

June 30, 1937
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A regular meeting of the City Council was held in the Council Chamber of the City Hall at 4:00 o'clock P. M., Mayor Douglas presiding, and Councilmen Alba, Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Little, Nance, Sides and Wilkinson being present.

Absent: None.

* * *

Councilman Alba introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$1,300,000 WATER BONDS:

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. That the City Council has determined and does hereby find and declare:

(a) That it is necessary immediately to issue \$1,300,000 of the \$1,365,000 Water Bonds authorized by an ordinance passed February 10, 1937, which ordinance was approved by the vote of a majority of the qualified voters of said City who voted thereon at an election held March 16, 1937.

(b) That \$100,000 Bond Anticipation Notes maturing August 2, 1937 have been issued in anticipation of the sale of said bonds, all of which Bond Anticipation Notes are to be paid from the proceeds of the sale of said \$1,300,000 Water Bonds.

(c) That the probable period of usefulness of the improvements to be made from the proceeds of said bonds is a period of forty years from February 10, 1938, and that said

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period expires February 10, 1978.

Section 2. That for the purposes provided in said ordinance, the negotiable coupon bonds of the City of Charlotte shall be issued in the aggregate sum of \$1,300,000, designated "Water Bonds" consisting of 1,300 bonds of \$1,000 each, numbered 1 to 1,300 inclusive, dated August 1, 1937, maturing in numerical order annually, February 1, \$18,000 1939 to 1943, \$23,000 1944 to 1948, \$25,000 1949 to 1951, \$35,000 1952 to 1955 and \$40,000 1956 to 1977, all inclusive, without option of prior payment, bearing interest at a rate or rates not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of February and August of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts.

Section 3. That \$100,000 of the proceeds of said bonds shall be used solely for the purpose of paying said \$100,000 Bond Anticipation Notes at their maturity.

RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$100,000 STREET IMPROVEMENT FUNDING
BONDS.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. That the City Council has determined and does hereby find and declare:

(a) That it is necessary immediately to issue all of the Street Improvement Funding Bonds authorized by an ordinance passed June 9, 1937.

(b) That the surface of the streets constructed or to be constructed from the proceeds of the Bond Anticipation

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Notes dated May 1, 1937, which notes are to be paid from the proceeds of the \$100,000 Street Improvement Funding Bonds authorized by said ordinance passed June 9, 1937, have been or will be constructed of bricks, blocks, sheet asphalt, bitulithic or bituminous concrete laid on a solid foundation, or of concrete.

(c) That between April 10, 1936 and September 1, 1936 petitions were filed according to law, praying that local improvements be made of the character provided in the ordinance adopted June 3, 1936, authorizing bonds in anticipation of the sale of which the above mentioned Bond Anticipation Notes were issued, and praying further that a portion of the cost thereof, said portion being at least one-fourth of such cost, exclusive of the cost of paving at street intersections, be specially assessed; and that the estimated cost of the work so petitioned for, but not provided for by other bond issues or otherwise, is in excess of the sum of \$100,000.

(d) That the probable period of usefulness of said street improvements is twenty years from June 3, 1937, and that the shortest period in which the indebtedness to be funded by the bonds authorized by the ordinance passed June 9, 1937 can be finally paid without making it unduly burdensome upon the taxpayers of the City is a period ending February 1, 1951.

Section 2. That for the purposes provided in said bond ordinance passed June 9, 1937, the negotiable coupon bonds of the City of Charlotte shall be issued in the aggregate sum of \$100,000, designated "Street Improvement Funding Bonds", consisting of 100 bonds of \$1,000 each, numbered 1 to 100, inclusive, dated August 1, 1937, maturing in numerical order annually, February 1, \$7,000 1939 to 1948 and \$10,000 1949 to 1951, all inclusive, without option of prior payment, bearing interest at a rate or rates not exceeding 6% per annum to be

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determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of February and August of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts.

Section 3. That \$100,000 of the proceeds of said Street Improvement Funding Bonds shall be used solely for the purpose of paying the \$100,000 Bond Anticipation Notes dated May 1, 1937 and maturing August 2, 1937.

