

1955-1971

FSTC: Cornelius A. Gaston: Fairhope, City of (2 of 2)

Fairhope

10517-a

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Mar. 5, 1958

Mayor E. B. Overton
City of Fairhope

Dear Mayor Overton:

Your letter of April 2 was read to the council at its regular meeting, April 3. The council has long considered the desirability of the further improvement of Magnolia Ave. east of Section and of Bancroft St. between Fairhope and Magnolia. It has however, felt that adequate drainage facilities should be installed ahead of any permanent surface improvement. The original improvement was provided in 1939 by means of a tar stabilization process. A year or two later a fine slag and asphalt seal was applied at the time other surfaced streets received like treatment.

The council has directed Eng. C. W. Arnold to advertise for bids on the drainage project per plans submitted to your council a few weeks ago. Whether or not we can proceed with the work at this time will depend on the cost as determined by the low bid. We will expect bids to be in for consideration at our council meeting April 17.

Your statement that you "understand it is the duty of the Colony to resurface the streets just as they did on Magnolia west of Section", we do not consider to be a proper statement. Our improvement of Magnolia and much of the other street improvement paid for by the Colony was voluntary. The law provides that the municipal government shall determine the duties of all land owners, Colony as well as others. The Colony does have an obligation to its lessees to hold all surplus funds derived from the rental of its lands as a trust fund to be expended in the common interest of the lessees. In the past the major part of such funds has been expended in providing street improvements.

The Colony believes that properly planned and executed street improvements increase the value of the lands benefitted to the extent of the cost of such improvement, and sometimes in excess of such cost. It believes that all land owners, the Colony included, should pay the full cost of such improvements, either voluntarily, as has been the general practice of the Colony, or as may be imposed and enforced by City ordinance.

The Colony appreciates that there is need for the resurfacing of Fairhope Ave. for its entire length, together with more

extensive improvements east of Section St. However east of the gully some land on both sides is owned by Robert Nahrgang and between Ingleside and Greeno all the land on the south side is individually owned. The Colony would not be willing to pay the cost of resurfacing streets for the benefit of private land owners. We do note, however, that the City's power to assess cost to land owners is not limited to original construction but includes reconstruction and reimprovement.

All the Colony asks of the City is such consideration as it gives other land owners. If the City is going to assume a part of the improvement and reimprovement cost of streets primarily benefitting privately owned land it feels it is entitled to equal treatment where its lands are involved. It will, however, be a continuing policy of the Colony, as funds become available, to provide such street improvements as are deemed by it to be in the greatest interest of its lessees.

We do appreciate your assurance "of the willingness of the City to work with the Colony in any way possible." We want to assure you and your council of the like willingness of the Colony to work with the City and of our sincere hope that we may jointly be successful in broadening such possibilities to the greater benefit of all of Fairhope.

Sincerely yours,

Secretary

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

D. C. JOHNSON, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE WA 8-9511

FAIRHOPE, ALABAMA

"On Beautiful Mobile Bay"

E. B. OVERTON, MAYOR

ALDERMEN:

CHARLES F. BELEW

MARVIN O. BERGLIN

JOHNNIE F. MC DANIEL

WM. R. RUFFLES, JR.

BARNEY L. SHULL

WATER AND SEWER BOARD

A. C. MANNICH, CHAIRMAN

R. ROY MOYERS

WM. R. RUFFLES, JR.

GEORGE DYSON, SUPT.

April 2, 1958

Fairhope Single Tax Corporation
Fairhope, Alabama

Attention: Mr. C. A. Gaston

Gentlemen:

The Fairhope City Council requested me to write you concerning the condition of the pavement on the following streets:

Magnolia between Section and School; Fairhope Avenue from Bancroft to Ingleside.

This pavement is in very bad condition and we are unable to do enough patchwork on it to keep it in good condition. Also the pavement on Bancroft from Fairhope Avenue to Magnolia is not in good condition.

I understand that it is the duty of the Colony to resurface the streets just as they did on Magnolia west of Section.

Thanking you for your cooperation and assuring you of the willingness of the City to work with the Colony in any way possible, I am,

Sincerely yours,

E. B. Overton

E. B. Overton
Mayor

EBO:ny

Feb. 10, 1958

Hon. E. B. Overton, Mayor and
Fairhope City Councilmen
Fairhope, Alabama

Gentlemen:

Since your adoption of Ordinance No. 221, the City has billed us with an annual charge of \$150.00 under the provisions of Section 1, Schedule 49 of said ordinance. Although our corporation believes such levy to be unjust the charge has been paid each year. This year when such bill was presented to our Executive Council it directed me to make a formal protest, citing to you the grounds on which such protest is made.

Schedule 49 reads as follows: "Corporations whose principle place of business is in Fairhope, not engaged in any business or profession otherwise taxed under this ordinance, One Hundred Fifty Dollars (\$150.00)." Our corporation is not a business as that term is generally understood. It is chartered by the State of Alabama as a non-stock, non-profit corporation. Its only purpose is to supply the community with public revenue from a source that is not fully available to the municipal government. It pledges that no part of such revenue shall be appropriated as dividends to its members or any other persons, but that all shall be administered as a trust fund for the equal benefit of those leasing its lands.

In fact, as you know, such benefits are shared by the general public without discrimination. In large part the expenditures are for the improvement of City streets used freely by all. In addition many other public benefits are provided from our trust funds. Fairhope's free public library was built with corporation funds and our monthly appropriations provide the greater part of the revenue upon which it depends to maintain its service. Our schools have been and are now being supplied with corporation owned land for school use without charge, in addition to substantial cash contributions. We have, up until this year, provided and maintained the community's only cemetery. The greater part of the City's public park lands were deeded to the City, without charge, by our corporation, and its water department had a like origin.

The land on which the City's municipal buildings stand

was made available to the City, without charge, by our corporation. Easements for municipally owned water, sewer, electric and gas lines have been provided over our lands without charge. We provided land for right of way for many of the City streets and for additional right of way for widening existing streets as need arose and without any charge for the land so needed.

