

# Agenda Item

# 4

CITY OF SMITHVILLE

JULY 13, 2020

COUNCIL MEETING

Present: Mayor Scott Saunders Jr, Councilmembers, Bill Gordon, Joanna Morgan, Sharon Foerster, Cassie Barrientos, and City Manager Robert Tamble. Not Present Jason Hewitt. This meeting was on a zoom conference and YouTube streamed due to the COVID 19 Virus.

**Open Meeting:** Call to order: Mayor Saunders called the meeting to order at 6:00 p.m.

Invocation: Robert Tamble gave the invocation.

Recognition/Awards/Proclamations/Announcements/Presentations: Mayor Saunders presented a plaque to David Herrington for his 25-Years as Associate Judge. Judge Herrington said a few words as well.

Approval of the minutes from June 8, 2020, Council Meeting and Public Hearing and June 30, 2020, Special Called Emergency Council Meeting: Councilwoman Morgan moved to approve both of the meeting minutes. Councilman Gordon seconded and the motion passed unanimously.

Hear recommendation from Planning and Zoning on a minor re-plat combining two lots into one large lot, Hurta River Estates Lot 27 0.2217 Acres (R8713251) & Hurta River Estates lot 28 0.2217 Acres (R8713252), owner Kathleen Svoboda: It was stated that P&Z recommended approving this request.

**Public Hearing:**

Hear citizens comments on a minor re-plat combining two lots into one large lot, Hurta River Estates Lot 27 0.2217 Acres (R8713251) & Hurta River Estates lot 28 0.2217 Acres (R8713252), owner Kathleen Svoboda: No one signed up to speak for or against this item.

**Open Meeting:**

Citizen Comments: None

Discussion and Action on a minor re-plat combining two lots into one large lot, Hurta River Estates Lot 27 0.2217 Acres (R8713251) & Hurta River Estates lot 28 0.2217 Acres (R8713252), owner Kathleen Svoboda – Ms. Svoboda would like to consolidate two (2) lots into one (1) to give her more room to build a home. Councilman Gordon made a motion to approve the minor re-plat. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on an Emergency Facilities & Land Use Agreement between the Texas A&M Forest Service and the City for Lease of Property at the Smithville Crawford Municipal Airport: Approval of an Emergency Facilities & Land Use Agreement will allow the Texas A&M Forest Service to stage firefighting aircraft, support equipment, and personnel at the Smithville

Crawford Municipal Airport as a means to expedite emergency response in the event of an area wildfire. The Emergency Facilities & Land Use Agreement will be in effect until August 31, 2021. Typically, fire-fighting personnel use the Pilot's Lounge as their temporary operational base and remain at the airport until the threat of wildfires subsides. Councilwoman Morgan made a motion to approve the agreement. Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Awarding the Grant Administrative Services for GLO CDBG-MIT Grant: The City of Smithville published a Request for Proposals ("RFP") in the Austin American Statesman for professional administration services to assist in its application(s) for and implementation of one or more contracts, if awarded, from the GLO's CDBG – MIT program. The City is considering applying for such funding for the construction of flood mitigation projects and associated activities. Proposals for grant management were received and reviewed on July 8, 2020. Experience, work performance, capacity to perform, and cost were the criteria to be used by the City staff to evaluate/differentiate each consultant's qualifications. Langford Community Management Services, Inc was the only firm to submit a proposal. Councilwoman Morgan made a motion to award Langford Community Management the grant administrator for GLO CDBG-MIT Grant. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Awarding the Engineering Services RFQ for GLO CDBG-MIT Grant: The City of Smithville published a Request for Qualification ("RFQ") in the Austin American Statesman for engineering service required to develop a budget, the scope of work, and draft specifications for the preparation of a General Land Office (GLO) CDBG-MIT application. This will include 2015, 2016, Hurricane Harvey State Mitigation Competition and Method of Distribution activities(s), and upon funding, the subsequent preliminary and final design plans, bid documents, and necessary interim and final inspections required by the City. RFQ's for engineering services were received and reviewed by City staff on July 10, 2020. Experience, work performance, and capacity to perform were criteria used by the City staff to evaluate/differentiate each engineering consultant's qualifications. Six (6) Engineering services consultants submitted their qualifications for consideration. However, further evaluation is required as several engineering firm's qualifications were very closely rated and ranked. Councilman Gordon made a motion to table this item until the next Council agenda. Councilwoman Foerster seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Amending the Ordinance #2020-587 Establishing Requirements Related to the Posting of a Public Notice By Commercial Entities and the Wearing of Face Coverings (adding Medical Exemption): The ordinance is being amended to provide an exemption to the requirement to wear a face covering in public when doing so poses a mental or physical health, safety, or security risk as determined by a licensed physician or health care practitioner. Councilwoman Morgan made a motion to approve the ordinance amendment. Councilman Gordon seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Amending Chapter 12 Traffic and Vehicles Ordinancé, Article 12.200 Control Devices of the City of Smithville Code of Ordinances to place a Stop Sign at McSweeney and 1st Street: Citizen is requesting a STOP sign at the intersection of McSweeney and 1st



Street to help reduce speeding and improve safety. Smithville PD conducted traffic survey and recommends the STOP sign be added. Councilwoman Foerster made a motion to approve the ordinance. Councilwoman Barrientos seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on Amending Chapter 12 Traffic and Vehicles Ordinance, Article 12.200 Control Devices of the City of Smithville Code of Ordinances to place a Stop Sign at Gresham and 7th Street: Citizen is requesting a STOP sign at intersection of Gresham and 7th Street to help reduce speeding and improve safety. Smithville PD conducted traffic survey and recommends the STOP sign be added. Councilwoman Barrientos made a motion to approve the ordinance. Councilwoman Morgan seconded and the motion passed unanimously.

Citizen Comments: None

Discussion and Action on the Financial Report: Councilwoman Foerster made a motion to approve the Financial Report. Councilman Gordon seconded and the motion passed unanimously.

***Adjourn: 6:31***

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Scott Saunders Jr., Mayor

Attest:

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Jennifer Lynch, City Secretary



# Agenda Item

# 5

# CITY OF SMITHVILLE

## PLANNING & ZONING APPLICATION

### APPLICATION TYPE

Zoning Change Request: ☒ Change in Zoning Class  
☐ Change in Ordinance  
☐ Variance  
☐ Special Exception Use  
☐ Minor Plat/Subdivision  
☐ Other \_\_\_\_\_

Number of Requests: ☐ Single  
☐ Multiple

### PROPERTY IDENTIFICATION

Street Address

300 Bunte St

\*\*\* Applicant must submit an accurate location map and site plan for application to be considered \*\*\*

Legal description ☐ Platted Land (please provide subdivision, block and lot information below)  
☐ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name:

Buntetown

Property Tax Code:

Block Number:

20

Lot Number:

1-8

Property Owner  
(as listed on Deed):

Fredonia Adams Est. % Terry Smith

Property Owner  
Mailing Address:

200 Hardeman St

Owner's Phone No:

(512) 360-3444

Owner's Email:

gendgirl66@scbglobal.net

Agent's Name  
(if applicable):

Matt Lara

Agent's Mailing  
Address:

574 Hwy 71 East unit D Smithville Tx 78957

Agent's Phone No:

512 237 8452  
512 749 9084

Agent's Email:

Tracia.Ford91@gmail.com

## DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Current Zone Class:	SF-1 <input type="checkbox"/>	SF-2 <input checked="" type="checkbox"/>	Proposed Zone Class:	SF-1 <input type="checkbox"/>	SF-2 <input type="checkbox"/>
	MR <input type="checkbox"/>	C-1 <input type="checkbox"/>		MR <input checked="" type="checkbox"/>	C-1 <input type="checkbox"/>
	C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>		C-2 <input type="checkbox"/>	C-3 <input type="checkbox"/>
	MHS <input type="checkbox"/>	MF <input type="checkbox"/>		MHS <input type="checkbox"/>	MF <input type="checkbox"/>
	CF <input type="checkbox"/>	PD <input type="checkbox"/>		CF <input type="checkbox"/>	PD <input type="checkbox"/>
	PD-Z <input type="checkbox"/>	I <input type="checkbox"/>		PD-Z <input type="checkbox"/>	I <input type="checkbox"/>
	CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>		CBD <input type="checkbox"/>	PD-Z <input type="checkbox"/>

Describe variance requested:

*Corner Lot*

Describe special use requested:

Reason for Request:  
(explain why special exception is sought or why a variance has been requested)

*move mobile home on property*

## PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: *Math Isaza*

Date: *April 27<sup>th</sup>, 2020*

### OFFICE USE ONLY:

Fee Amount: \_\_\_\_\_

Fee Payment: \_\_\_\_\_

P&Z Date: \_\_\_\_\_

Council Date: \_\_\_\_\_

Accepted By: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

☐ Notice sent to property owners within 200 feet of proposed property



April 27, 2020

I Terry Smith give Matt Lara & Tracia Ford permission to act as agent on the property of Fredonia  
Adams Est 300 Bunte Street Smithville, TX 78957

City of Smithville  
Start of Receipt

04/29/2020 13:11:59 garyj

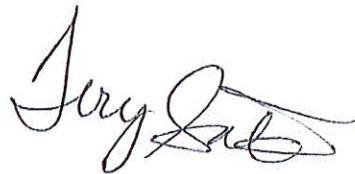
Receipt Number: 58886 100.100.100.84  
Subsys: 1004112175  
Permits - Building 475.00 N  
Payee: Tracia Ford & Matt Lara  
Payee: 300 Bunte Street  
Zone Change Application

Total: 475.00  
Check 475.00

Tender Reference: 912235858

Change Due: .00

End of Receipt



### Zone Change Application

Change in zone class from SF-2 to MR

#### Property Identification:

Street address 306 Bunte St.

#### Legal Description

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 4

Record Owner Samuel + Alice Isaac

And \_\_\_\_\_

Mailing P.O. Box 413

Address Smithville, TX 78957

I, Samuel + Alice Isaac, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: 7/1/13/2019 Signature: Alice Isaac

I, Matt Lora (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

For official use:  
P&Z Meeting Date: \_\_\_\_\_  
Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_

## Zone Change Application

Change in zone class from SF-2 to MR

### Property Identification:

Street address 300 Bunte

### Legal Description

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 1

Record Owner Fredonia Adams

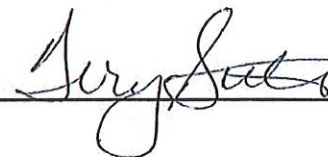
And C/o Terry Smith

Mailing 200 Hardeman

Address Smithville, TX 78957

I, Terry Smith, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: 12/28/19

Signature: 

I, Matt Isen (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

For official use:

P&Z Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_



## Zone Change Application

Change in zone class from SF-2 to MR

### Property Identification:

Street address 301 Gentry

### Legal Description

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 5

Record Owner Serapio Garcia Estate

And

1500 SE 3rd

Mailing

Smithville, TX 78957

Address

I, Serapio Garcia, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: \_\_\_\_\_

Signature: Antonio Bererra

I, Matt Lore (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

For official use:

P&Z Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_

**Zone Change Application**

Change in zone class from SF-2 to MR

**Property Identification:**

Street address 305 Gentry

**Legal Description**

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 7+8

Record Owner Frances Flanagan

And \_\_\_\_\_

Mailing 5243 Enyart

Address Auraton, TX 77021

I, Frances Flanagan, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: 12/28/2019

Signature: Frances Flanagan

I, Matt Brown (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

For official use:

P&Z Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_



### Zone Change Application

Change in zone class from SF-2 to MR

Property Identification:

Street address 303 Gentry

Legal Description

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 6

Record Owner Tammye Flanagan

And \_\_\_\_\_

Mailing 5243 Enyart

Address Houston, TX 77021

I, Tammye Flanagan, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: 12/28/2019 Signature: Tye P

I, Matt Lantz (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

For official use:  
P&Z Meeting Date: \_\_\_\_\_  
Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_



## Zone Change Application

Change in zone class from SF-2 to MR

### Property Identification:

Street address 304 Bunte

### Legal Description

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 3

Record Owner Benjamin Anderson

And \_\_\_\_\_

Mailing 304 Bunte

Address Smithville, TX 78957

I, Benjamin Anderson, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: 10-31-2019

Signature: Benjamin Anderson

I, Matt Green (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

For official use:

P&Z Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_

## Zone Change Application

Change in zone class from SF-2 to MR

### Property Identification:

Street address 302 Bunte

### Legal Description

Subdivision Name: Bunte

Block No.(s) 20 Lot No. (s) 2

Record Owner Carolyn Waddles

And

4134 Woodmont Dr.

Mailing

Houston, TX 77045

Address

I, Carolyn Waddles, owner of property within the boundaries, as described by City Ordinance, have no objection to Zone Change of the blocks outlined for a manufactured home to be placed on the above described property.

Date: 12/4/2019

Signature: [Signature]  
for Carolyn Jean Waddles

I, Carolyn Waddles Lynetta Bonier (person requesting the zone change) do certify these are true and correct signatures of recorded owners.

Date: 12/4/2019

Signature: [Signature]  
for Carolyn Jean Waddles

For official use:

P&Z Meeting Date: \_\_\_\_\_

Council Meeting Date: \_\_\_\_\_

Zone Change Fee Paid \$475 On: \_\_\_\_\_



# CITY OF SMITHVILLE

## PLANNING & ZONING APPLICATION

### APPLICATION TYPE

Zoning Change Request:

- ☒ Change in Zoning Class
- ☐ Change in Ordinance
- ☒ Variance
- ☐ Special Exception Use
- ☐ Minor Plat/Subdivision
- ☐ Other \_\_\_\_\_

Number of Requests:

- ☐ Single
- ☒ Multiple

### PROPERTY IDENTIFICATION

Street Address Loop 230

\*\*\* Applicant must submit an accurate location map and site plan for application to be considered \*\*\*

Legal description

- ☒ Platted Land (please provide subdivision, block and lot information below)
- ☒ Unplatted Land (please submit the metes and bounds description from deed)

Subdivision Name: Woodrose Place (Proposed)

Property Tax Code: 16566, 16941, \*  
8717858-8717862 Block Number: \_\_\_\_\_ Lot Number: \_\_\_\_\_

Property Owner (as listed on Deed): George H. McMahon 230 Properties LLC (BCAD 16941)  
7703 LaSalle Avenue P.O. Box 10

Property Owner Mailing Address: Lubbock, TX 79424 Rosanky, TX 78953  
McMahon (806) 790-8007 georgehcmcmahan@me.com

Owner's Phone No: Wayne Maultz (512) 440-3021 Owner's Email: meuth304construction@yahoo.com

Agent's Name (if applicable): BEFCO Engineering

Agent's Mailing Address: P.O. Box 615 La Grange, TX 78945

Agent's Phone No: (979) 968-6474 Agent's Email: tim@befcoengineering.com



## DESCRIPTION OF VARIANCE / EXCEPTION REQUEST

Lots 1-15

Current Zone Class:

SF-1	<input type="checkbox"/>	SF-2	<input type="checkbox"/>
MR	<input type="checkbox"/>	C-1	<input type="checkbox"/>
C-2	<input type="checkbox"/>	C-3	<input checked="" type="checkbox"/>
MHS	<input type="checkbox"/>	MF	<input type="checkbox"/>
CF	<input type="checkbox"/>	PD	<input type="checkbox"/>
PD-Z	<input type="checkbox"/>	I	<input type="checkbox"/>
CBD	<input type="checkbox"/>	PD-Z	<input type="checkbox"/>

Proposed Zone Class:

SF-1	<input checked="" type="checkbox"/>	SF-2	<input type="checkbox"/>
MR	<input type="checkbox"/>	C-1	<input type="checkbox"/>
C-2	<input type="checkbox"/>	C-3	<input checked="" type="checkbox"/>
MHS	<input type="checkbox"/>	MF	<input type="checkbox"/>
CF	<input type="checkbox"/>	PD	<input type="checkbox"/>
PD-Z	<input type="checkbox"/>	I	<input type="checkbox"/>
CBD	<input type="checkbox"/>	PD-Z	<input type="checkbox"/>

Lots 16-17

Describe variance requested:

See attached.

Describe special use requested:

N/A

Reason for Request:  
(explain why special exception is sought or why a variance has been requested)

See attached.

## PETITION

As Owner/Agent, I hereby petition the City of Smithville for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City. I understand and agree that the Petition fee is non-refundable and that I must attend the Planning & Zoning meeting and subsequent City Council meeting in order for my application to be considered for approval.

