Thousand (\$2000.00) Dollars: and

WHEREAS, said opinion has been acted upon by the Commissioners;

NOW THEREFORE, BE IT ORDAINED, that the sum of Two Thousand (\$2000.00) Dollars be and is hereby appropriated out of the 1916 General Fund to pay said judgement in full, the City Attorney receiving full acquittance of the same, and that said warrant shall be drawn at once.

Commissioner Garland introduced the following ordinance, which was read and adopted by the following vote on roll, to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

No. 382 - 603 AN ORDINANCE

Transferring \$250.00 from the 1916 General Fund to the ~~JUDGEMENT~~ Judgement Fund.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, \$250.00 be transferred from the 1916 General Fund to the Judgement Fund.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

Commissioner Garland introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

No. 383 - 604 AN ORDINANCE

Appropriating \$16.75 out of the Judgement Fund to pay F.H.Gray for work done on the Newman case.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$16.75 be and it is hereby appropriated out of the Judgement Fund to pay F.H.Gray for work done in perfecting the appeal in the case of Frank Newnam vs. the City of San Antonio and that warrant issue to cover same.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

Commissioner Garland introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

No. 384 - 605 AN ORDINANCE

Appropriating \$2.50 out of the Judgement Fund to pay Frank R. Newton. County Clerk for balance of costs in case 43 City of San Antonio vs. Mrs. Maggie Bihl.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$2.50 be and it is hereby appropriated out of the Judgement Fund to pay Frank R. Newton, County Clerk, balance of Court costs in case #43 City of San Antonio vs. Mrs. Maggie Bihl condemnation proceedings for widening west Travis Street and that warrant issue for same.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent therefrom, and the same shall take effect at once.

Commissioner Garland introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit : Ayes, Brown, Garland, Heuermann and Uhr.

No. 385 *MB-606* AN ORDINANCE

Appropriating \$57.50 from the Judgement Fund to pay Jos. Mirray, Clerk Court of Civil Appeals for costs of court in case R.F.Uhr vs. C.G.Brown.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of \$57.50 be and is hereby appropriated out of the Judgement Fund to pay Joa. Murray Clerk of the Court of Civil Appeals for court cost in case 5762 R.F.Uhr vs. C.G. Brown and that warrant be issued to cover said amount.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

Commissioner Garland introduced the following ordinance, which was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, ~~KXXXXX~~ Heuermann and Uhr.

No. 386. *-607* AN ORDINANCE

Appropriating the sum of Twelve Dollars and ten cents to pay Fred Fries, City Clerk to cover amount paid out by him to Anton Gugger.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the sum of twelve dollars and ten cents, or so much thereof as may be necessary, be and the same is hereby appropriated out of the 1916 General Fund to pay Fred Fries, City Clerk for amount paid out by him to Anton Gugger for groceries furnished to Ed. Linton and sister account small pox quarantine, as per bill OKd by Wm. W.Herring, Secty Board of Health.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

The following ordinance was read and adopted by the following vote on roll call to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

-608 AN ORDINANCE

Authorizing the Mayor to accept quit claim deed from C.R.Sherrill et al.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that, the ~~XXXXXX~~ Mayor be and he is hereby authorized to accept deed of conveyance from the Trustees of the Utica Presbyterian Church of a certain piece of land situated in City Block 753, necessary for the opening of Jackson Street.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

The following ordinance was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann, and Uhr.

- 609 AN ORDINANCE

Authorizing the execution of a deed of the City conveying property in N.C.B. 1572 the old "Gravel pit" property- to the S.A.B & T.R.R.Co.

Be it ordained by the Commissioners of the City of San Antonio, that, the Mayor be and he is hereby authorized and directed to execute deed of the City conveying to the San Antonio Belt and Terminal Railway Company, conveying to said Company Lots 1-2 and 3 and parts of lots 4-5-6-7-8- and 9 in N.C.B. 1572, now owned by the City and

heretofore used as a gravel pit, and to deliver such deed to said company upon payment to the City by it of the sum of Two Thousand (\$2000.00) Dollars. in cash.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom, and the same shall take effect at once.