In consideration of the past and continuing public service the community derives from the operations of our corporation; and the fact that such operations do not constitute a business in the general acceptance of that term, we believe it reasonable for us to request that you take such action as may be deemed to be necessary to relieve us from the present and future billing of this charge.

Respectfully yours,

Secretary

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

D. C. JOHNSON, CHIEF OF POLICE

CITY OF FAIRHOPE

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A. C. MANNICH, CHAIRMAN

R. ROY MOYERS

WM. R. RUFFLES, JR.

GEORGE DYSON, SUPT.

This is to advise you that at the next meeting of the Fairhope Planning
and Zoning Board on **May 2** at **4 P.M.** at the City Hall

they will take under consideration the rezoning of an **R-2** area

South $\frac{1}{2}$ Block 9 Ingleside Highlands Subdivision between Pleasant Ave.

and Greeno Blvd. on North side of Prospect Ave.

to a **B-1** area.

If you are interested please attend this meeting.

Yours truly,



C. B. Niemeyer, City Manager

October 9, 1957

Fairhope City Planning Commission,
City of Fairhope, Alabama.

Gentlemen:

At a meeting of the Executive Council of the Fairhope Single Tax Corporation held October 7, 1957, I was directed to submit for your approval the altered plat of the Golf Course Subdivision hereto attached, altered October 3, 1957, by C. W. Arnold, Surveyor, at our request, to show three 80 x 158 foot lots designated as Lots 8-A, 8-B, and 8-C thereon. Your approval is hereby requested, of this alteration.

It is our desire to make as much land available for lease as rapidly as possible, and since this land is fully serviced by paved and guttered streets, sewers, water and lights, and we have had numerous requests for leases to this particular property, we wish to release it for lease. We have plans under preparation for the complete subdivision of Block 8 as shown on this map of the Golf Course Subdivision, which will be submitted for your consideration at an early date. When these plans are completed, the three lots here in question will be properly platted; in the meantime, we can, with your permission, issue leases under temporary but adequate legal descriptions, and thereby facilitate some new housing starts much sooner than otherwise. We feel that the preparation of a full subdivision plat to handle these three lots would be unnecessary, under the circumstances, and feel sure that you will concur in this opinion.

Mr. Arnold has been requested to bring this before your body, and as engineer in charge of the further development of the above mentioned Block 8, is authorized to speak for this corporation so far as description of these lots and the contemplated subdivision of the block is concerned.

Respectfully Submitted,

C. A. Gaston,
Secretary.

CC: Fairhope City Planning
Commission - 2;
File.

CAG/ca

Sept. 13, 1957

Hon. Mayor & Councilmen:
City of Fairhope

Gentlemen:

We have addressed a letter to the Baldwin County Board of Commissioners requesting that they assume maintenance of the platted streets in the Magnolia Beach Addition that lie to the South of the present municipal boundary. In justifying this request we tabulated certain figures that we feel will be of interest to you. While a copy of this letter was sent to your City Manager we felt you would be interested in their potential application to the City of Fairhope.

We found that more than 40 families are living on Colony land in the blocks and parts of blocks that adjoin the present South boundary of the City with real property assessments amounting to \$42,200.00. That would yield \$633.00 of annual tax revenue to the City. In addition many of these families own cars that would pay the City property tax if included. All are electric and water customers of the City, 27 are now served or have access to the City's sanitary sewers, and many more than half, we presume, are City gas customers.

We also found that more than 25 families are established on privately owned land in the area. We have no record of the assessed value of their real property but many are well above the average in value so the total must be considerable. Being utility customers of the City, many believe they are entitled to the same service as those who live within the municipal boundaries and have taken up much of your time with their petitions and appeals for such service.

We appreciate the questionable character of your authority to incur obligations outside your legal boundaries and very much appreciate such service as you have given. We believe the present additional revenue that could be derived justifies your consideration of changing the City's South boundary to include all land lying to the North and West of Tatumville Gully, as shown on 1939 U. S. Geological Survey map of the Daphne Quadrangle. This shows the gully to intersect the present South boundary approximately at the South end of Valley St. and, except for two Denton families would include only white population.

While, as already shown, the present development in this area is considerable, we are sure its municipalization would greatly stimulate further development. While much of the Colony land is already developed we could take action that would make available a number of additional building sites. Because of our present inability to insure adequate public service we have withheld such action in spite of many unsatisfied applications for land.

Some of the private land owners in the area have indicated they will likewise make their land available for development as soon as public service is assured. As has been the Colony practice in the past it is presumed it and such private owners would bear the initial expense of developing any new roads needed and of extending sanitary sewers wherever such extensions are practical. If the area were municipalized the City's special assessment authority could be applied to secure the better development of existing streets.

Respectfully yours,

Secretary, Fairhope Single Tax Corp.

c/c Mayor E. B. Overton
Councilmen:
M. O. Berglin
Wm. Ruffles Jr.
Barney Shull
Charles Belew
Johnnie F. McDaniels
City Manager C. B. Niemwyer

June 25, 1956

Fairhope City Planning Commission
Fairhope, Alabama

Gentlemen:

With respect to Sam Dyson's request for rezoning of his leasehold, the West 100 feet of the North 132 feet of Block 14, Division 4 at Southeast corner intersection of Bancroft and Pine Streets from R-2 to B-2, Mr. Dyson informed our council of his request at its last meeting, June 21. No objection to such reclassification was raised.

The council appreciates your past practice of notifying us of requests for changes in classification where our land is involved and would like to have such practice continued. However it is the council's present opinion that all such requests should be made to the Planning Commission by the interested lessee.

Very truly yours,

C. A. Gaston, Secretary

c/c Sam Dyson

1

FAIRHOPE, ALABAMA.

June 11, 1956.

Fairhope City Planning and Zoning Commission
Fairhope, Alabama.

Gentlemen,

In view of the growth and apparent necessity for increasing the business area of the community I am requesting that my Fairhope Single Tax Corporation Leasehold, Lots 1 and 2, Block 14, Division 4, be re-zoned and designated as a B-2 Area.

This property lies at the South East Corner of Bancroft and Pine Streets and is now vacant. The adjacent property is now designated as B-2 except the property lying directly north.