Signature: \_\_\_\_\_

Date: 7-6-20

### OFFICE USE ONLY:

Fee Amount: \_\_\_\_\_

Fee Payment: \_\_\_\_\_

P&Z Date: \_\_\_\_\_

Council Date: \_\_\_\_\_

Accepted By: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

☐ Notice sent to property owners within 200 feet of proposed property

## **WOODROSE PLACE ZONING / VARIANCE REQUESTS**

1. Request: Change zoning of proposed Lots 1-15 from C-3 to SF-1  
  
Purpose of Request: To develop a small single family residential neighborhood without commercial development
2. Request: A proposed 52-foot (52') right-of-way and adjoining 8-foot (8') public utility easement in lieu of 60-foot right-of-way  
  
Purpose of Request: To allow for more buildable area within proposed lots. Developers will still provide 31-foot wide street from back of curb to back of curb as well as public utilities (i.e. water, sewer, electric, etc.) within proposed right-of-way and public utility easement.
3. Request: A proposed 20-foot front building setback for Lots 1-3, 5-15, and Lot 17 in lieu of 25 feet.  
  
Purpose of Request: To allow for more buildable area within proposed lots. Proposed variance would not change maximum lot coverage by all buildings on the lot.
4. Request: A proposed 5-foot side yard primary building setback in lieu of 7.5 feet (one story building) and 10 feet (two-story) for Lots 1-3 and 5-15. A proposed 5-foot side yard setback in lieu of 10 feet for Lots 16-17.  
  
Purpose of Request: To allow for more buildable area within proposed lots. Proposed variance would not change maximum lot coverage by all buildings on the lot.
5. Request: To allow construction of sidewalks to occur during construction of residential / commercial buildings on lots instead of during construction of public infrastructure (i.e. streets and public utilities).  
  
Purpose of Request: To avoid damage to the sidewalk during construction of residential / commercial buildings on lots.
6. Request: To allow 48-foot radius to the face of curb and 60-foot radius to the property line at the cul-de-sac in lieu of 60 feet and 70 feet, respectively.  
  
Purpose of Request: To allow for more buildable area within proposed lots. Proposed radius to face of curb will still meet 2012 International Fire Code for fire access turnaround at a dead end.



ELECTRONICALLY RECORDED  
OFFICIAL PUBLIC RECORDS

✓ Rose Pietsch

10/3/2017 8:01 AM

FEE: \$46.00

ROSE PIETSCH, County Clerk

Bastrop, Texas

DEED 201714262

AFTER RECORDING RETURN TO:

WAYNE MELUTH  
P. O. Box 10  
Rosanky, Texas 78953

41-AUT17008176-035-02

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**WARRANTY DEED WITH VENDOR'S LIEN**

Dated as of: September 29, 2017

Grantor: GEORGE MCMAHAN a/k/a GEORGE H. MCMAHAN

Grantor's Mailing Address:

7703 LaSalle Avenue  
Lubbock, Texas 79424

Grantee: 230 PROPERTIES, LLC, a Texas limited liability company

Grantee's Mailing Address:

P. O. Box 10  
Rosanky, Texas 78953

Consideration: Cash and a note of even date executed by Grantee and payable to the order of Grantor in the principal amount of TWO HUNDRED SEVENTEEN THOUSAND ONE HUNDRED FORTY AND NO/100 DOLLARS (\$217,140.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to WM. MARK THOMPSON, trustee.

Property (including any improvements):

Tract 1:

All that certain tract or parcel of land containing 10.650 acres situated in the Lewis Lomas Survey, A-46, in Bastrop County, Texas, also being within the Corporate Limits of the City of Smithville and including a portion of Lots 9, 10 and 11 of the Resubdivision of Outlot 7 of Riverdale Estates (Plat Cabinet 1, Slide 19B - Bastrop County Plat Records), and being that same tract described as 10.650 acres in a deed from Wanda Woodress Rosborough, et al, to George McMahan dated September 6, 2012 and recorded in Volume 2173, Page 541



of the Official Records of Bastrop County, said 10.650 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 3/8" iron rod found for the Northwest corner of the (called) 7.465 acre Smithville Housing Authority tract (Vol. 239, Pg. 553 B.C.D.R.), the Northeast corner of the (original) 6.513 acre George McMahan tract (Vol. 2178, Pg. 104 B.C.O.R.), the Southeast corner of the (called) 2.0 acre Jeannie Ralph tract (Doc #201415607 and Vol. 149, Pg. 443 B.C.D.R.), the Southwest corner of said (called) 10.650 acre George McMahan tract, the Southwest corner of the tract herein described and the **PLACE OF BEGINNING**, said point having a coordinate value of North = 9,979,940.89 feet and East = 3,306,080.68 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96);

Thence North 02 degrees 36 minutes 55 seconds West, 357.82 feet along the common line between said 10.650 acre McMahan tract and said 2.0 acre Ralph tract to a 3/8" iron rod found for the Southwest corner of the (called) 0.4509 acre Christopher Winter tract (Vol. 1992, Pg. 125 B.C.O.R.), the most Westerly Northwest corner of said McMahan tract and the most Westerly Northwest corner of the tract herein described;

Thence North 86 degrees 37 minutes 49 seconds East, along the North line of said 10.650 acre McMahan tract, at 120.00 feet passing a 3/8" iron rod found for the common South corner of said Winter tract and the (called) 0.46531 acre Bobby Hennesey tract (Vol. 381, Pg. 689 B.C.O.R.), at 245.32 feet passing a 1/2" iron rod found for the common South corner of said Hennesey tract and the (called) 0.461 acre Michael Bratcher tract (Vol. 626, Pg. 684 B.C.O.R.), at 370.48 feet passing a 1/2" iron rod found for the common South corner of said Bratcher tract and the (called) 0.570 acre David Spencer tract (Doc #201706987 B.C.O.R.), at 526.53 feet passing a 5/8" iron rod found for the common South corner of said Spencer tract and the (called) 0.4660 acre John Saunders tract (Vol. 256, Pg. 303 B.C.D.R.), and continuing for a total distance of 659.52 feet to a 1-1/2" iron pipe found for the Southeast corner of said Saunders tract and an inside corner of the tract herein described;

Thence North 05 degrees 19 minutes 42 seconds West, 156.59 feet to a 5/8" iron rod found in the South margin of Seventh Street (70' right-of-way - Plat Cabinet 1, Slide 19B - Bastrop County Plat Records) for the Northeast corner of said Saunders tract, the original Northwest corner of the (called) 1.0 acre Kenneth Blaschke tract (Vol. 1352, Pg. 888 B.C.O.R.), the most Northerly Northwest corner of said McMahan tract and the most Northerly Northwest corner of the tract herein described;

Thence North 87 degrees 18 minutes 49 seconds East, 30.06 feet along the South margin of Seventh Street to a 1/2" iron rod found for the Northwest corner of the residual of said Blaschke tract and the most Northerly Northeast corner of the tract herein described, from which a 5/8" iron rod found bears South 72 degrees 42



minutes East, 0.95 feet;

Thence South 01 degree 41 minutes 39 seconds East, departing said Seventh Street, 156.27 feet to a 5/8" iron rod found for an angle point in the common line between said Blaschke residual tract and said McMahan tract;

Thence South 00 degrees 57 minutes 15 seconds West, 138.60 feet to a 5/8" iron rod found for the Southwest corner of said Blaschke tract and an inside corner of the tract herein described;

Thence North 86 degrees 57 minutes 20 seconds East, along the South line of said Blaschke tract, at 148.71 feet passing a 5/8" iron rod found for the common South corner of said 1.0 acre Blaschke tract and the (called) 0.10114 acre Kenneth Blaschke tract (Vol. 1386, Pg. 61 B.C.O.R.), and continuing for a total distance of 163.58 feet to a 5/8" iron rod found in the West line of the (called) 0.461 acre Distefano Trust tract (Doc #201710179 B.C.O.R.) for the Southeast corner of said Blaschke tract and the most Easterly Northeast corner of the tract herein described;

Thence South 02 degrees 25 minutes 48 seconds East, 89.50 feet to a 1/2" iron rod found for the Southwest corner of said Distefano Trust tract and the Northwest corner of the Marvin Blackwell tract (Vol. 302, Pg. 149 B.C.O.R.);

