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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, May 5, 1954, at 11 o'clock a.m., with Mayor Van Every presiding, and Councilmen Albea, Boyd, Brown, Dellinger, Smith and Wilkinson present.

Absent: Councilman Baxter.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the minutes of the last regular meeting on April 28, 1954, were approved as submitted.

CONSIDERATION OF ORDINANCE NO. 207 AMENDING THE ZONING ORDINANCE RELATIVE TO THE DEFINITION OF "CARPORTS" CONSTRUCTED IN SIDE YARD AREAS, CONTINUED.

At the scheduled hearing on a proposed Ordinance amending the Zoning Ordinance in connection with the construction of carports in side yard areas, a letter from Mr. John M. Dwelle, Chairman of the Zoning Board of Adjustment, was presented by Mayor Van Every, in which he requested that inasmuch as the proposed amendment had not come to the attention of the Board, and as it has direct bearing upon the zoning question generally, action be withheld by the Council until the Board has had an opportunity to study the provisions of the ordinance and make some recommendation or comment with respect thereto.

Councilman Smith moved that the hearing be continued until the Council Meeting on June 2nd, and that it be referred to the Zoning Board of Adjustment in accordance with their request. The motion was seconded by Councilman Dellinger.

Councilman Boyd stated the Council has the authority to pass the ordinance on its own initiative, and has the final judgment in such matters, and he does not understand why it should be referred to the Zoning Board.

Mr. Yancey, City Manager, advised that the ordinance was originated by the Building Inspector and himself, and they considered it a very simple matter to relieve many hardship cases and they had no idea it would create so much discussion on the part of the Planning Board and Zoning Board of Adjustment.

Mayor Van Every stated it is the opinion of some of the Council that the request should be granted and the ordinance referred to the Board as requested and the Council get the opinion of the Zoning Board of Adjustment and Planning Board.

The vote was then taken on the motion, and unanimously carried.

PROPOSED ORDINANCE NO. 208 AMENDING ZONING ORDINANCE ON LOT AT 235 WEST BOULEVARD DENIED.

The scheduled hearing was held in connection with the proposed amendment to the Zoning Ordinance, to change the zoning on lot at 235 West Boulevard from R-2 to B-1, upon petition of Mrs. Mary A. Helms and recommended by the Zoning Board of Adjustment.

Mr. Parker Whedon, Attorney representing Mr. Walter Orr, filed objections to the rezoning. He stated that the recommendation from the Zoning Board is misleading in that it gives the impression that the lot is a corner lot, which is not the case, that it is the second lot from the corner. That the corner lot is Lot #11 and is owned by Mr. Lester Coggins and a Mr. Lyerly; that Lot #10 adjoining the corner lot is owned by Mrs. Helms and was rezoned as B-1 by the Council on October 22, 1952, and the

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lot in question is Lot #9 owned by Mrs. Helms, and that his client, Mr. Orr, is the owner of the adjoining lot, being #8. He stated that Mrs. Helms does not and never has owned the corner lot, therefore the provisions of the statutes relating to the type of zoning on the corner lot prevailing for a depth of 150 feet does not apply in this case, although that is the basis on which the recommendation has come from the Zoning Board.

Mr. Whedon stated that when Mrs. Helms application for rezoning of vacant Lot #10 came before the Council in 1952, Mr. Orr was present and opposed the change, and it was agreed at that meeting that he would consent to the rezoning if she would not come back and ask for the rezoning of Lot #9, adjoining his lot, which she is now doing and which is a breach of that agreement. At the request of Councilman Boyd, the Minutes of the October 22, 1952 Council Meeting relating to that rezoning were read and contained no direct reference to such agreement.

Mayor Van Every asked the City Attorney if the law does not provide that where three corners are zoned for business, that the fourth corner must be similarly zoned upon request of the property owner? Mr. John Shaw, City Attorney, read the statute, as follows:

".....when at any intersection of streets .... the said legislative body promulgates any certain regulations and/or restrictions.....on land on two or more of said corners at said intersection, it shall be the duty of such legislative body upon written application from the owner of the other corners of said intersection to.....regulate the remaining said corners of said intersecting streets in the same manner as is prescribed.. ....at the other said corners, for a distance not to exceed one hundred and fifty feet from the property line of said intersecting additional corners"

and, as Mrs. Helms is not the owner of the corner lot, it is not mandatory that the Council rezone the lot in question.