It is also further suggested that consideration be given to a further extension of the B-2 zone to include the remaining property in Block 14 as well as the entire area lying between Bancroft and School Streets from Equality to Oak Street.

Your consideration and favorable action in this matter will be appreciated.

Yours truly,

Sam Dyson

2

FAIRHOPE, ALABAMA.

June 21, 1956.

City of Fairhope Planning and Zoning Commission
Fairhope, Alabama.

Gentlemen,

In order that I be in a position to make use of the property held by me on the South East Corner of Bancroft and Pine Streets, said property being Lots 1 and 2, in Block 14, Division 4, of the Fairhope Single Tax Corporation, Request is made that this property be Zoned for Business and be classified as a B 2 , area.

In a letter to you on June 11, 1956, I made this same request but since there seems to be some confusion regarding just what I am interested in I am writing this letter so that it will be understood that My personal and immediate interest is in the property which I hold and I do not want my request to be delayed because of any confusion with other property in the immediate vicinity of my property.

Your early consideration and favorable action will be greatly appreciated.

Yours truly,

Sam Dyson

June 9, 1956

City Manager C. B. Niemeyer
Fairhope, Alabama

Dear Mr. Niemeyer:

At its regular meeting June 7, our Executive Council authorized payment of a bill from Joe Schneider & Son for drainage facilities at the intersections of Church St. at Magnolia Ave. and Oak St., curb and gutter etc., now completed and authorized initial payment of 85%, the balance to be paid on completion of and acceptance of the entire project by the City. The total bill for this work is \$4,288.68.

The council did not, however, authorize payment to Engineer C. W. Arnold of the engineering charges on this work. You have, we understand, a copy of his letter to us stating that you had suggested that he bill us for such charges.

The council's considerations in withholding authorization of such payment were: (1) That much of this work was essential to the feasibility of the entire project and in accordance with the law governing street improvement assessments the cost of such essential intersection work would have been distributed on a pro rata basis to all property owners affected. (2) That the general charge of \$1.31 per front foot to be paid by property owners will probably be sufficient to pay all construction cost other than that already assumed by the Colony, inclusive of the engineering costs. Two-thirds of the front foot charge will be made against the Colony since it owns 1256 feet of the 1886 feet of the frontage between Magnolia Ave. and Oak St.

It was considered by the council that the foregoing information should be passed on to you.

Respectfully yours,

Secretary

c/c to Eng. C. W. Arnold

C/O to ENG. C. M. VILBOUR

SECRET

MEMORANDUM FOR THE RECORD

June 8, 1956

Information should be passed to the City Manager, Mr. C. B. Niemeyer, City Manager, Fairhope, Alabama.

At its meeting last night, the Executive Council allowed a bill of Joe Schneider & Son drainage facilities at the intersection of Church St. at Magnolia Ave. and Oak St., concrete curb and gutter.

The Council, in consideration of the matter, has decided to pay for the construction of the curb and gutter at the intersection of Church St. at Magnolia Ave. and Oak St., concrete curb and gutter.

The Council has decided to pay for the construction of the curb and gutter at the intersection of Church St. at Magnolia Ave. and Oak St., concrete curb and gutter.

The Council has decided to pay for the construction of the curb and gutter at the intersection of Church St. at Magnolia Ave. and Oak St., concrete curb and gutter.

DEAR MR. NIEMEYER:

Fairhope, Alabama
City Manager C. B. Niemeyer

June 8, 1956

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

FLOYD PHILLIPS, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE WA 8-9511

E. B. OVERTON, MAYOR

ALDERMEN:

M. O. BERGLIN

L. E. BLATCHFORD

R. H. BROWN

R. C. "DICK" MACON

J. DUPREE MASON

FAIRHOPE, ALABAMA

"On Beautiful Mobile Bay"

WATER AND SEWER BOARD

R. ROY MOYERS, CHAIRMAN

L. A. BERGLIN, SR.

ARTHUR MANNICH

J. E. GOODEN

WILLIAM RUFFLES

GEORGE DYSON, SUPT.

May 18, 1956

Fairhope Single Tax Colony
Fairhope, Ala.

Gentlemen:

This is to advise you that at the next meeting of the Fairhope Planning and Zoning Board on June 8 at 7 P.M. at the City Hall they will take under consideration the rezoning of the South West corner of School Street and Magnolia Avenue from an R-2 area to M-1.

If you are interested please attend this meeting.

Yours truly,

C. B. Niemeyer

C. B. Niemeyer, City Manager

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

FLOYD PHILLIPS, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE WA 8-9511

FAIRHOPE, ALABAMA

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E. B. OVERTON, MAYOR

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R. H. BROWN

R. C. "DICK" MACON

J. DUPREE MASON

WATER AND SEWER BOARD

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ARTHUR MANNICH

J. E. GOODEN

WILLIAM RUFFLES

GEORGE DYSON, SUPT.

May 18, 1956

Fairhope Single Tax Colony
Fairhope, Ala.

Gentlemen:

This is to advise you that at the next meeting of the Fairhope Planning and Zoning Board to be June 8 at 7 P.M. at the City Hall they will take under consideration the rezoning of the R-2 area West of Bancroft Street and lying North of a point between Equality and Oak Streets and extending West to the East side of Section Street to a B-2 area.

If you are interested please attend this meeting.

Yours truly,



C. B. Niemeyer, City Manager

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

FLOYD PHILLIPS, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE 4791

FAIRHOPE, ALABAMA

"On Beautiful Mobile Bay"

T. J. KLUMPP, MAYOR

ALDERMEN:

M. O. BERGLIN

L. E. BLATCHFORD

R. C. "DICK" MACON

J. DUPREE MASON

E. B. OVERTON

WATER AND SEWER BOARD

R. ROY MOYERS, CHAIRMAN

L. A. BERGLIN, SR.

ARTHUR MANNICH

J. E. GOODEN

WILLIAM RUFFLES

GEORGE DYSON, SUPT.

March 21, 1956

Fairhope Single Tax Colony
Fairhope, Ala.

Gentlemen:

If the property owners abutting on Blue Island Avenue would like this street opened, the City will negotiate with contractors to secure bids. According to Mr. Claude Arnold's engineering this covers 5535 feet and in order to properly clear, drain and grade, he estimates the cost at approximately 90 cents per front foot.