RESOLUTION FIXING THE FORM OF \$1,400,000 BONDS AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. That the \$1,300,000 Water Bonds and \$100,000 Street Improvement Funding Bonds authorized by resolutions passed June 30, 1937, shall be signed by the Mayor and City Clerk under the corporate seal of the City, and the annexed interest coupons shall be signed with the facsimile signature of said City Clerk, and said bonds shall be registerable as to principal alone and as to both principal and interest in accordance with the Municipal Finance Act and with provisions for registration to be hereinafter set forth, which shall be printed upon said bonds. The City Treasurer is hereby appointed and designated Bond Registrar for the purpose of registering said bonds, subject to the right of this body hereafter to designate and appoint another Registrar under the terms of the Municipal Finance Act. No charge shall be made to any bondholder for the privilege of registration herein granted.

Section 2. That said bonds and coupons and the

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provisions for registration to be endorsed thereon shall be substantially as follows:

No. _____ \$1,000

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
CITY OF CHARLOTTE

_____ BOND

The City of Charlotte, in Mecklenburg County, State of North Carolina, is justly indebted and for value received hereby promises to pay to the bearer, or if this bond be registered, to the registered owner thereof, on the first day of February, 19___, the principal sum of

ONE THOUSAND DOLLARS

together with interest thereon at the rate of ___ per centum per annum, payable semi-annually on the first days of February and August of each year upon the presentation and surrender of the annexed interest coupons as they severally fall due. Both principal and interest of this bond are payable at the Central Hanover Bank and Trust Company in the City of New York in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts. For the prompt payment hereof, both principal and interest as the same shall fall due, and for the levy and collection of an unlimited tax upon all taxable property in said City sufficient to make such payment, the full faith and credit of said City of Charlotte are hereby irrevocably pledged.

This bond is one of a series issued pursuant to and in full compliance with the Municipal Finance Act of North Carolina, as amended, and the Local Government Act of North Carolina, as amended, and an ordinance (here insert in the Water Bonds the words "duly approved by the vote of a majority of the qualified voters of said City who voted at an election duly called and held",)

and resolutions duly passed by the City Council of said City
for the purpose of.....

.....

It is hereby certified and recited that all acts,
conditions and things required to happen, exist and be done
precedent to and in the issuance of this bond, have happened,
exist and have been done as required by the laws and Consti-
tution of the State of North Carolina; that provision has been
made for the levy and collection of the unlimited tax herein-
above mentioned; and that the total indebtedness of said
City, including this bond, does not exceed any constitutional
or statutory limitation thereon.

This bond is registerable as to principal alone
or as to both principal and interest in accordance with the
provisions endorsed hereon.

IN WITNESS WHEREOF the said City of Charlotte has
caused this bond to be signed by its Mayor and City Clerk and
its corporate seal to be affixed hereto and the annexed int-
erest coupons to be signed with the facsimile signature of said
City Clerk, all as of the first day of August, 1937.

Mayor

City Clerk

(Endorsements on Bonds)

This bond may be registered as to principal in the bond
register of the City of Charlotte by the City Treasurer as
Bond Registrar or by such other Bond Registrar as may be
legally appointed by the governing body of said City, nota-
tion of such registry to be made hereon by such Bond Registrar,
and this bond may thereafter be transferred on said bond

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register only upon a written assignment of the registered owner or his attorney, duly acknowledged or proved, such transfer to be endorsed hereon by the Bond Registrar. Unless this bond be registered as to both principal and interest, such transfer may be to bearer and thereby transferability by delivery shall be restored, subject, however, to successive registrations and transfers as before. The principal of this bond, if registered, shall be payable only to the registered owner or his legal representative. Notwithstanding the registration of this bond, the coupons shall remain payable to bearer and shall continue to be transferable by delivery unless this bond shall be in like manner registered as to both principal and interest, notation whereof and of the cancellation of unmatured coupons is to be made on this bond, after which registration both principal and interest hereof shall be payable to the person in whose name it is registered, or his legal representative.