Thence South 02 degrees 33 minutes 01 seconds East, at 219.84 feet passing a 3/8" iron rod found for the common West corner of above said Blackwell tract and the (called) 2.252 acre Marvin Blackwell tract (Vol. 308, Pg. 577 B.C.O.R.), at 440.07 feet passing 0.63 feet West of a 1/2" iron rod found marking the common West corner of said 2.252 acre Blackwell tract and the (called) 3.263 acre Marvin Blackwell tract (Vol. 645, Pg. 481 B.C.O.R.), and continuing for a total distance of 569.15 feet to a 3/8" iron rod found for the Southwest corner of said 3.263 acre Blackwell tract, a Northwest corner of the (called) 14.397 acre Fran Rae LP tract (Vol. 2181, Pg. 619 B.C.O.R.), the Northeast corner of Lot 19 of the I. Webb Addition (Plat Cabinet 2, Slide 289B - Bastrop County Plat Records) and the Southeast corner of the tract herein described;

Thence North 65 degrees 22 minutes 50 seconds West, at 175.49 feet passing a 5/8" iron rod found for the common North corner of Lots 19 and 16 of said Webb Addition, at 288.90 feet passing a 1/2" iron rod found for the common North corner of said Lot 16 and "Webb Street" (70 foot right-of-way), at 367.23 feet passing a 3/8" iron rod found for the common North corner of said "Webb Street" and Lot 15 of said Webb Addition, at 468.43 feet passing a 1/2" iron rod found for the common North corner of Lot 15 of said Webb Addition and said 7.465 acre Smithville Housing Authority tract, and continuing for a total distance of 937.55 feet to the PLACE OF BEGINNING and containing 10.650 acres.

Bearings, distances and coordinates used herein are "GRID" based on the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96). Convergence = +01 degree 38



minutes 31 seconds. Combined factor = 1.0000135.

**Tract 2:**

All that certain tract or parcel of land containing 2.506 acres situated in the Lewis Lomas Survey, A-46, in Bastrop County, Texas, also being within the Corporate Limits of the City of Smithville, and being the residual of that tract described as 6.513 acres in a deed from Ernest Christian, et ux, to George H. McMahan dated September 25, 2012 and recorded in Volume 2178, Page 104 of the Official Records of Bastrop County, said 2.506 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 3/8" iron rod found for the Northwest corner of the (called) 7.465 acre Smithville Housing Authority tract (Vol. 239, Pg. 553 B.C.D.R.), the Southwest corner of the (called) 10.650 acre George McMahan tract (Vol. 2173, Pg. 541 B.C.O.R.), the Southeast corner of the (called) 2.0 acre Jeannie Ralph tract (Document #201415607 and Vol. 149, Pg. 443 B.C.D.R.), the Northeast corner of said (called) 6.513 acre McMahan tract, the Northeast corner of the tract herein described and the **PLACE OF BEGINNING**, said point having a coordinate value of North = 9,979,940.89 feet and East = 3,306,080.68 feet according to the Texas State Plane Coordinate System - Central Zone - NAD 83(CORS 96);

Thence South 02 degrees 59 minutes 00 seconds East, along the common line between said (called) 6.513 acre McMahan tract and said (called) 7.465 acre Smithville Housing Authority tract, at 521.00 feet passing 1.46 feet West of a 1/2" iron rod found marking the common West corner of said Smithville Housing Authority tract and the (called) 2.50 acre Don Burnham Trust tract (Vol. 1771, Pg. 68 B.C.O.R.), and continuing for a total distance of 573.61 feet to a 1/2" iron rod found for the Northeast corner of the (called) 3.464 acre George McMahan tract (Vol. 2268, Pg. 386 B.C.O.R.), the Southeast corner of said (called) 6.513 acre McMahan tract and the Southeast corner of the tract herein described;

Thence South 86 degrees 46 minutes 44 seconds West, 176.01 feet along the common line between said 6.513 acre and 3.464 acre George McMahan tracts to a 1/2" iron rod set in the East line of the (called) 4.901 acre City of Smithville tract (Doc# 201606403 B.C.O.R.) for the Southwest corner of the tract herein described, from which a 1/2" iron rod found for the Southeast corner of said City of Smithville tract bears South 02 degrees 38 minutes 58 seconds East, 59.65 feet;

Thence North 02 degrees 38 minutes 58 seconds West, departing the common line, 666.85 feet to a 1/2" iron rod found in the original common line between said 6.513 acre McMahan tract and the (called) 2.00 acre James Welch tract (Vol. 864, Pg. 764 & Vol. 477, Pg. 401 B.C.O.R.) for the Northeast corner of said City of Smithville tract and the Northwest corner of the tract herein described; from which a 3/8" iron rod found for the original Northwest corner of said (called) 6.513 acre McMahan tract and the Northwest corner of said City of Smithville tract bears North 65 degrees 11 minutes 04 seconds West, 269.82 feet;



Thence South 65 degrees 11 minutes 04 seconds East, along the common line between said 6.513 acre McMahan tract, said Welch tract, and said (called) 2.0 acre Jeannie Ralph tract, at 20.25 feet passing a 5/8" iron rod found for a common corner of said Welch and Ralph tracts, and continuing for a total distance of 198.35 feet to the **PLACE OF BEGINNING** and containing 2.506 acres.

**Reservations from Conveyance:** None

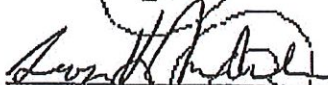
**Exceptions to Conveyance and Warranty:** Liens described as part of the Consideration; validly existing easements, rights-of-way, restrictions and other matters that affect the Property, as shown of record in the office of the County Clerk of Bastrop County, Texas or as would be disclosed by a survey of the Property; taxes for 2017; and subsequent assessments for 2017 and prior years due to change in land usage, ownership, or both.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

When the context requires, singular nouns and pronouns include the plural.

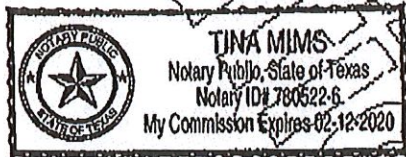
**GRANTOR:**

  
\_\_\_\_\_  
GEORGE MCMAHAN a/k/a GEORGE H.  
MCMAHAN

STATE OF TEXAS )

COUNTY OF Lubbock )

This instrument was acknowledged before me on Sept. 29, 2017, by  
GEORGE MCMAHAN a/k/a GEORGE H. MCMAHAN.



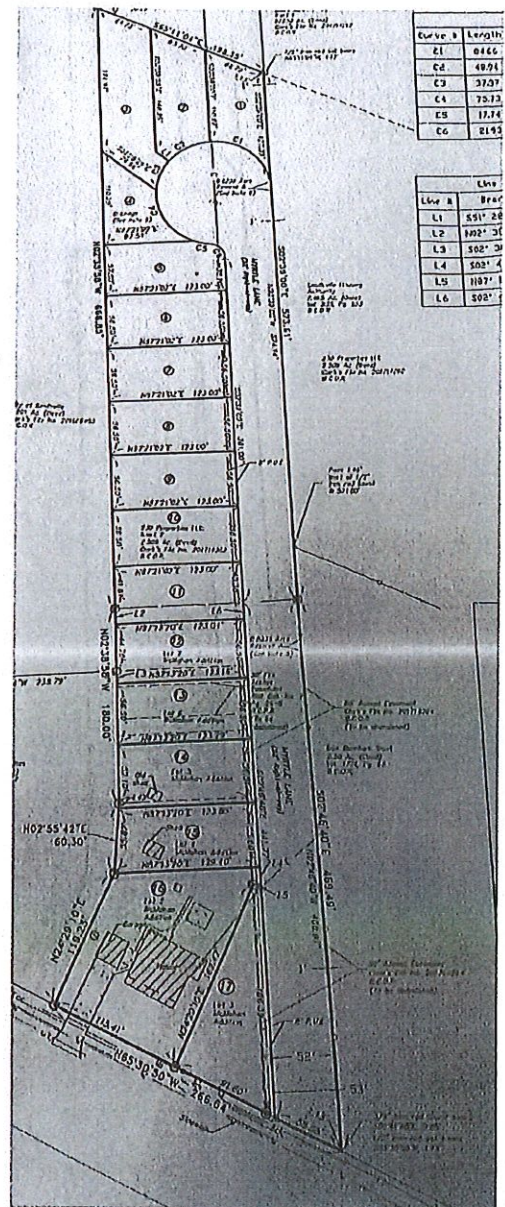
Tina Mims  
Notary Public, State of Texas  
My commission expires: 2-12-2020





The original plat is at Tracie's Desk if you would like to review.