Please advise us as soon as possible if this is satisfactory and if you will pay upon completion of the job.

Yours truly,

C. B. Niemeyer
C. B. Niemeyer, City Manager

Mar. 19, 1956

Mr. C. B. Niemeyer, City Manager
Fairhope, Alabama

Dear Mr. Niemeyer:

Your letter of March 7 stating that the City is giving consideration to the paving of Pier St. was brought to the attention of our Executive Council at its meeting of March 15. We understand that all property owners will be charged with their pro rata portion of the cost which is estimated at \$1.15 per front foot of land owned by each. The council voted to accept the proposal.

The estimated cost quoted would indicate that concrete curb and gutter is not contemplated. In that event we would hope that it does include the cost of adequate shoulders and drainage facilities that are suitably grassed to prevent erosion.

Very truly yours,

Secretary

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

FLOYD PHILLIPS, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE 4791

FAIRHOPE, ALABAMA

"On Beautiful Mobile Bay"

T. J. KLUMPP, MAYOR

ALDERMEN:

M. O. BERGLIN

L. E. BLATCHFORD

R. C. "DICK" MACON

J. DUPREE MASON

E. B. OVERTON

WATER AND SEWER BOARD

R. ROY MOYERS, CHAIRMAN

L. A. BERGLIN, SR.

ARTHUR MANNICH

J. E. GOODEN

WILLIAM RUFFLES

GEORGE DYSON, SUPT.

March 7, 1956

Fairhope Single Tax Corporation
Fairhope, Ala.

Gentlemen:

The City of Fairhope is contemplating the paving of a section of Pier Street at a cost to the property owner of approximately \$ 1.15 per running foot. Our records indicate that you own 237 feet on Pier street in Block 30, the paving of which would total an estimated \$ 272.55, payable on completion of the job.

Please advise us immediately if you are agreeable to this paving and these terms. This office will gladly furnish additional information if desired.

Yours truly,



C. B. Niemeyer, City Manager

Feb. 28, 1956

City Planning Commission
Fairhope, Alabama

Gentlemen:

The Fairhope Single Tax Corporation requests your approval of a replat of its Block 2, Division 3 as herewith submitted.

On the plat of our lands filed for record Sept. 13, 1911 and recorded in Misc. Book No. 1, Pages 320-21, Probate Records of Baldwin County the lots fronting South on Oak Street are shown with diminishing depth as are those fronting North on Kiefer Street. However at that time it was not possible to carry the resulting North line of Oak Street on to Bay View Street due to the fact that the leasehold in the Southwest corner of the block had been leased when Oak Street was only fifty feet wide and building encumbrances and lessee objections prevented.

Later we were able to reduce this leasehold to allow sixty-six feet for Oak Street. As a result, December 5, 1940, our Executive Council voted to make Oak Street sixty-six feet wide uniformly, giving the lots fronting South on Oak Street a depth of 145 feet as shown on the plat herewith submitted. This action was subject to approval by the Town Council and it appears that we neglected to bring the matter to their attention since no record of their action can be found.

It would appear to us that there is no advantage in retaining the formerly platted description and that there would be some advantage to all concerned to make the proposed change and get it on record.

Respectfully yours,

Secretary

Feb. 8, 1956

City of Fairhope,
Fairhope, Ala.

Attn: City Mang

Gentlemen:

At our las Executive Council meeting we had be:fore us a sketch of the proposed paving of the alley located in Block 8, Division 1 of our land furnished by Engineer L. I. Boone, of Fairhope Paving Company.

His estimation of the yardage to complete the job was 325 sq. yds. of approved plant mix asphalt. We uderstood from him that the City will furnish a sand clay base graded to a "V" to provide center drainage.

Our council voted to approve the proposal and to pay for the paving according to estimate at \$1.00 per sq. yd. We presume that the completion of this work will be held up for favorable weather but wished to inform you of our action in the matter.

Very truly yours,

Secretary

cc: L. I. Boone

Sept. 8, 1955

City of Fairhope Water & Sewer Board
Fairhope, Alabama

Gentlemen:

It is our understanding that other than Colony lessees, desiring to connect to the sanitary sewers paid for by the Colony will be required to pay the Colony their pro rata share of the cost.

While we find that such pro rata cost varies from \$1.13 to \$1.19 per linear foot the average cost is found to be approximately \$1.15. This would make the cost for a 50 ft. lot \$57.50 and for a 100 ft. lot, \$115.00; or for a 70 ft. lot such as Mr. McKay's of which we wrote you yesterday, \$80.50.

The streets involved are the North side of Pecan St. from Pomelo to the East boundary of Block 35; the South side of Fig from Pomelo to Church (2nd Ave.) and the West side of Pomelo from Orange to Pinecrest. We also paid for a 6 inch line on Pomelo that runs North 200 feet from the manhole in the intersection of Fig and Pomelo but do not consider that any property on the West side of Pomelo would want to or probably could be served by it.

Very truly yours,

C. A. Gaston, Secretary

Sep. 7, 1955

City of Fairhope Water & Sewer Board
Fairhope, Alabama

Gentlemen:

This will confirm that Lewis B. McKay, who holds title to the East 70 feet of the West 210 feet of the North 150 feet of Block 38, Magnolia Beach on the South side of Fig St. has paid us for the Fig St. sewer in front of his lot and is entitled to a connection permit.

Our charge to Mr. McKay, \$80.50, was based on the per foot cost of sewer on that street as billed to us by the contractor and amounting to \$1.15.

We will expect like payment according to the size of the lot from any others making connection on the South side of Fig St. from Liberty St. (1st Ave.) East to Church St. (2nd Ave.).

Very truly yours,

Secretary

Aug. 8, 1955

City of Fairhope
Fairhope, Alabama

Gentlemen:

Our Executive Council has authorized the granting to the City of Fairhope, of an easement covering the North 3 feet of the South 150 feet of Lot 4, Block 8, Division 1 for overhang of crossarms, lines and transformers on poles set along the South side of an 18 foot alley running West from Church St.