Commissioner Uhr made the following recommendations:

That petition of Hower and Michalke, for permit to conduct picture show at 521 E. Commerce Street, be granted. Adopted.

That petition of H.B.Shiner, for building permit be granted. Adopted.

Texas Co. for gasoline equipment at Travis & Soledad Sts. granted. Adopted.

Do. " " " " Houston and Bowie Sts. be granted. Adopted.

A.H.Shafer, for gasoline equipment at 104 E.Travis Street, be granted. Adopted.

Commissioner Garland recommended that petition of A.C.Toudouze for correction of assessment be granted. Adopted.

The following ordinance was read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

MB-610 AN ORDINANCE

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

That the City Attorney be and is hereby authorized and directed to effect a compromise of a certain cause of action, No. B 13408, in the 45th District Court of Bexar County, Texas, styled Francis Smith vs. The City of San Antonio, upon the following terms and conditions:

That Francis Smith shall pay to the City of San Antonio, in cash, upon entry of said judgement, the sum of Seven Thousand Seven Hundred and Fifty (\$7,750.00) Dollars, and shall pay to the District Clerk all costs of said suit.

That the judgement shall be entered in the favor of the said Francis Smith, cancelling the lien and removing the cloud cast upon the title of Francis Smith, caused by reason of a certain ordinance recorded in Minute Book "B", pages 191 to 195 inclusive, of the City of San Antonio, passed and approved on November 20, 1916, and also cancelling the five (5) certificates, dated about November 20, 1916, providing for the payment by Francis Smith of the total sum of Fourteen Thousand One Hundred and Eighty Seven and 95/100 (\$14,187.95) Dollars, and interest at Eight (8%) per cent per annum from October 30, 1916, and also for attorneys fees, said amount of money being payable in Five (5) annual installments and that said certificate shall be surrendered to plaintiff, after being marked "Cancelled"., and that the cloud upon the title of the plaintiff property hereinafter described, by said ordinance and the installment certificates be removed; said property being described as follows:

A tract of land and improvements thereon, situated within the corporate limits of the City of San Antonio, Bexar County, Texas, and the same being more particularly described as being lots Numbers 1, 2, and 3, in New City Block 254, said property having a frontage on the south side of West Commerce Street of 293 2/10 feet, and running back in a southern direction for depth, a distance of about 36 feet, said property being bounded upon the north by West Commerce Street, on the east by the San Pedro Creek, on the south by the property of Ben Stribling and Mrs, Eleanor Mayry, and on the west by South Laredo Street, the same being known as the Laclede Hotel property.

The following ordinance was introduced and read and adopted by the following vote on roll call, to-wit: Ayes, Brown, Garland, Heuermann and Uhr.

- 611 AN ORDINANCE

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

That, Francis Smith of San Antonio, Bexar County, Texas, be and is hereby authorized

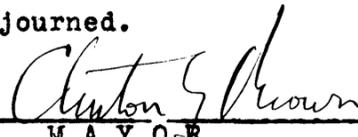
and permitted from this day forth, and in consideration of a compromise which has been effected between the City of San Antonio and himself, in cause No. B-13408, in the 45th District Court of Bexar, Texas, styled Francis Smith vs. The City of San Antonio, to erect, construct and maintain a sidewalk, or pathway, for a width from east to west of Four (4) feet, and a depth from north to south of the full depth of his property, which is a bout Forty (40) feet; said sidewalk extending south from the south side of the bridge over the San Pedro Creek on West Commerce Street, all along the west bank of the San Pedro Creek, and on the east side of the Laclede Hotel, which is known as New City Block No. 254, and running from said San Pedro bridge to the north line of the property of Ben Stribling and Mrs. Eleanor Maury; said sidewalk to be supported by iron bracketts attached to the walls of the Laclede Hotel Building, so that the lowest part of said walk or the lowest part of the extension arm of the bracketts will not be lower than the lowest part of the bridge.

On motion, duly seconded and carried, the meeting adjourned.

ATTEST:


CITY CLERK

APPROVED


MAYOR