Mr. Whedon asked that on the basis of the opinion of the City Attorney that the Council refuse the request. He stated further that Mrs. Helms has a brass factory, known as Charlotte Brass Factory, operating on the rear of the lot, which is non-conforming to the present zone and because of that she wants the lot zoned for business.

Mr. Fred Hasty, Attorney representing Mrs. Helms, stated he was requested to represent Mrs. Helms only this morning and has not had sufficient time to examine the law and would like to have the matter continued until he could do so. However, from the discussion he has heard here, he notes that it was conceded by Mr. Orr in 1952 that Lot #10 falls within the requirements of the statutes, and if it did then it still does and so does Lot #9 in question, which lies within 150 feet from the intersection. Councilman Boyd stated he believes that was a wrong concession, and Councilman Albea stated he does not think that Mr. Orr conceded anything.

Mr. Hasty reread the statutes, as quoted by the City Attorney, and stated that in his opinion the rezoning of a corner lot means "not over 150 feet but not mandatory to 150 feet", regardless of whom or how many persons own the ground within that 150 feet. He stated further he cannot believe the Council holds that should a person own one foot of ground on a corner, he controls the zoning of the entire 150 feet and the owner or owners of the remaining property within the 150 feet has no say so as to the zoning, under the law. He stated there should be no serious objections to this rezoning as there is an Industrial area nearby, a Bakery on the corner and Service Stations on three of the corner lots. That there is no opposition to the rezoning by the neighborhood, just Mr. Orr, and the objection is based on a personal battle between Mr. Orr and Mrs. Helms, and there is no public demand on the Council that the R-2 zoning remain.

Councilman Boyd stated he did not want to vote on the question unless it is established, and established with the Zoning Board, as to what the Council should do under the law and he moved that the matter be continued and the City Attorney with the two attorneys representing the clients in the case, decide just what the law is and so advise the Council.

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Mr. Shaw, City Attorney, stated he has already advised the Council as to the law — that is that the Council does not have to change the zone under the law. Councilman Boyd then withdrew his motion.

Mr. Hasty stated that Mrs. Helms advises she had no agreement with Mr. Orr, and he asked that she be heard. Mrs. Helms stated that everyone in the neighborhood signed the petition for the rezoning of Lot #10 in 1952, with the exception of Mr. Orr. That she made no agreement with Mr. Orr at that time nor later. That she has a little brass factory on the rear of the lot, which is at the rear of her residence, and which opens onto an alley which borders on business property. That the factory was in operation years before Mr. Orr moved into the neighborhood, and she receives her living therefrom. That recently she rented the shop and Mr. Orr came down to the City Hall and reported it.

At the request of Mr. Whedon that his client be heard, Mr. Orr stated that at the hearing on the rezoning of Lot #10 in 1952, Councilman Coddington asked Mrs. Helms if she understood the rezoning would go no further and she said "yes, I understand that".

Councilman Boyd moved that in view of the situation, the request be denied. The motion was seconded by Councilman Dellinger, and unanimously carried.

#### PETITION FILED ENDORSING OPENING OF COUNTRY CLUB DRIVE.

Mr. W. T. Covington, Attorney was present in regard to the petition previously filed on behalf of property owners on Country Club Drive opposing the opening of the street, which it was understood the Board of School Commissioners had requested. Mr. Covington stated he now understands that it was Anne Street that was requested improved by the School Commissioners, to which his clients have no objections; however, if and when the opening of Country Club Drive is considered he wishes to be heard.

Mayor Van Every presented a petition which was today filed by Mr. Kermit Caldwell, Attorney, requesting the opening of Country Club Drive from Matheson Avenue to Shamrock Gardens Elementary School. The Mayor advised that the School Commissioners requested that Anne Street be improved as the new School Building fronts on the street, and they also requested that the opening of Country Club Drive be studied as it would provide ready access to the school. He advised the two attorneys that they would be notified if and when the Council will consider the opening of the street.