It is contemplated that such poles will be so placed along the South side of said alley so that they will not encroach upon the land described in the agreed to easement. We have considered that you may want your attorney to draft the easement in a form acceptable to you.

Very truly yours,

Secretary

BOONE-HUFFMAN DEVELOPMENT CORPORATION

PHONE 3171

FAIRHOPE, ALABAMA

July 7th, 1955

Fairhope Single Tax Corporation
Fairhope, Alabama

Dear Sirs:

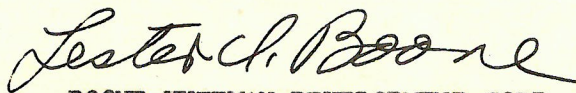
Enclosed is plan of proposed work and improvements on alley between Boone-Huffman, Wiggins, Fox and Jim Gaston, Sr., and parking area in front of Boone-Huffman building.

It is requested that consideration be given to accomplishing the work outlined on this plan. The Boone-Huffman Development Corporation proposes to blacktop the area indicated which lies on the Fairhope Single Tax land which is leased by this Company. If consideration can be given to the Fairhope Single Tax Colony blacktopping the area in the alley and in the parking area in front of the building it will be greatly appreciated.

This plan has been discussed with Mr. J. E. Gaston, Sr., Mr. Fox, and the City Manager and Council.

We feel that the additional traffic brought on by the improvement of our lease and the improvement by J. E. Gaston, Sr. of his lease, and the operation of Fox and Company will greatly increase the need for this work.

Very truly yours,



BOONE-HUFFMAN DEVELOPMENT CORP.
Lester I. Boone

LIB/bh
Enclosure

PLANT AND WAREHOUSE
105 BROWN ST.

MAIN OFFICE
371 FAIRHOPE AVE.

BOONE-HUFFMAN DEVELOPMENT CORPORATION

PHONE 3171

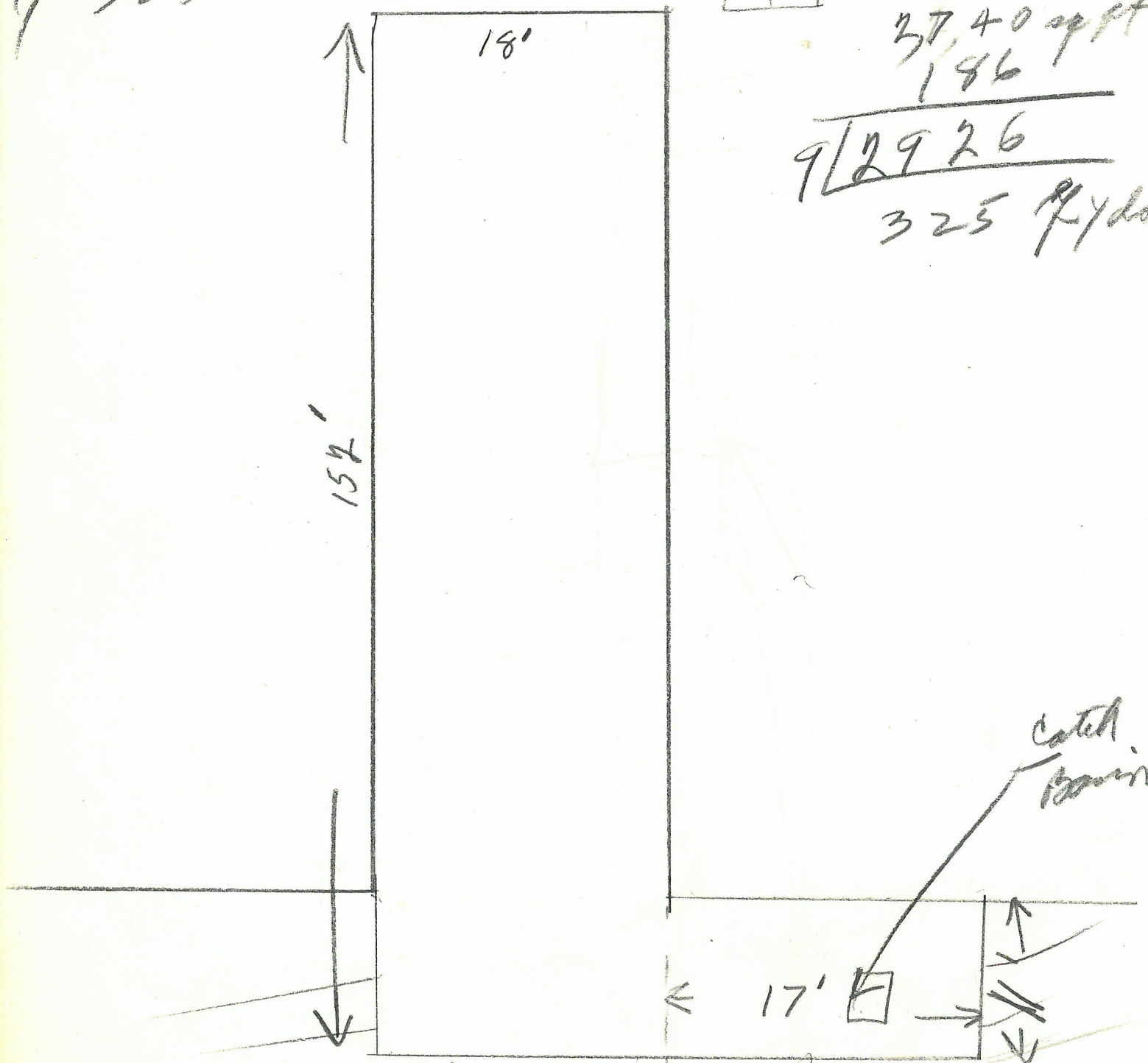
FAIRHOPE, ALABAMA

06/2
12.8
28.8
50 Base
50.5
1.5

325 00



2740 sq ft
186
9/2926
325 ft/da



Present
Blacktop

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

FLOYD PHILLIPS, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE 4791

E. B. OVERTON, MAYOR

ALDERMEN:

M. O. BERGLIN

L. E. BLATCHFORD

R. H. BROWN

R. C. "DICK" MACON

J. DUPREE MASON

FAIRHOPE, ALABAMA

"On Beautiful Mobile Bay"

July 1, 1955

WATER AND SEWER BOARD

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ARTHUR MANNICH

J. E. GOODEN

WILLIAM RUFFLES

GEORGE DYSON, SUPT.