| <u>DATE OF REGISTRY</u> | <u>REGISTERED OWNER</u> | <u>BOND REGISTRAR</u> |
|-------------------------|-------------------------|-----------------------|
| | | |
| | | |
| | | |

It is hereby certified that at the request of the holder of the within bond for its conversion into a bond registered as to both principal and interest, the undersigned has this day cut off and cancelled all unmatured coupons attached thereto, being _____ in number, numbered from _____ to _____, inclusive, of the aggregate face value of \$ _____, and that the within bond is hereby converted into a registered bond, the principal and interest

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of which are payable to the registered owner named in the registration blank above or his legal representative.

Dated _____, 19__

Bond Registrar

The issuance of the within bond has been approved under the provisions of the Local Government Act of North Carolina.

W. E. Easterling, Secretary,
LOCAL GOVERNMENT COMMISSION

By _____
Designated Assistant

(FORM OF COUPON)

No. _____ \$ _____

On _____ 1, 19__

The City of Charlotte, North Carolina, will pay to bearer at the Central Hanover Bank and Trust Company in the City of New York, the sum of _____ Dollars in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts, as provided in and for the interest then due on its _____ Bond; dated August 1, 1937, and numbered _____.

City Clerk

Section 4. That the dotted line in the foregoing bond form following the words "for the purpose of" shall be filled out as follows in the two bond issues herein provided for:

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In the bonds designated "Water Bonds" the words
"extending and enlarging the municipal
water works system of the City."

In the bonds designated "Street Improvement
Funding Bonds" the words

"funding a like amount of the principal
of valid subsisting note indebtedness of
said City incurred for constructing or recon-
structing the surface of roads, streets or
highways within said City."

Section 5. That the City Treasurer is directed to
arrange for the advertisement and sale of all of said Water
Bonds and all of said Street Improvement Funding Bonds under
the Local Government Act.

Upon motions of Councilman Albea made separately
as to each of the foregoing three resolutions in relation to
bonds, and seconded in each case by Councilman Durham and
unanimously carried, the said three resolutions were read and
were separately passed upon their first readings. The votes
cast upon the first readings were as follows:

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A regular meeting of the City Council was held in the Council Chamber of the City Hall at 4:00 o'clock P. M., Mayor Douglas presiding, and Councilmen Albea, Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Little, Nance, Sides and Wilkinson present.

Absent: None.

* * *

MINUTES OF JUNE 23RD. MEETING APPROVED.

On motion of Councilman Hudson, seconded by Councilman Huntley, the minutes of the meeting of June 23rd. were approved as read.

PERMIT FOR DRIVEWAY ON NORTH GRAHAM ST. GRANTED TO QUEEN CITY BUS COMPANY.

Councilman Wilkinson, Chairman of the Public Works Committee, reported in connection with the Queen City Bus Company's request for permission to build a 75-ft. driveway in front of their building on North Graham Street, that his committee had investigated this situation and recommended that permit be granted to have this opening all the way along.

Councilman Wilkinson, therefore, moved that the Queen City Bus Company be granted a permit to build this ramp as desired. Motion seconded by Councilman Huntley, and carried, with Councilmen Nance, Sides and Griswold voting "No".

NEGRO DELEGATION PROTESTING OPENING OF NEGRO SWIMMING POOL ON THE SABBATH.

A delegation of colored ministers, representing the Ministerial Interdenominational Alliance of Charlotte and vicinity, with Rev. B. W. Swain as spokesman, appeared before the Council, protesting the operation of the negro swimming pool in Fairview Park on the Sabbath, asking the Council to rescind their action permitting this pool to be opened on Sunday. Rev. Swain set forth a number of reasons why the Ministerial Alliance was making this request, one of which was that it was a flagrant desecration of the Christian Sabbath.

J. D. Martin, former professor at Johnson C. Smith University, and for 36 years Superintendent of the 7th Street Sabbath School, disagreed with the Ministers, explaining that the pool is beneficial from a standpoint of health, many members of his race not having the conveniences of a bath in their homes, and that the majority using the pool on Sundays work six days a week and do not have the opportunity of using it any other day.