#### IMPROVEMENTS TO ANNE STREET AUTHORIZED.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, improvements to Anne Street were authorized, as requested by the Board of School Commissioners, at an estimated cost of \$5,100.00.

#### RESOLUTION PROVIDING FOR PUBLIC HEARING ON JUNE 2, 1954 ON PETITION OF JOHN CROSLAND COMPANY AND CHARLOTTE PARK & RECREATION COMMISSION, FOR THE ANNEXATION OF 224.54 ACRES OF PROPERTY IN BERRYHILL TOWNSHIP.

The following petition for the annexation to the City of Charlotte of 224.54 acres of property in Berryhill Township, being contiguous to the boundary of Charlotte, was presented and read:

#### "PETITION FOR THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF CHARLOTTE.

TO THE HONORABLE MAYOR AND MEMBERS OF THE  
CITY COUNCIL OF THE CITY OF CHARLOTTE:

We, the undersigned, do petition, pursuant to the provisions of Chapter 725, Section 8 of the 1947 Public Session Laws of the General Assembly of North Carolina, for annexation to the City of Charlotte, of the property hereinafter referred to, and do show as follows:

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1. That the property sought to be annexed to the City of Charlotte, and to thereby be and become within the boundaries of said City, is lying and being in Berryhill Township, particularly described as follows:

BEGINNING At the point formed by the intersection of the easterly line of Barringer Drive and the line marking the City Limits of the City of Charlotte, and running thence with said line marking the limits of the City of Charlotte, S. 26-43-20 E. 2548.65 feet; thence N. 63-49-30 W. 166.18 feet; thence S. 40-40-30 W. 1155.0 feet; thence S. 18-13-20 W. 182.30 ft.; thence S. 73-56-20 W. 21.56 feet; thence S. 54-36-40 W. 35.92 feet; thence S. 26-47-10 W. 71.60 feet; thence S. 16-52-20 W. 106.78 feet; thence S. 17-51-30 W. 104.80 feet; thence S. 55-06-30 W. 96.78 feet; thence S. 49-18-10 W. 148.48 feet; thence S. 17-45-10 W. 148.71 feet; thence S. 68-15-40 W. 550.07 feet; thence S. 68-14-10 W. 876.62 feet; thence S. 68-11-30 W. 156.80 feet; thence S. 67-58-40 W. 497.66 feet; thence S. 67-24-30 W. 941.38 feet; thence N. 33-07-20 W. 374.13 feet; thence N. 48-00-10 E. 414.20 feet; thence N. 44-39-30 W. 121.30 feet; thence N. 37-42 E. 1791.41 feet; thence N. 26-25-20 W. 1834.28 feet to the center of Irwin Creek; thence with the center of Irwin Creek in fifteen courses as follows: (1) N. 41-52-30 E. 99.49 feet; (2) thence N. 52-13 E. 134.18 feet; (3) thence N. 67-32 E. 136.89 feet; (4) S. 88-19-15 E. 89.73 feet; (5) S. 71-12-10 E. 154.22 feet; (6) S. 71-51 E. 332.17 feet; (7) S. 57-17-45 E. 417.07 feet; (8) S. 21-49-45 E. 117.70 feet; (9) S. 49-54-30 E. 86.18 feet; (10) S. 79-58 E. 73.79 feet; (11) S. 89-15 E. 166.93 feet; (12) S. 67-52 E. 100.74 feet; (13) N. 76-09 E. 80.17 feet; (14) N. 58-48 E. 164.64 feet; (15) N. 45-27-30 E. 631.42 feet; thence N. 45-23-30 W. 166.95 feet to a stake in the easterly line of Barringer Drive; thence with said line of Barringer Drive in seven courses as follows: (1) following the arc of a circular curve of radius 90.0 feet to the left 83.22 feet; (2) following the arc of a circular curve of radius 213.45 feet to the right 189.41 feet; (3) N. 5-27 E. 89.36 feet; (4) following the arc of a circular curve of radius 146.62 feet to the right 144.54 feet; (5) N. 61-56 E. 200.85 feet; (6) following the arc of a circular curve of radius 589.52 feet to the left 360.46 feet; (7) N. 26-54 E. 182.82 feet to the BEGINNING.