Fairhope Single Tax Corp.
Fairhope, Alabama

Mr. C. A. Gaston:

At a meeting of the City Park and Recreation Committee, Monday, June 27th, it was decided that this committee would hold hearings for the interested groups, as per our recent letter to you. These meetings will be held at the Boone-Huffman Building on Fairhope Avenue on July 11, 18, and 19th, at 7:30. Different dates have been set in order to hear different groups. The date for your groups is as circled above.

In preparing your report, please bear in mind that the Committee is interested in both a Park and Recreation Program and a method of financing this program. Any suggestions you can give toward this will be appreciated.

Very truly yours,

PARK AND RECREATION COMMITTEE

William R. Ruffles, Jr.

WRR/mn

P. S.

No further notice of this meeting will be sent, please mark your calendar.

November 1, 1954

City Council
City of Fairhope
Fairhope, Alabama

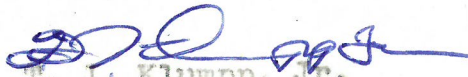
Gentlemen:

We are requesting that you have the Street Department improve the driveway at the corners of Section and Magnolia streets, at our used car lot.

We have tried to get this done for over a year now. The driveway is becoming worse. At this time it is a definite safety hazard to the traffic on these two streets. Since there have been some near-accidents, and due to the fact that our investments there have to be protected, we humbly request that your attention be brought to bear on this project as soon as possible.

Sincerely,

KLUMPP MOTOR CO., INC.,


T. J. Klumpp, Jr.
Vice President

TJKjr:ab

C.C. To:
Fairhope Single Tax Colony
Fairhope, Alabama.

C
O
P
Y

Sept. 21, 1954

C. B. Niemeyer, City Manager
Fairhope, Alabama

Dear Mr. Niemeyer:

With reference to the Town's acquirement of title to Lot or Block A, Seacliff, I find from the records available in minutes of the Town Council as published in the Fairhope Courier as follows:

On July 10, 1944 the Council directed the Mayor to proceed with condemnation proceedings to acquire such title.

Notice of Probate Judge for a hearing date respecting condemnation fixed such date as Sept. 18, 1944, as noted in the Sept. 7, issue of the Courier.

Oct. 10, 1944 the council directed the Mayor to post with the Probate Judge the sum of \$566.66 and appeal the appraisal of value.

Noted in the 1945 audit is an expenditure item of \$1200.00 for acquirement of title to the land involved.

The Council minutes of May 8, 1945 records the adoption of the report of a council committee appointed by the mayor to work out an agreement with officers of the Fairhope Yacht Club concerning use of such land.

It would therefore appear that title had been secured some time between October 1, 1944 and May 8, 1945.

With respect to the afore mentioned agreement it should be on file there and it might be well to review it at this time. I would appreciate an opportunity to review it now since I was a member of the committee appointed by the Mayor.

Very truly yours,

P.S. Also noted in council proceedings Feb. 14, 1944 is offer of deed to Burkel, as per enclosed copy.

TOWN COUNCIL PROCEEDINGS
FEB. 14, 1944

Councilman C. A. Gaston offered the following resolution and moved its adoption, seconded by Councilman J. O. Stimpson.

WHEREAS the Town of Fairhope has the record title to the lands hereafter described and conveyed and Charles Burkel has owned the building thereon and has been in continuous possession of the same, he and those through whom he claims, for more than twenty years next preceding this date, and in the opinion of the Town Council it is equitable that the Town execute and deliver to the said Charles Burkel a Quit Claim Deed to such lands, namely:

From the iron pipe at the southwest corner of the intersection of Beach View Avenue and Pier Street run north 58 degrees and no minutes west 187.5 feet along the south side of Pier Street for a point of beginning, thence south 30 degrees and forty minutes west 110 feet to a point, thence north 58 degrees and no minutes west 84 feet to a point, thence north 30 degrees and 40 minutes east to the south side of Pier Street, thence along the south side of Pier Street to beginning.

NOW THEREFORE be it resolved that Howard Ruge, as Mayor of the Town of Fairhope, and he is hereby authorized and directed to execute and deliver to Charles Burkel a Quit Claim Deed to the aforesaid lands for a consideration of the sum of ONE (\$1.00) DOLLAR upon his paying of the back taxes on the improvements situated on said property owing to the Town of Fairhope and to the State of Alabama and to Baldwin County, Alabama

An easement to construct, operate and maintain a private walk way from bluff line to the building on said lands be also given until such time as other adequate access to said building can be provided.

Fairhope, Ala., Aug. 20 1954

M. F-hope Single Tax

In Account With

The City Of Fairhope

5-18-54 Changing Water meter
Lawnrite 7-hope ave.

40 00

Sept. 8, 1954

City of Fairhope
Fairhope, Ala.

Gentlemen:

Your statement dated August 20 charging us \$40.00 for the moving of the water meter in front of the Launder-Rite building on Fairhope Ave. was presented to our council at its last regular meeting.

The council suggested that we advise you that our corporation paid the contractor \$175.00 for grading and paving the parking strip for the common use of the general public and that it does not consider that it should be obligated to pay the cost incurred by a public utility whose installation had to be moved to make way for the public improvement. It is our understanding that in such cases where the public utility is privately owned is required to pay the expense of any modification of use required to meet a public need.

Notice was taken of the action by your council August 23 requesting that our corporation proceed with paving and drainage on Bancroft St. from Fairhope Ave. south to Morphy Ave. with a width of 80 feet. Notice of your postponement of any plans for like improvement of Bancroft St. to the north was also considered by the council. Verbal notice of these actions and of your consideration of paving Church St. north to Oak St. was given us by City Manager Niemeyer.

All matters were discussed by the council but no action taken. Some opinions developed by the discussion were that the greatest immediate need on Bancroft St. was being postponed; also it was considered that it might be more in the general community interest for the Colony to expend the limited amount now available in providing essential public improvements in undeveloped areas to make land available to meet the increasing demand for residence sites.