After hearing these arguments, the Mayor called for discussion by the Council but none was forthcoming and the next business in order was taken up.

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TENTATIVE BUDGET FOR 1937-38 FILED WITH CITY CLERK.

A copy of the budget estimate for 1937-38 was filed by the Municipal Accountant with the City Clerk as required by law, and on motion of Councilman Wilkinson, seconded by Councilman Hudson and unanimously carried, this budget estimate was received as information and placed in the hands of the City Clerk, with instructions that the Clerk proceed to follow the law regarding same.

The summary of this budget estimate is as follows:

CITY OF CHARLOTTE
BUDGET ESTIMATE
FISCAL YEAR JULY 1, 1937 TO JUNE 30, 1938
SUMMARY

| <u>DEPARTMENT</u> | <u>CODE</u> | <u>Expenditures</u> <u>1935-1936</u> | <u>Budget</u> <u>1936-1937</u> | <u>Estimated</u> <u>Expenditures</u> <u>1937-1938</u> | <u>Budget</u> <u>Estimate</u> <u>1937-1938</u> |
|-------------------------------------|-------------|---|-----------------------------------|---|--|
| <u>OPERATING & MAINTENANCE:</u> | | | | | |
| General Fund | | 980,596.26 | 1,079,646.59 | 1,066,105.62 | 1,004,421.50 |
| Water & Sewer Fund | | 263,639.87 | 282,867.61 | 290,314.88 | 317,812.85 |
| <hr/> | | | | | |
| TOTAL OPERATING & MAINTENANCE | | 1,244,236.13 | 1,362,514.20 | 1,356,420.50 | 1,422,234.35 |
| <hr/> | | | | | |
| <u>CAPITAL OUTLAY:</u> | | | | | |
| General Fund | | 36,167.39 | 70,586.00 | 64,671.59 | 120,298.65 |
| Water & Sewer Fund | | 24,316.82 | 27,480.00 | 38,511.74 | 55,865.00 |
| <hr/> | | | | | |
| TOTAL CAPITAL OUTLAY | | 60,484.21 | 98,066.00 | 103,183.33 | 176,163.65 |
| <hr/> | | | | | |
| <u>DEBT SERVICE:</u> | | | | | |
| Municipal Debt Service | | 410,090.79 | 404,865.43 | 404,865.43 | 422,876.73 |
| Water & Sewer Debt Service | | 285,576.70 | 295,683.85 | 295,683.85 | 303,648.41 |
| <hr/> | | | | | |
| TOTAL DEBT SERVICE | | 695,667.49 | 700,549.28 | 700,549.28 | 726,525.14 |
| <hr/> | | | | | |
| <u>DEFICIT:</u> | | | | | |
| General Fund | | 88,437.34 | .00 | .00 | 3,710.57 |
| Water Fund | | .00 | .00 | .00 | 18,352.29 |
| Sewer Debt Service Fund | | .00 | 13,580.08 | 11,193.42 | .00 |
| Municipal Debt Service Fund | | .00 | .00 | .00 | 5,992.47 |
| <hr/> | | | | | |
| TOTAL DEFICIT | | 88,437.34 | 13,580.08 | 11,193.42 | 28,055.33 |
| <hr/> | | | | | |
| TOTAL | | 2,088,825.17 | 2,174,709.56 | 2,171,346.53 | 2,352,978.47 |

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The summary of this budget estimate is as follows:

CITY OF CHARLOTTE
BUDGET ESTIMATE
FISCAL YEAR JULY 1, 1937 TO JUNE 30, 1938
SUMMARY

| <u>DEPARTMENT</u> | <u>CODE</u> | <u>Expenditures</u> <u>1935-1936</u> | <u>Budget</u> <u>1936-1937</u> | <u>Estimated</u> <u>Expenditures</u> <u>1937-1938</u> | <u>Budget</u> <u>Estimate</u> <u>1937-1938</u> |
|-------------------------------------|-------------|---|-----------------------------------|---|--|
| <u>OPERATING & MAINTENANCE:</u> | | | | | |
| General Fund | | 980,596.26 | 1,079,646.59 | 1,066,105.62 | 1,004,421.50 |
| Water & Sewer Fund | | 263,639.87 | 282,867.61 | 290,314.88 | 317,812.85 |
| <hr/> | | | | | |
| TOTAL OPERATING & MAINTENANCE | | 1,244,236.13 | 1,362,514.20 | 1,356,420.50 | 1,422,234.35 |
| <hr/> | | | | | |
| <u>CAPITAL OUTLAY:</u> | | | | | |
| General Fund | | 36,167.39 | 70,586.00 | 64,671.59 | 120,298.65 |
| Water & Sewer Fund | | 24,316.82 | 27,480.00 | 38,511.74 | 55,865.00 |
| <hr/> | | | | | |
| TOTAL CAPITAL OUTLAY | | 60,484.21 | 98,066.00 | 103,183.33 | 176,163.65 |
| <hr/> | | | | | |
| <u>DEBT SERVICE:</u> | | | | | |
| Municipal Debt Service | | 410,090.79 | 404,865.43 | 404,865.43 | 422,876.73 |
| Water & Sewer Debt Service | | 285,576.70 | 295,683.85 | 295,683.85 | 303,648.41 |
| <hr/> | | | | | |
| TOTAL DEBT SERVICE | | 695,667.49 | 700,549.28 | 700,549.28 | 726,525.14 |
| <hr/> | | | | | |
| <u>DEFICIT:</u> | | | | | |
| General Fund | | 88,437.34 | .00 | .00 | 3,710.57 |
| Water Fund | | .00 | .00 | .00 | 18,352.29 |
| Sewer Debt Service Fund | | .00 | 13,580.08 | 11,193.42 | .00 |
| Municipal Debt Service Fund | | .00 | .00 | .00 | 5,992.47 |
| <hr/> | | | | | |
| TOTAL DEFICIT | | 88,437.34 | 13,580.08 | 11,193.42 | 28,055.33 |
| <hr/> | | | | | |
| TOTAL | | 2,088,825.17 | 2,174,709.56 | 2,171,346.53 | 2,352,978.47 |

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WATER MAIN EXTENSION CLAIM TO BE PAID JULIUS M. JOHNSTON - WEST SIDE AVENUE.

Upon the recommendation of the City Manager, Councilman Hudson, seconded by Councilman Little and unanimously carried, moved that Mr. Julius M. Johnston be paid the sum of \$137.63 for 1-1/2" water main extension which he installed at his expense in West Side Avenue; other homes now being connected to this main and the City drawing an annual revenue from same of about \$20.00.

SEWER EXTENSION ON WEST SIDE AVENUE.

Councilman Huntley, seconded by Councilman Wilkinson, moved that application of Mr. D. Morgan Heath for extension of a sewer on Westside Avenue, from the end of the present sewer south 294 feet, and estimated to cost \$239.14, be approved. Motion unanimously carried.

SOUTHERN RAILWAY AGREEMENT FOR STORM DRAINAGE ON WEST BOULEVARD AND TREMONT AVENUE RETURNED UNEXECUTED.

The City Manager reported that sometime ago the Southern Railway Company sent to the City an agreement in connection with certain storm drainage in the vicinity of West Boulevard and Tremont Avenue, for execution. This agreement obligated the City in such manner that it was not deemed wise to sign same, and the Southern Railway now asks that the agreement either be signed by the Council or returned to them, and it was the City Manager's recommendation that it be returned.

Thereupon, Councilman Griswold made a motion that the agreement be returned unexecuted. Motion seconded by Councilman Hudson and unanimously carried.

EAST 19TH STREET TAKEN OVER FOR CITY MAINTENANCE.

On motion of Councilman Albea, seconded by Councilman Nance and unanimously carried, East 19th Street, from McDowell Street to Seigle Avenue, was taken over for City maintenance, it being found expedient to open this street up in order to relieve a congested situation.

ORDINANCE REGULATING SEWER CHARGES BEYOND THE CITY LIMITS.