2. That the undersigned comprise the owners of all of the property described in the paragraph next above and sought to be annexed to the City of Charlotte in this Petition.

WHEREFORE, your Petitioners pray that notice be given as provided by Section 1, Chapter 725 of the 1947 Public Session Laws of the General Assembly of North Carolina, and that an Ordinance be adopted at a Session of the City Council of the City of Charlotte called for that purpose extending the corporate limits of the City of Charlotte by annexing thereto the property described in this petition as therein provided.

This 27th day of April, 1954.

Attest:

JOHN CROSLAND COMPANY

Marjorie Sain  
Secretary

BY: John Crosland  
President

Attest:

CHARLOTTE PARK AND RECREATION  
COMMISSION

Joe Grier, Jr.  
Secretary

BY: Ernest J. Sifford  
Chairman

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I do hereby certify that the property described in the foregoing Petition is contiguous to the present corporate limits of the City of Charlotte

Loyd G. Richey  
City Engineer

I do hereby certify that I have examined the records of Mecklenburg County and that John Crossland Company and the Charlotte Park and Recreation Commission constitute all of the owners of the property described in the foregoing Petition.

Frank A. McCIenaghan  
Attorney "

Following the reading thereof, a resolution entitled; "Resolution Authorizing the Publication of Notice that the City Council will consider the Annexation of Certain Property in Berryhill Township on the 2nd day of June, 1954", was introduced and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 201.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON JUNE 2, 1954 ON PETITION OF ERVIN CONSTRUCTION COMPANY, FOR THE ANNEXATION OF 33.73 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP.

The following petition, for the annexation to the City of Charlotte of 33.73 acres of property in Crab Orchard Township, being contiguous to the boundary of Charlotte, was presented and read:

"PETITION FOR THE ANNEXATION OF CERTAIN  
PROPERTY TO THE CITY OF CHARLOTTE.

TO THE HONORABLE MAYOR AND MEMBERS OF THE  
CITY COUNCIL OF THE CITY OF CHARLOTTE;

The undersigned does hereby petition the City Council of the City of Charlotte for the annexation to the City of Charlotte of the property hereinafter referred to pursuant to the provisions of Chapter 725 of the Public Session Laws of the General Assembly of North Carolina for the 1947 Session (General Statutes 160-445 et seq.) and does show as follows:

1. That the property sought to be annexed to and made a part of the City of Charlotte, North Carolina and to thereby be and become within the boundaries and limits of the said City is lying and being in Crab Orchard Township and described by metes and bounds as follows:

BEGINNING at a point in the Northerly margin of Independence Boulevard, said beginning point being also located in the present City limits line of the City of Charlotte, and runs thence from said beginning point with the present city limits line of the City of Charlotte in two courses and distances as follows: (1) N. 43-47-40 E. 339.67 feet to an iron; (2) N. 24-42-40 E. 798.98 feet to an iron; thence N. 75-00-30 E. 533.97 feet to an iron; thence S. 34-24-50 E. 1339.28 feet to a point in the center of Pierson Drive; thence with the center line of Pierson Drive in a southwesterly direction in four courses and distances as follows: (1) Following the arc of a circular curve to the left (said curve having a radius of 1640.21 feet) a distance of 176.28 feet (2) S. 56-11-30 W. 155.79 feet, (3) Following the arc of a circular curve to the right (said curve having a radius of 1240.26 feet) a distance of 355.37 feet, and (4) S. 72-37-20 W. 99.55 feet to a point in the northerly margin of Independence Boulevard, and thence with said margin of Independence Boulevard in a westerly direction in two courses and distances as follows: (1) Following the arc of a circular curve to the left (said curve having a radius of 2995.98 feet) a

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distance of 960.39 feet, and (2) Following the arc of a circular curve to the left (said curve having a radius of 3644.19 feet) a distance of 247.52 feet to the point and place of beginning, Containing 33.73 acres more or less.

Being a portion of the property conveyed by deed dated March 29, 1954, from Charles C. Ervin and wife to Ervin Construction Company Incorporated which deed is recorded in Book 1677 page 15 in the Mecklenburg Registry.

A map of the property referred to in this petition showing the contiguous area is attached hereto and made a part hereof.