## CityManager

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**From:** Gay Powers <gaypowers@me.com>  
**Sent:** Friday, August 7, 2020 2:40 PM  
**To:** Joanna Morgan; sfoester@ci.smithville.tx.us; Cassie Barrientos; Jason Hewitt; Bill Gordon; CityManager; Jack Page  
**Cc:** Mitch Jameson; Sherry Jameson; Julia Dee Gonzales; James Welch; Jeannie Ralph; Janice Hurst; Don Hurst  
**Subject:** Detention Pond Sharing Vote

Dear Council Members and City Manager:

It has come to our attention that the detention pond that my mother Patsy Greene Welch and James Welch allowed the city access on their property is now being possibly "shared" by a new housing development. This would threaten our property by possible flooding and decreased property values.

1400 E. 7th Street homestead was built 41 years ago. My sisters and I and interested brother in laws attended multiple meetings with Robert and the engineer and others.

James and my mother very kindly and generously agreed for access allowing the city from our property.

In essence, they gave the access to the city.

Mother and James also have spend the last year having their house being remodeled due to the previous flooding and lack of planning.

I resent the thought of this proposal and strongly urge council to vote against the new development "sharing" the pond with the 7th Street residents. They have suffered enough.

We have not had enough rain to "test" the current detention pond.

And I hope that Robert, Jack and engineering, all involved all remember how they begged to have access on my parents and Jeannie Ralph's property.

My sisters Janice Hurst and Sherry Jameson and myself have been deeded the property of 1400 E. 7th.

I urge you to vote and reject the sharing of the untested detention pond with 7th Street residents and a new housing development.

Thank you in advance,  
Gay Greene Powers  
Ray B. Powers, Jr.

Sent from my iPhone



# Agenda Item

# 10

## **RESOLUTION**

**#2020-08-455**

### **A REVISION TO RESOLUTION #2020-01-448 OF THE CITY OF SMITHVILLE, TEXAS CALLING A MUNICIPAL GENERAL ELECTION CHANGING THE DATE FROM THE 2<sup>ND</sup> DAY OF MAY, 2020 TO THE 3<sup>RD</sup> DAY OF NOVEMBER, 2020**

**WHEREAS**, the City called a Municipal General Election to be held on May 2, 2020; and

**WHEREAS**, on March 18, 2020, the Governor of the State of Texas issued a Proclamation that authorized local political subdivisions to postpone their May 2, 2020 elections because of the threat posted by COVID-19;

**WHEREAS**, A General Election is hereby ordered to be held on November 3, 2020, for electing the following positions:

Mayor	(a two-year term)
Alderman Place 4	(a two-year term)
Alderman Place 5	(a two-year term) terminated

Said election shall be held at each assigned precinct polling places for all qualified voters of said City. On Election day a voter must vote at the polling location assigned to their voting precinct. The precincts shall be in multipule polling place only in early voting, which polling and presiding officer and said election shall be:

Precincts: 2005, 2006 and 2008 within the City limits

Polling Place: Precinct 2005-Smithville City Hall, 317 North Main St., Smithville

Precinct 2006-Lake Thunderbird Community Center, 104 Thunderbird Dr., Smithville, TX

Precinct 2008- Heart of the Pines VFD, 109 Green Acres Loop Bastrop, TX

Presiding Officer: Determined at a later date by Bastrop County Elections Administrator

The Presiding Judge at such election shall appoint no less than two (2), no more than five (5) clerks on election day, the polling shall be open from 7:00 a.m. to 7:00 p.m. on Election Day; and

**WHEREAS**, early voting by personal appearance will be conducted each weekday at Smithville City Hall, 317 Main Street, Smithville, Texas 78957. Bastrop County Courthouse Annex, 804 Pecan St., Bastrop, TX; Cedar Creek United Methodist Church, 5630 FM 535, Cedar Creek, TX; and Elgin Public Library-Civic Center, 404 N. Main St., Elgin, TX.

Voting hours shall be between the hours of 8:00 a.m. and 5:00 p.m. beginning October 13, 2020, and ending October 30, 2020, except for October 26, 2020, through October 30, 2020, where hours shall be 7:00 a.m till 7:00 p.m. and October 18<sup>th</sup> and 25<sup>th</sup> where hours will be 1:00



p.m. to 5:00 p.m. The voting schedule is subject to change by the Proclamation of the Governor and/or order of the Bastrop County Commissioner's Court. Applications for ballot by mail shall be mailed to Bastrop County, Kristin Miles, Early voting Clerk, Elections Administrator, 804 Pecan Street, Bastrop, Texas 78602. Applications for ballot by mail must be received no later than the close of business on October 23, 2020.

**NOW, THEREFORE BE IT RESOLVED** by City Council of Smithville, Texas that notice of election to be held on November 3, 2020, is hereby ordered and called. Notice of election shall be given: (a) by publication one time in a newspaper of general circulation in the City of Smithville, not less than ten (10) nor more than thirty (30) days before the date set herein for such election; and (b) by posting such notice at City Hall and in each election precinct of the City not less than twenty-one (21) days before the date set herein for such election.

**PASSED AND APPROVED** this 10<sup>th</sup> Day of August 2020.

---

Scott A. Saunders Jr., Mayor

Attest:

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Jennifer Lynch, City Secretary

# Agenda Item

# 11





## CITY OF SMITHVILLE APPLICATION – HISTORIC MARKER/DESIGNATION

### HISTORIC PROPERTY/INDIVIDUAL/EVENT NOMINATED:

Name of Nominated Entity: THE MOZOLA HOUSE

Address (Street & Number-Property Only): 606 GRESHAM STREET

#### APPLICANT:

Name: Samantha Gerdes

Address: 606 GRESHAM ST.

SMITHVILLE, TX 78957

Phone: (512) 605. 9998

Email: sanlgerdes@gmail.com

#### OWNER (If different from Applicant):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Nomination for: 1) Historical Structure(s) ☒ 2) Historic Location \_\_\_\_\_ 3) Individual \_\_\_\_\_ 4) Event \_\_\_\_\_

(Historic Structure only)

Date Structure Built: 1938

Current Zoning of Property: \_\_\_\_\_

Architectural Style or period: TUDOR REVIVAL

Why is this structure/location/individual/event historically significant? (Brief summary; add pages if needed)

SEE ATTACHED REPORT.

Attach clear and organized complete documentation as appropriate. This includes, but is not limited to:

- Pictures - if structure/property, taken from all sides; if individual, portrait or other likeness.
- Deeds, plats, maps, or other papers relating to property.
- Letters, news accounts, or other pertinent verifications of facts – either property or individual.
- For individuals - biographies including details of lives and their contribution to history: birth/death dates and places, education, occupations, military or civic service, news accounts, etc.

### Nomination Criteria:

Designation as a Historic Property, Location, Individual or Event must meet three (3) of the eleven (11) Criteria for Designation. Please give detail on how property or individual meets each selected Criterion for evaluation. Each appropriate or applicable Criterion must be addressed individually.

No more than two (2) typewritten pages, double spaced in 12 pt. font.

- ✓ 1) Structures must be at least 50 years old. Individuals are not eligible for nomination until 10 years after death.
- ✓ 2) Individual must have made a significant impact on their era or contributed to the culture and development of the City of Smithville, Texas or the United States.
- ✓ 3) Is distinctive in character, interest or value, strongly exemplifies the cultural, economic, social, ethnic or historical heritage of Smithville, Texas or the United States.
- ✓ 4) Original character of property must be well preserved and maintained and important to architectural, cultural and historical nature of the local neighborhood.
- ✓ 5) Property must possess significance in history, architecture, archeology and/or culture.
- 6) Location must be the site of one or more historic events that made a significant contribution to the broad patterns of local, regional, state or national history, or with events that have significance in our past.
- ✓ 7) Must represent the work of a master designer, builder or craftsman.
- ✓ 8) Property is an important example of a type, period or method of construction, embodying distinctive characteristics of a particular architectural type or specimen in the City of Smithville, e.g., Queen Anne (aka Victorian/ Late Victorian), Classical Revival, Tudor Revival, Bungalow, Arts and Crafts, Ranch-Style, Mid-Century Modern, etc.
- 9) Represents a resource, whether natural or man-made, which greatly contributes to the character or image of a defined neighborhood or community area.
- 10) Possesses significant archeological value, which has produced or is likely to produce data affecting theories of historic or prehistoric interest.
- ✓ 11) Is designated as a Recorded Texas Historic Landmark or State Archeological Landmark or is included as "contributing" on the National Register of Historic Places.