Respectfully yours,

Secretary

Aug. 21, 1954

Mrs. Lillian B. Totten
Fairhope, Alabama

Dear Member:

Your letter of August 12 was read at our regular council meeting last Thursday night. The council advised that my reply to you should express its appreciation of your concern regarding the proposed location of a "trailer camp" on our land at the southwest corner of Morphy Ave. and Mershon St. It was inferred, however, that your use of that term might indicate a misunderstanding of the type of use that is permitted by City ordinance.

City ordinances do not permit residence occupancy of trailers unless they are connected with the sanitary sewer or have available on the premises adequate sanitary installations. The site involved was leased to Mr. J. E. Gooden Aug. 20 1953 and reported in our published minutes as follows: "It was moved and carried to approve application of J. E. Gooden for E. 72 ft. of N. 132 ft. and S. 120 ft. of N. 252 ft. of E. 132 ft. of NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, div. 4 at sw cor Morphy Ave. and Mershon St., for business with buildings to be erected thereon to be not less than 20 ft. from both streets."

You will note that this corner was leased to Mr. Gooden for "business use". While he did not at the time state the business use he proposed to make of the premises, the council did not consider it inappropriate to lease the land for business. At that time Mr. Dawson had been issued a store building permit by the city, the northeast corner was occupied by a church and the southeast corner by the athletic field. Due to these conditions it appeared unlikely that anyone would care to lease the remaining corner for residence use. You will note that consideration was given to the existant residence use of adjoining land by requiring that buildings be not less than 20 feet from both streets.

The zoning ordinance now being considered by the Planning Commission does take into consideration the growing need for neighborhood shopping centers. Such centers are generally much appreciated by all who reside within a reasonable distance but will no doubt be objected to by many whose residences are nearest. In view of this unless the businesses could be established before the residences were built and occupied their subsequent location will almost

always meet with local opposition. Since there is no incentive to establish shopping center businesses except where there is an established residence clientele if the Planning Commission must rule against them wherever there is local opposition then none can come into existence.

There is every indication that the Colony will not oppose any reasonable proposal of the Planning Commission and it will, of course, be obliged to comply with any ordinances the City council may adopt. We are sure all are interested in the general welfare of our community and its human needs. Our experience is, however, that there are many cases where the community interests cannot be best served without some sacrifice of certain individual personal interests.

As you know, our Colony corporation has, in Article XVI of its constitution, pledged that: "The natural rights of its members to absolute freedom in production, exchange, associations, beliefs and worship, shall never be abrogated or impaired by the Corporation, and the only limit to the exercise of the will of individuals shall be the equal rights of all others." We trust that we will have your full cooperation in so interpreting this pledge as to place the least possible restraint on individual freedom and private enterprise.

Fraternally yours,

Secretary

Copy to
Planning Commission Secretary
City of Fairhope
J. E. Gooden

Aug. 11, 1954

Mayor E. B. Overton & City Council
City of Fairhope

Gentlemen:

At our last meeting, Aug. 5, it was suggested that I write you again concerning the right-of-way for Bancroft St. We believe it is only fair to all parties concerned to request your conclusive action on this matter. It was intended to have this communication before you at your last meeting and the delay is due to an oversight.

Since our former letter, July 22, the writer has had a further talk with Mr. Bradford, suggesting to him that a four foot addition to the present 66 ft. right-of-way on Bancroft St. would give it the same width as Section St. north of Fairhope Ave. and would probably not involve any of his present plantings. Mr. Bradford did not commit himself on this suggestion but agreed to consider it.

The writer offers this as a compromise that should entail much less expense for the City. If an additional 4 ft. were secured and the curb lines set out 6 ft. from the property lines the space available for traffic and parking would be only 4 ft. less than is now available on Fairhope Ave. between Section and Church Sts. where the right-of-way is 80 ft. wide and the curb lines are 9 ft. from the property lines.

It is noted that businesses now located in the area would be in conflict with the restrictions contained in the presently proposed zoning ordinance. Should such ordinance be adopted and should such businesses continue to grow their expansion on their present sites would be forbidden and the matter of relocation would become imperative. It appears that two of these businesses have structures and installations that are now occupying part of the existing right-of-way. Also noted is the fact that the present right-of-way is being unduly pressed upon by allowing right angle parking on one side and diagonal parking on the other side.

We understand that a question brought up in your council was whether or not the Colony was in financial position to undertake the proposed improvement now. Without knowledge of the cost it is not possible for the Colony to answer that question and the cost cannot be ascertained until it is known just what width of right-of-way is to be improved and the extent of the underground drainage to be installed. It would appear that the latter might be considerably reduced as to length if the industrial water now going into the surf-

ace drainage system could be handled by the sanitary sewer system. We understand that such would be feasible and could be permitted weree the sources to be provided with and required to maintain equipment that would insure against unadmissable matter entering the system.

Should the total cost be more than the Colony is able to pay for at this time it is quite possible that the work could be undertaken sectionally, giving first consideration to the most pressing sections. Again let us assure of the Colony's desire to cooperate and of its hope that a conclusive decision may be reached without further delay.

To give all an opportunity to consider this matter in advance of your next council meeting copies of this letter are being furnished each councilman. It is hoped that this will facilitate the reaching of a decision at your next meeting.

Respectfully yours,

Secretary

Copy to
J. T. Bradford

July 22, 1954

Mayor E. B. Overton and City Council
City of Fairhope

Gentlemen:

Our lessee, Mr. J. T. Bradford advises us that he has furnished you with a statement of the value of his improvements on the West 14 feet of Block 12, Division 4 which we agreed on April 15 to make available to you for widening Bancroft St. He further advises us that no action either of acceptance or rejection has been taken by you so far as he knows.

Mr. Bradford feels that he has considerable investment on the land involved and that he is being injured by your indecision. If you are not going to take the plants involved they should have attention. However if you are he does not feel justified in going to any additional expense to care for them.

There is also the matter of our rent charges. Quite naturally Mr. Bradford does not want to pay rent on land that he does not feel free to put to its fullest use. For our part we feel that we are entitled to a decision on this matter since we certainly want to collect full rent on all land to which we have full title.