2. That the property described above is now owned in fee simple by Ervin Construction Company, Incorporated, the petitioner herein, and is immediately adjacent to and contiguous to the present corporate limits of the City of Charlotte and is not embraced within the corporate limits of any other municipality.

3. That it is anticipated that within the near future approximately 75 residences will be constructed upon a portion of the property described above; that the residences to be constructed upon said property will cost from \$10,000 to \$15,000 each; that streets, curbing and gutters and other valuable improvements will be constructed within the subdivision to be comprised by the above described property; and that it is anticipated that the above described property will be developed and subdivided by your petitioner in conjunction with and as a portion of that certain subdivision which is presently known as Eastway Park and is already located within the present city limits of the City of Charlotte.

4. That there is no person or party having any right, title or interest in or to the above described property other than your petitioner and that there are no residents (eligible to register and vote or otherwise) located within the area comprising the above described property.

5. That your petitioner prays that the above described property be annexed and included in the corporate limits of the City of Charlotte, North Carolina.

WHEREFORE, your petitioner prays that notice be given as provided for by Section 1, Chapter 725 of the Public Laws of the General Assembly of North Carolina for the Session of 1947 (General Statutes 160-445) and that an ordinance be adopted at a session of the City Council of the City of Charlotte called for that purpose extending the corporate limits of the City of Charlotte by annexing thereto the property described in this petition as herein prayed for.

This 27th, day of April, 1954.

ERVIN CONSTRUCTION COMPANY, INCORPORATED

Attest:

BY Charles C. Ervin  
President

L. W. Purser, Jr.  
Secretary

I do hereby certify that the property described in the foregoing petition is contiguous to the present corporate limit boundary of the City of Charlotte.

Lloyd G. Riskey  
City Engineer

TO THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

I hereby certify that from my examination of the record title, Ervin Construction Company, Incorporated is the owner of all that property described in the petition to which this is attached, dated the 27th day of April, 1954, relative to the annexation of said property to the City Limits of the City of Charlotte, North Carolina.

This 27th day of April, 1954.

Benj. S. Horack  
Attorney "

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Following the reading thereof, a resolution entitled: "Resolution Authorizing the Publication of Notice that the City Council will consider the Annexation of Certain Property in Crab Orchard Township on the 2nd day of June, 1954", was introduced and read. Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 202.

RESOLUTION WITH RESPECT TO THE NON-RETIREMENT OF CERTAIN EMPLOYEES SIXTY-FIVE YEARS OLD OR OLDER ON JULY 1, 1954.

A resolution entitled: "Resolution with Respect to the Non-Retirement of Certain Employees Sixty-five Years Old or Older on July 1, 1954" was introduced and read. Councilman Smith moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 203.

SUBDIVISION PLATS APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Brown, and unanimously carried, the following Subdivision Plats were approved, as recommended by the Planning Board:

- (a) Plat of Royal Manor Subdivision, property of Talbert Construction Company, located south of Park Road.
- (b) Plat of Mockingbird Lane Subdivision, property of Ervin Construction Company, located near Park Road.
- (c) Plat of Vanderbrooke Subdivision, property of L. A. Barnes, located beyond the city limits on Plaza Road.
- (d) Plat of Markham Village Subdivision, property of Ervin Construction Company, bounded on the north by Old Potters Road.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Brown, and unanimously carried, authorizing the following contracts for the construction of new water mains:

- (a) Contract with Alson Goode Corporation, for the construction of 4,730 feet of main and 2 fire hydrants on Yorkmount Road, outside the city limits, at an estimated cost of \$9,725.00. All costs to be financed by the applicant, who will dedicate the mains to the city upon completion.
- (b) Contract with Concord Boulevard Water Line Company, Inc., for the construction of 10,172 feet of main and 9 fire hydrants along U. S. Highway No. 29, outside the city limits, at an estimated cost of \$85,000.00. All costs to be borne by the Applicant, who will own same until territory taken into the City, at which time they will automatically be dedicated to the City without cost or further agreement. The City further agrees that a minimum of 5-years ownership by the applicant will be allowed, regardless of the extension of the city limits, for the purpose of the applicant collecting tapping fees.
- (c) Contract with Concord Boulevard Water Line Company, Inc., for the construction of 144-feet of 16-inch main in North Tryon Street, inside the city limits, at an estimated cost of \$1,150.00. The City to finance all costs and Applicant to guarantee a water revenue equal to 10% of the total cost.