**NOTE: if the marker is for an individual/event, do three of these criteria work???**



### Acknowledgments

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Historic Preservation/Design Standards Advisory Committee Meeting and City Council hearings. I further certify that I have read and understand the following information concerning the procedure for consideration of my marker request and that I am currently in good standing with all taxing authorities.

I understand that the application for historic marker/designation will first be submitted to the Smithville Historic Preservation and Design Standards Advisory Committee (HPDS) and that the case will be submitted to City Council for consideration at the subsequent City Council meeting.

I understand that I am encouraged to be present or represented at the public hearings.

I understand that if the HPDS recommends approval of the designation, the recommendation will be submitted to the City Council for final determination. If the HPDS recommends denial, I understand that I may appeal the recommendation of denial to the City Council by submitting a letter of appeal to the HPDS within 14 days after the Board's action.

I reserve the right to withdraw this proposal at any time prior to 14 days after the schedule filing deadline for the HPDS meeting, by filing a written request with the Chair of the HPDS Committee. I understand that such withdrawal shall immediately stop all proceedings thereon.

I understand that people, places and events nominated, reviewed and disapproved three (3) times in succession are not eligible for review panel for three (3) years.

I understand that, if accepted, City or Chamber of Commerce historic tours may call attention to the nominated property as an example of Smithville history.

If the nomination is approved by City Council, I agree to pay for the approved City Historic Marker from the approved vendor at current cost, and I agree to install it on my property in an area that is publically visible. I understand that the marker will remain with the property structure at its recognized location unless extenuating circumstances, approved by HPDS prevent it from remaining at the historic location.

SIGNATURE OF PROPERTY OWNER/AGENT



Print Name: Samantha GERDES

Date: MARCH 3, 2020

SIGNATURE OF PROPERTY CO-OWNER/AGENT  
(if applicable)



Print Name: STAN GERDES

Date: MARCH 3, 2020

HPDS Approved on (Date): \_\_\_\_\_

By HPDS Committee Members (Signatures): \_\_\_\_\_

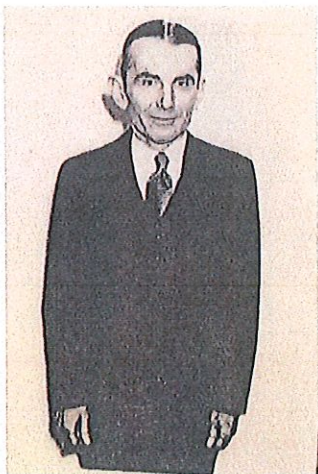


**606 Gresham Street  
Smithville, Texas**



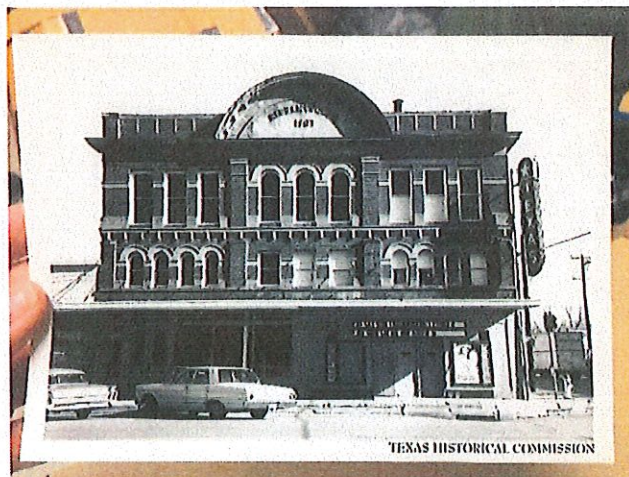
**September 2019**

The main house on the property at 606 Gresham is a Tudor Revival situated on 2 lots which were originally part of the Buescher Estate (the family which Buescher State Park is named after). The 2-story concrete structure at the back of the property was the original carriage house for the Buescher estate. It is built of concrete which was mixed on site with sand from the Colorado River. The upper story, which has a concrete floor, was a residence for some of the estate workers. The current house was built in 1938 by J.S. & Mollie Mozola who leased and operated the local theatre, Texas Theater - located at 300 Main Street, for nearly 10 years beginning in December 1936 (Exhibit A - lease and revenue agreement with prominent builder and business owner V.S. Rabb, Jr. found in the Bastrop County Records). Joe Mozola and the Texas Theater building are pictured below, and vintage tickets from the theater naming Joe Mozola as the manager shown on the next page.



**Joe Mozola**

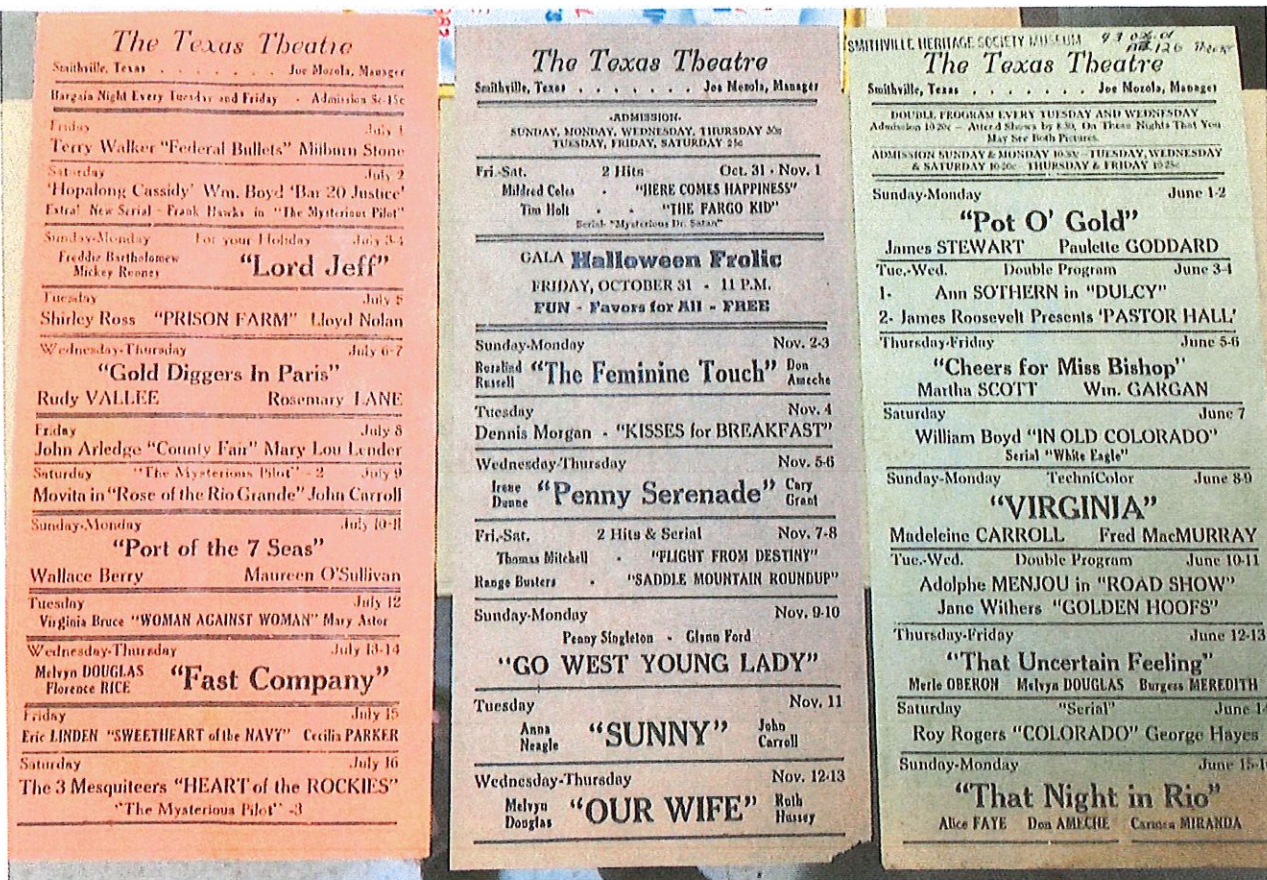
**Photo from the Smithville Heritage Archives**



**Texas Theater at 300 Main Street**

**Rabb & McCollum Building**





## Vintage Texas Theater tickets found in the Smithville Heritage Society Archives

Note: Joe Mozola listed as the manager on the top of each

Mr. and Mrs. Mozola purchased the property from Mrs. Addie Byrne (noted as a widow of her deceased husband Roger Byrne – a prominent businessman and politician) on July 27, 1938 for \$1,000 (Exhibit B – Property Deed). Mrs. Mozola ordered the plans for the house from a magazine. The house was previously thought to have been built by a local builder, Mr. Dornach. However, research at the Bastrop County Court House by Sam Gerdes found Julius C. Kahanek listed as the builder in the Mechanics Liens Records. Mr. Kahanek was born to Czech emigrants in Smithville in 1899 and built many homes in the area (photo of Mechanics Liens Records Index on next page). The builder's agreement was entered into on October 3, 1938 and promised a home built by December 31, 1938 for a note of \$6,000 with 10% interest "due on or before 60 days after date hereof." (Exhibit C-Builders Agreement).

