Adjourned Regular Meeting, Tuesday October 19, 1909.

Council Chamber, City Hall.
El Paso, Texas, Oct. 19, 1909.

Council met in adjourned regular session on the above day and date. Mayor Sweeney present and presiding and the following Aldermen answered to roll call: Clayton, Hewitt and Robinson. Absent Blumenthal.

Ord. narrowing E. Rio Grande St. with emergency clause Adopted.

Clerk read an ordinance narrowing E. Rio Grande Street, with emergency clause attached.

Motion was duly made and seconded to adopt the ordinance. The Mayor ordered the vote upon the adoption of the ordinance to be taken by roll call, which when taken resulted as follows: Yeas Clayton, Hewitt and Robinson. Nays none: Absent Blumenthal. Whereupon Mayor Sweeney declared that all of the vote of the city council having been cast in favor of the adoption of the ordinance the same be and is hereby unanimously adopted. The ordinance above referred to is in words and figures as follows to-wit:-

Be it ordained by the City Council of the City of El Paso:

Section 1:- That the outside lines of the curbs on East Rio Grande Street in the City of El Paso, Texas, between the East curb line on North Oregon Street and the west curb line of Cotton Avenue shall be placed fifteen feet distant from and parallel with the center line of said Rio Grande Street. These curb lines shall be joined with and made tangent to the outside lines of the curb on the intersecting streets by the arc of a circle having a radius of twenty feet, except on Mesa Avenue where the radius shall be twelve feet. These curb lines shall be joined with and made tangent to the alley lines which intersect said East Rio Grande Street, by the arc of a circle having a radius of five feet. The sidewalks on Rio Grande Street, within the limits aforesaid, shall be six feet in width and adjacent to the property line along said street and continued to the intersection with the curb line on all cross streets. The sidewalks at the intersection of all streets with the aforesaid portion of East Rio Grande Street shall completely cover the area

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between the curb and the production of the property line of Rio Grande Street and of the intersecting streets.
Section 2:- Whenever in the opinion of the City Council the increasing traffic of the city may demand it, the curb line on the aforesaid portion of said street may be changed as the City Council may deem best, and the roadway of said portion of said street be correspondingly widened.
Section 3. Whereas it is intended to at once pave the roadway of the aforesaid portion of said street, and said improvement would be delayed unless this ordinance at once take effect, therefore, this is a case of a great public emergency which requires the suspension of the Charter rule, that all ordinances before final adoption shall be read in open meeting of the City Council at two regular meetings thereof and said rule with the consent of the Mayor and by the unanimous vote of all the aldermen present, is hereby now suspended and this ordinance shall take effect from and after its passage.
Passed and approved this the 19, day of October, A.D. 1909.

Jos. U. Sweeney.
Mayor.

Attest:
Percy McGhee.
City Clerk.

Resolution ordering improvement of E. Rio Grande St. Adopted.

Clerk read resolution ordering the improvement of East Rio Grande Street.
Motion was duly made and seconded to adopt the resolution. The Mayor ordered the vote upon the adoption of the resolution to be taken by roll call which when taken resulted as follows: Yeas, Clayton Howell and Robinson Nays. none. Absent Blumenthal. Whereupon Mayor Sweeney declared that all of the vote of the city council having been cast in favor of the adoption of the resolution, the same be and is hereby adopted. The resolution above referred to is in words and figures as follows, to wit: Resolution. Ordering the improvement of Rio Grande Street in the City of El Paso, Texas, from the east line of