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SALE OF SUGAW CREEK DISPOSAL PLANT PROPERTY TO DUKE POWER COMPANY, AT PUBLIC AUCTION, CONFIRMED.

Councilman Dellinger moved that the sale at public auction on April 19th of 1.29 acres of Sugaw Creek Disposal Plant property, to the high bidder, Duke Power Company, at \$1,600.00, be confirmed. The motion was seconded by Councilman Smith, and unanimously carried.

SALE OF TAX FORECLOSED PROPERTY AT 113-15 S. BREVARD STREET, CONFIRMED TO MISS ELLEN H. FLEMING AND HUGH P. AND GEORGE W. FLEMING.

Motion was made by Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, confirming the sale at public auction of tax foreclosed property at 113-15 South Brevard Street, to the high bidders, Miss Ellen B. Fleming and Hugh P. and George W. Fleming, at \$7,000.00.

CONSTRUCTION OF NEW SANITARY SEWER MAINS APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the construction of new sanitary sewers was approved as follows:

- (a) 82-feet of sewer main in Cromwell Court, at an estimated cost of \$200.00, to serve one family unit and one vacant lot. All cost to be borne by the City.
- (b) 80-feet of sewer main in St. Paul Street, at an estimated cost of \$130.00, to serve one family unit and one vacant lot. All cost to be borne by the City.

CONTRACT AWARDED CAROLINA PAVING COMPANY, INC. FOR STREET IMPROVEMENTS ON THE TUCKASEEGEE ROAD PROJECT.

Councilman Wilkinson moved that contract be awarded the low bidder, Carolina Paving Company, Inc., for street improvements, Tuckaseegee Road Project, all as specified, on a unit price basis, representing a total price of \$19,982.00. The motion was seconded by Councilman Brown, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, authorizing the construction of driveway entrances at the following locations:

- (a) One 30-ft. driveway at 517 North Tryon Street.
- (b) One 18-ft. driveway at 3701 Sedgewood Road.
- (c) One 18-ft. driveway at 401 West 6th Street.
- (d) One 15-ft. driveway at 1912 Commonwealth Avenue.

HOLIDAY GRANTED CITY EMPLOYEES ON MAY 20th.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, a holiday was granted city employees on Thursday, May 20th, in observance of the Signing of the Mecklenburg Declaration of Independence.

TRANSFER OF CEMETERY LOT.

Councilman Dellinger moved that the Mayor and City Clerk be authorized to execute a deed to Mr. and Mrs. Herman Pfeifer, for the transfer of Lot 110, in Section 2, Evergreen Cemetery, at a price of \$104.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

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RESOLUTION AUTHORIZING AGREEMENT WITH STATE HIGHWAY COMMISSION RELATIVE TO THE CONSTRUCTION OF PROPOSED STRUCTURES ON THE SOUTHERN PORTION OF INDEPENDENCE BOULEVARD.

A resolution entitled: "Resolution Authorizing Agreement with State Highway Commission Relative to the Construction of Proposed Structures on the Southern Portion of Independence Boulevard", was introduced and read. Councilman Brown moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 204.

CITY ATTORNEY DIRECTED TO DRAW NECESSARY PAPERS FOR THE INITIATION OF CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTIES OF DOLPH YOUNG, JR. AND I. D. BLUMENTHAL AS RIGHT-OF-WAY FOR THE ELEVENTH STREET BRIDGE.

Mr. Yancey, City Manager, advised that negotiations have failed with Mr. Dolph Young, Jr., and Mr. I. D. Blumenthal for the purchase of certain of their properties necessary as right-of-way for the Eleventh Street Bridge construction; therefore, he recommended that the City Attorney be requested to draw the necessary papers for the condemnation of the properties. Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the City Attorney was directed to draw the necessary papers for the initiation of condemnation proceedings.

ADJOURNMENT.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, the meeting was adjourned.

  
City Clerk