Reminiscent of the era, there is a brass "butler call button" built into the floor in the dining room and while is currently turned off, will ring when activated.



GENERAL INDEX TO										MECHANICS' LIENS.									
NAME	ADDRESS	DATE	FILE	NO.	IN	EX.	NO.	IN	EX.	NAME	ADDRESS	DATE	FILE	NO.	IN	EX.	NO.	IN	EX.
Kahanek, Dr. John	2101 Rosedale	1946	Oct 6	1946	6	51				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			
Kahanek, John	2101 Rosedale	1946	Oct 11	1946	17	17				Kahanek, J. C.	1111 1/2 St. Louis	1946	Oct 11	1946	7	17			

### General Index To Mechanics Liens (Bastrop County Courthouse Records)

In 1947, Mr. Kahanek and his wife Mary moved to the Rosedale neighborhood of Austin to work for Calcasieu Lumber (pronounced Kal-Ka-Shoo) which was named after the Calcasieu Parish of Louisiana where the majority of the lumber was sourced (Exhibit D – company history). The description of the home they built below was found in a 1996 copy of the Rosedale Rambler:  
<https://rosedaleaustin.org/wp-content/uploads/2013/03/Rosedale-Ramble-1996.pdf>

6. 4005 SINCLAIR – Built in 1947 by Calcasieu Lumber Company for Julius and Mary Kahanek. Julius and Mary Adamcik Kahanek were both born in Smithville but moved to Austin in 1947. Kahanek worked for Calcasieu for 17 years until he retired in 1964. Both Mary and Julius were Czech, and Mary's skills include baking kolaches and streudel as well as gardening

47

47

and canning. Julius was born June 1, 1899, and Mary was born November 4, 1901, making them our oldest neighbors. Architecturally, this was a common home type of the postwar period and shows vague references to the Colonial Revival style. It has a minimal front porch treated as a stoop and a nicely proportioned stone chimney, now painted, but originally like other randomly laid stonework in Rosedale.

It was also discovered that our neighbor at 502 Gresham, Derek Kahanek, is the great great nephew of the builder, Julius C. Kahanek (brother of his great great grandfather, William Kahanek). Really neat!

Tragically, Mr. Mozola died on November 27, 1945 at the age of 48 in Travis County where he had gone to seek medical care (allegedly for tuberculosis). According to Bastrop County probate records, Mollie (age 48 in Jan 1946) inherited nearly \$100,000 in community assets (equivalent to ~\$1 million in 2020) made up mostly of cash, stocks and bonds, in addition to the property on Gresham Street and two automobiles (Exhibit E – Probate Records). She continued to reside in the house with the company of her dog, Troubles, and often hosted her sister, Naomi Parrott, as seen in several mentions in the Smithville Times "Personals" during the 1950s and 1960s (Miss Parrott passed away in 1973). Mrs. Mozola remained in the house and taught at the local school until the property was purchased by Joe and Julia



Kohn – a local contractor and school teacher - in 1991 for \$56,000 (Exhibit F – Appraisal). Mrs. Mozola passed away in 1993 at the age of 96 (obituary below).

*Smithville*  
SMITHVILLE **Obituaries** *1 July 1993*  
TIMES 1 July 1993

### Ogle

Brian William Ogle of Smithville, age 12, died in Smithville on Saturday, June 26. He was born on March 13, 1981 in Flushing, New York.

Funeral services were held on Wednesday, June 30, at 11 a.m. at the Marris-Jones Funeral Home Chapel. Burial was in Alum Creek Cemetery at Alum Creek with the Reverend Alfred Gallmeier officiating.

The survivors include: parents, Kenneth Ogle and Maureen Ogle of Smithville; brothers, David Ogle of Smithville, and Steven Ogle of Missouri; grandparents, Mr. and Mrs. Vincent Ogle of New Jersey, and William G. Ross of Springhill, Florida; and numerous other relatives and friends.

### Mozola

Mollie B. Mozola of Smithville, age 96, died in Smithville on Friday, June 25. She was born on Jan. 24, 1897 to Bazzle Manley and Juliette T. Upshaw Parrott.

She was a longtime resident of Smithville and a theatre owner. She was a member of the First Presbyterian Church, a retired school teacher, and a member of the Ladies Auxiliary of VFW Post 1309.

She was preceded in death by her husband, Joe Mozola.

She is survived by several nieces and nephews.

Graveside services were held on Monday, June 28, at 2 p.m. at Oak Hill Cemetery, with the Reverend John Brannon officiating.

According to direct accounts from Julia, someone representing Mrs. Mozola was seen packing up the house after she was moved to a nursing home, and sold the entire contents of the home to Julia's sister who had a home down the street (The Shelbourne House) and told Julia that the house itself was for sale to whoever could pay the earnest money first. With no time to discuss it with her husband, Julia ran to get earnest money from a nearby bank and went under contract before it could be listed! The rumor mill around town said that she'd had an unfair advantage because her husband had been doing electrical work on the house and knew it was to be sold soon – Julia swears that was not the case and it was simply a mix of luck and fate! The only structural changes made by the Kohns were to the incline of the stairs leading to the expansive second story along with the butler's pantry being converted to a laundry area. Central heat and air were also added downstairs.

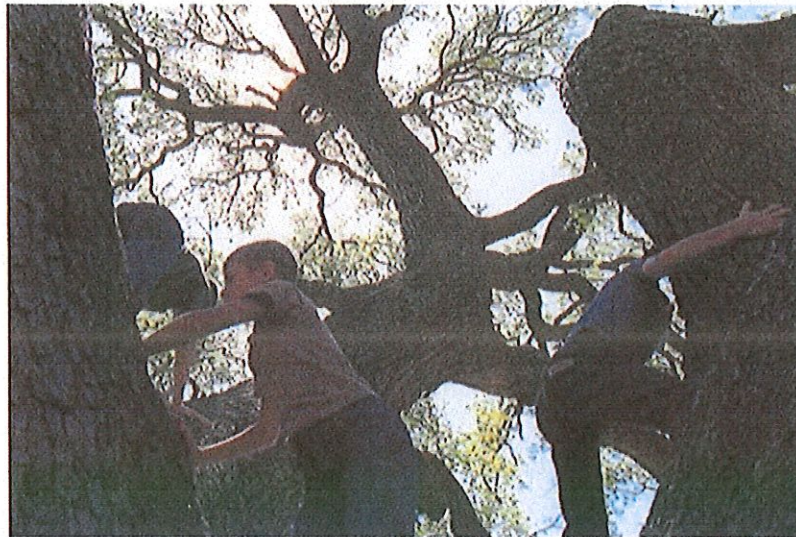


606 Gresham as seen in the early 1990s

**\*Note the newly planted trees in the front yard that are now very large!**  
(Photos from the Smithville Heritage Museum Archives)



Hollywood came calling and the property was used in the 2011 movie "The Tree of Life" starring Brad Pitt, Sean Penn and Jessica Chastain. In several scenes Brad Pitt can be seen strolling across the lawn by the sunroom, searching for the boys who were hiding in the enormous live oak tree (below). The boys also used the upper floor of the carriage house as a "club house".