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Oregon Street to the west line of Newman Street.
Be it ordained by the City Council of the city of El Paso:-
That Rio Grande Street in the City of El Paso shall be improved from its intersection with the east line of Oregon Street to its intersection with the west line of Newman Street, as follows, to wit:-
1:- That the same shall be graded raised and filled.
2:- That the roadway of said street shall be paved from curb to curb, as this day established, with the Petrolithic Pavement with Petrolithic base, in accordance with specifications on file with the City Clerk and also with City Engineer.
3. That concrete curbs shall be constructed on both sides of said roadway.
4: That said work is hereby declared necessary to be done and for the public interest, and the City Engineer is directed to make and file with the City Council a written estimate of the probable cost and expense of said improvement, with a list and fair description of the several lots and pieces of ground abutting on said proposed improvement, and the names of the several owners of the same, if known, and also complete specifications for said improvement. The City Engineer shall also, in said report, estimate separately the cost of improving the intersections of said street with other streets and alleys, and the cost of such improvement to be borne under the terms hereof, by steam railroads or street railways occupying said street, and the probable cost of said improvement per front foot, to be borne by the owners of property abutting thereon.
5:- That the cost of such improvement shall be paid as follows, to wit:-
(a) Street railway companies, if any, occupying said street, or its intersection with other streets and alleys, shall pay such proportion of said costs as is provided to be paid by such companies by the Charter of said City and the terms of the easements or franchises granted to such companies by the City; and steam railroads, if any, occupying streets intersecting said street named to be paved with their tracks shall pay the whole cost of improving

and paving said intersections from curb line to curb line (b). The city shall bear the cost of paving all intersections of streets and alleys with the said street named to be paved, and shall pay for the same, except for such intersections as shall be paid for by street railways and steam railroads under the terms of sub-section "a" above, and the city shall pay the cost of such improvements in front of the property abutting on said street, named to be paved, except so much thereof as shall be paid for by street railways and steam railroads as above specified, but the cost of the said improvements in front of said property abutting on said street named to be paved shall be assessed against the owners of property abutting on said street named to be improved and against said property in accordance with the front foot plan and rule, provided that no assessment shall be made against any owner or his property unless the actual benefits to said property in enhanced value shall equal or exceed the amount of such assessment. That upon the completion of such work in front of the property of each owner and its approval by the City Engineer and City Council, a statement of the cost chargeable to each owner and his property shall be made by the City Engineer and furnished to the Mayor as prescribed by said Charter, and said cost shall be at once payable by said owner and shall constitute a lien against said property and a personal liability against its owner. If the said cost shall not be paid when due then the same shall bear interest at the rate of ten per cent per annum from date due until paid and may be collected by the city as prescribed by the Charter thereof, with interest and penalties as therein prescribed. When the said work has been done in front of any property abutting upon said street and has been approved and accepted by the City Engineer and City Council, a statement of the cost thereof shall be prepared, executed and filed with the City Clerk as prescribed by the Charter, and said costs shall be then discharged and paid by the City,

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and the said statement of the City Engineer shall then be signed and acknowledged by the Mayor as prescribed by the City Charter and filed for record as therein prescribed and shall evidence the liability of the owner of the said property to pay the said cost of improvement in front of the same as prescribed by the said Charter.

6: The Contractor or Contractors to whom said work of improvement may be let shall look only to owners of railroads and street railways which may occupy the said street or its intersections for the proportion of the costs of such improvement to be paid by the owners of such street railways or steam railroads under the terms hereof and the city shall not in any manner be liable for such costs.

7. All former resolutions concerning the improvement of said section of said street herein named to be improved are hereby repealed.

8. That when said pavement shall have been laid and the assessments against abutting property and its owners as their liability shall appear and be ascertained by the City Council have been discharged by them, the said abutting property except where same borders on an intersecting street against which said special assessment shall have been made and actually paid and discharged shall not thereafter during the life of said pavement be liable for any other paving assessment and no charge shall be made or included in the cost of such pavement and improvement for maintenance or repairs, but only the actual and reasonable cost to the city of constructing same shall be assessed against such owners and their property. Nothing herein shall be so construed as to prevent the city from issuing bonds for general street improvements.

9. This resolution shall take effect from and after its passage.

Passed & approved this the 19th day of October, A.D. 1909.

Attest: Jos. A. Sweeney Mayor.

Percy McGhee, City Clerk.

There being no further business the council adjourned.

Approved Percy McGhee,

Jas. A. Sweeney City Clerk.

Mayor.