The following ordinance was presented and on motion of Councilman Albea, seconded by Councilman Durham, was unanimously adopted on three readings, and declared to be an ordinance of the City of Charlotte by the Mayor:

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AN ORDINANCE
ENTITLED "A REGULATION OF CHARGES FOR SEWER SERVICE
BEYOND THE CITY LIMITS OF THE CITY OF CHARLOTTE."

THE CITY COUNCIL OF THE CITY OF CHARLOTTE IN REGULAR SESSION DO
ORDAIN:

Section 1. That the City of Charlotte shall charge for sewer service to all houses and buildings that connect to the sewer system of the City of Charlotte, which houses and buildings are located beyond the City limits of the City of Charlotte, the following rates:

Fifteen (15¢) cents per month for each fixture located in a house or building, the waste from which is emptied into the sewer system of the City of Charlotte, but in no instance shall the monthly rate be less than One (\$1.00) Dollar.

Section 2. That the said charges for sewer service shall be made and collected when the monthly charges for water are made and collected, and that upon failure to pay said sewer charges at the time water charges are due, the City of Charlotte is authorized to disconnect the water service from the premises for which the sewer charges have not been paid.

Section 3. That this ordinance shall be in full force and effect from and after its adoption by the Council.

APPROVED AS TO FORM:

B. M. Boyd
City Attorney

Published in The Charlotte News July 1, 1937.

JULY 5TH. DECLARED HOLIDAY FOR CITY EMPLOYEES.

On motion of Councilman Wilkinson, seconded by Councilman Huntley and unanimously carried, Monday, July 5th. was declared a holiday for all City employees who could conveniently be away from their work.

RESOLUTION ON DEATH OF OFFICER O. H. CROWELL.

The following resolution was read and on motion of Councilman Huntley, seconded by Councilman Baxter, was unanimously adopted:

RESOLUTION

WHEREAS, in the divine wisdom of the Almighty God, He has seen fit to remove from our midst Oliver H. Crowell; and

WHEREAS, Mr. Crowell loyally served the City of Charlotte in the Police Department for nineteen years and passed away while in service, it is with deep appreciation and respect that we honor his memory.

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NOW, THEREFORE, BE IT RESOLVED: First, that we as members of the City Council of Charlotte bow in humble submission to His will, knowing that He is too kind to willingly afflict without cause.

Second: That we extend to his family our sympathy and pray God's blessings to rest on them.

Third: That a copy of this Resolution be spread upon the Minutes of the City Council and a copy be sent to the family of the deceased and copies furnished to the newspapers in the City of Charlotte.

CEMETERY DEEDS.

On motion of Councilman Sides, seconded by Councilman Hudson and unanimously carried, the following cemetery deeds were approved:

| | |
|---|-----------|
| John Parker, West Half Lot 15-B, Sec. "D Annex" | \$70.55 |
| Dr. G. W. Pressly, East Half Lot 15-B, "D Annex" | 70.50 |
| Mrs. E. L. French, West Half Lot 32-B, "D Annex" | 56.00 |
| Mrs. J. G. Newell, N. E. Quarter, Lot 15-A, "D Annex" | 35.00 |
| Mrs. J. M. Parker, Lot No. 322, Section "U" | 70.00 |
| J. A. George, Lot No. 67, Section "Y" | 35.00 |
| M. D. Karres, North Half Lot No. 60, Section "X" | 62.65 |
| Perpetual care " " " " " " | 54.85 |
| Transfer deed from Heirs of J. A. Summers to A. F. Campbell and wife, Kathleen Francis Campbell, East Half Lot 20, Sec. "F" | 1.00 |
| New deed issued to J. A. Summers Heirs for West Half | No charge |
| Mrs. Mary W. Herndon, Lot #1, Sec. "Y" | 88.90 |
| (This lot cancels lot #100-A, Sec. "D Annex" returned) | |

ADJOURNMENT

On motion of Councilman Wilkinson, seconded by Councilman Albea, the meeting adjourned.

Alice B. McConell
City Clerk