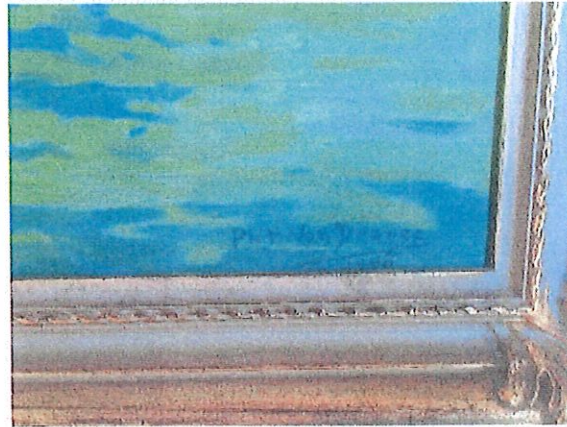
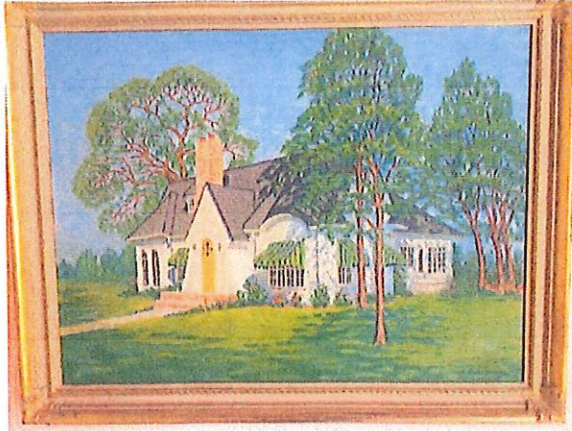


**Oak Tree at 606 Gresham in "Tree of Life"**

Julia Kohn-Berdoll eventually remarried and moved to her husband's commercial pecan orchard in Bastrop. She rented the home to her grown children's families for several years until she sold it in March 2019 to its third owners, Samantha and Stanley Gerdes, who were returning to Texas after several years in Washington, D.C. They renovated the home from August 2019-December 2019 and moved in on New Year's Eve. Some of the interior changes they made include exposing the original shiplap on all of the downstairs ceilings, vaulting the dining room ceiling into the pitched roofline using the original shiplap, moving the staircase to the rear of the house to expand the kitchen, and converting the upstairs attic space to be "livable" by fortifying the attic floor structure with 2x8s, adding central heat and air, and adding a third full bathroom above the living room. All of the hardwood floors remain the original oak downstairs, and original long leaf pine upstairs. Three different original wallpaper patterns were preserved during the renovation and are framed in the living room.

Aside from their removal of the metal awnings and addition of Bevolo gas lanterns from New Orleans - the exterior remains completely original - which can be seen in an oil painting of the house displayed in the foyer that is dated 1940 by Dutch immigrant and local pastor Ph. H. Van Drooge (next page).

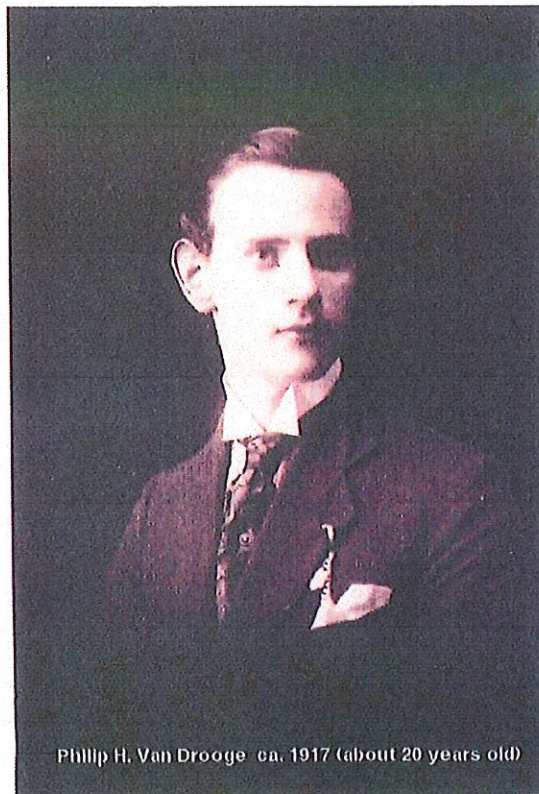




**Original Painting by Philip H. Van Drooge Dated 1940**

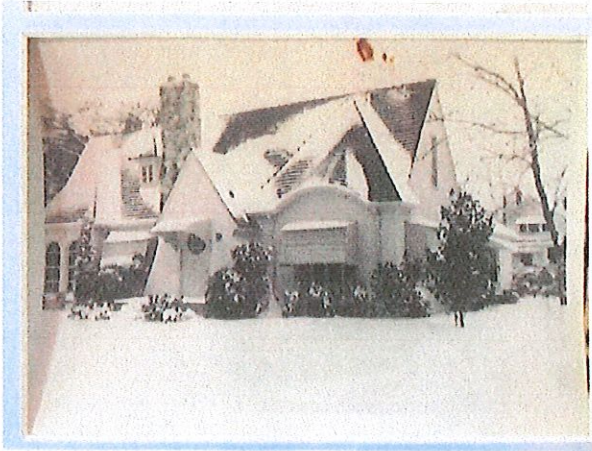
The artist, Philip H. Van Drooge, immigrated to the United States from Leiden, Netherlands in 1919, married his first wife Edna Ruth in 1926, and became an ordained Presbyterian minister in 1930 ([http://www.geery.com/van\\_drooge1.htm](http://www.geery.com/van_drooge1.htm)). He and his family moved to Smithville in 1939 where he was a pastor at the First Presbyterian Church (see newspaper clipping from Jan 22, 1941 right). According to the 1940 census, Philip H Van Drooge lived on Hudgins Street with his wife Edna Ruth and their two children, Philip and Betty Jean. They remained in Smithville until moving to Alamo, Texas in 1942.

**FIRST PRESBYTERIAN CHURCH**  
Philip H. Van Drooge, Pastor.  
Sunday School 9:45 a. m.  
Morning Worship 11:00 a. m.  
Evening Service, 7:00 p. m.  
Next Sunday is observed throughout the Churches as Young People's Sunday. Our Young People Society will have charge of the morning service. Come and support them by your presence.



Philip H. Van Drooge ca. 1917 (about 20 years old)

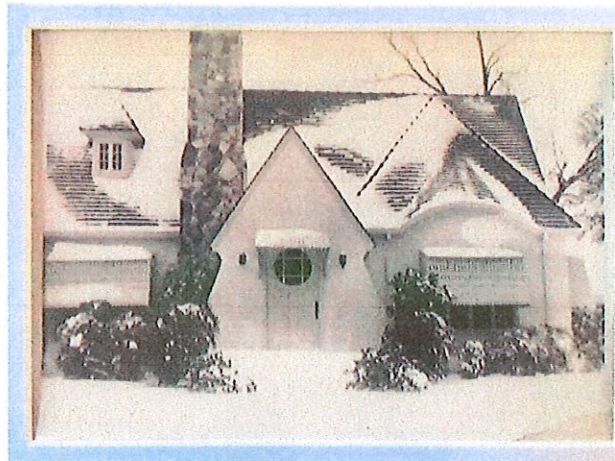




These original photos of 606 Gresham were taken on January 30, 1949 after a rare snow storm in Central Texas. The name Fontaine Thorn can be seen written on the bottom right and the backs note that they are "Aunt Mollie's House 606 Gresham". The City of Austin recorded 6.5" of snow on January 30, 1949. Mrs. Mozola gave the photos to Julia Kohn who then gave them to Sam and Stan Gerdes to keep with the house. Copies can be found in the Smithville Heritage Archives.

### **Snow in Smithville - January 1949**

Note: Death records show the photographer - Fontaine Thorn - died in 1975 at the age of 64, and her Aunt Mollie "Bazzle" Mozola passed away in 1993 at the age of 96. Both are buried in the Oak Hill Cemetery in Smithville (Exhibit G - grave marker for Mollie Mozola and relatives).







**Real Estate Listing Photo of 606 Gresham taken Fall 2018**

The notes on the age and notable features for both structures at 606 Gresham Street below were copied from the Smithville Heritage Museum Archives (Exhibit H).

<p>C 606 Gresham P23</p> <p>Mazola-Kohn ca 1938</p> <p>Tudor Revival</p> <p>Stucco</p> <p>tile roof</p> <p>Chimney pot</p> <p>Burleson</p> <p>Block H Lot's 1 &amp; 2.</p>
<p>C 606 Gresham</p> <p>Garage</p> <p>Cement or Stucco</p> <p>before 1938</p>