These matters were discussed at a recent meeting of our council and I was advised to write you and request that you advise us of the present status of your proposal to widen Bancroft St. so both we and Mr. Bradford can have the benefit of such information. Your early attention to this matter will be much appreciated.

Very truly yours,

Secretary

Copy to
J. T. Bradford

Mansfield Products

PHONE 5-7290

940 SIXTY-FIFTH STREET

DES MOINES, IOWA

N v. 23-1953

Mr. C.A. Gaston
Fairhope Alabama.

Dear Sir;

I am in receipt your recent letter for which I thank you.

MANUFACTURERS

Sweet Pickles

Dill Pickles

Mayonnaise

Salad Dressing

French Dressing

DISTRIBUTORS

Condiments

Mustard

Vinegars

Frankly, I was ~~near~~ so surprised in my life. Here you are furnish-
ing me facts and figures which substantiate entirely the contention
I set forth in detail in my first letter to the COURIER. And then you
write a letter in the courier trying to tell your readers how wrong I am
in being critical of the administration of the city of Fairhope.
is it possible, ornie, that you write me that in the year 1949 the
total tax receipts were 22,072.51 and yet they maintained a city
pay roll ~~reference to~~ electric sewer dept and gas dept employees, of 37,313.48
or substantially 15,000 more than the tax receipts were, with the years
following running very similar as to taxable receipts and pay rolls, I wish
to ask you how in the name of heaven do you think any money can ever get
down to the taxpayer so that he will receive anything for it. But "administ-
ration." Which every one who has observed it will affirm is of very ~~low~~
doubtful quality. How would they get money for street paving, curbing,
sidewalks and sewer extensions. There could be no money obviously for materials
and actual labor for these improvements if it were spent for "pay rolls."
That is exactly what I have been contending and you have been making
the statement that I am talking wildly on account of misinformation.
What is your point? Surely you ~~prove~~ without any doubt I am correct.
Several of us have been making a study of municipal taxation and
expenditures under the name of the Municipal Research Foundation which
will be reached at this same address, and I can assure you we have run
on to no such figures as you furnish me. Fairhope is the worst
governed from the taxpayers dollar standpoint of any we have had
information on so far. Nothing approaches it so far, think of it, here you
have a city of less than 4000 inhabitants who have a city government which
in 1953 spent 40,733.55 on pay rolls with a taxable income of
30,438.30 and they have to have a city manager at 440. per month to do it.
What sort of business is this. How long do you think the local taxpayer will
consent to be flimflamed out of his money in that manner?
Your statements as to comparative percentages of deeded property taxes
received as compared with those of corporation lands is carefully noted. I
would like to ask you how many years the tax money of deeded property has been
used so enhance the value and therefore taxable valuation of corporation
lands. We know its been going on for over a quarter of a century. And you
who live off of the income from those corporation lands dont like it when
kick against it. This writer hopes to be in his winter home in Fairhope
sometime in early December when he will be glad to receive a visit from
you at which time you may be able to make clear to him some things he
feels you are entangling yourself with in writing.

Yours very truly

T.G. Mann

936 W. 65 St.

Des Moines Iowa.

Pay Roll

Expenses

Mayor	1200.00
City Manager	5000.00
Clerk and Asst.	4862.50
See Other Dept's Pkts	11062.50
Clerk's Office	4800.00
Police Dept	6262.50
St. Dept	11289.10
	23191.95
	40733.55
Commission Gen	1050.00
	41783.55
Pay Roll Taxes	655.15
	42438.70

Auto & Truck	848.50
Police Bus & Exp	620.09
Telephone & Telegraph	429.53
Advertising	200.00
Miscellaneous	2173.72
Off. Bus & Exp	11809.53
Gas. Bus & Exp	623.83
St. Bus & Exp	6766.09
Public Wharves	1308.05
Trunk & Car	25.00
Commission, Hull Reg. H. B.	545.00
San Bull Pk.	449.58
Youth Council	200.00
	15128.92

Total Exp. Genl & Spec Fund

Pay Roll 42,438.70

Expenses 15,128.92

57,567.62

General & Special. Pkts. Taxes	30,438.30	
Interest and Penalties	1,177.11	
Automobiles, Tolls & Licenses	7,220.52	
Dog Taxes	177.12	
Finance Costs	5,556.00	59,269.06
Building Committee	304.00	
Commissions	1,720.01	
Salaries of Clerks, etc.	45.09	
Miscellaneous	12,000.00	
El Plant in Genl. Fund	11,557.77	
Beer & Liquor, Tolls & Licenses	5,922.70	
Liquor Com. Profits	18.00	
Yapack & Profits, Committee	556.50	
License Tolls from Street	75.50	23,126.71
St & Local, etc.	1,317.51	
Telephone Building, etc.	1,558.14	
Line. Tolls & Profits, etc.	2,098.59	
Commission Gen		82,395.77
Bus. License		4,800
		87,195.77

Sanitary Commission 7,220.00

Commission 1,326.07

County Board of Health 280.00

Sanitary Board of Health 1,422.25

Sanitary Board of Health 1,422.25

Legal & Auditing 106.60

Made for Pkts. 36.00

Use of City 12475.52

57,567.62

70,043.14

448

70,491.14

Nov. 17, 1953

Mr. T. G. Mann
936 W. 65th St.
Des Moines, Iowa

Dear Mr. Mann:

I was very sorry to get the word that you have had a stroke and that you have had to be confined to the hospital. I do hope that you will have a substantial and speedy recovery.

I am indeed sorry that my article in the October 22 issue of the Courier so greatly offended you. The critical letter you addressed to the editor contained charges that cannot be sustained by information that may be had by an examination of the annual audits of the accounts of the City of Fairhope. These show that the amount the City receives from property owners in the form of taxes on land, buildings and personal property other than automobiles is less than its annual pay roll of employees in the office, the police department and the street and property department. 1949 tax receipts were \$22,072.51, pay rolls \$37,313.48; 1950 tax receipts \$24,317.68, pay rolls \$38,229.51; 1951 tax receipts \$26,926.96, pay rolls \$34,260.76; 1952 tax receipts \$29,655.60, pay rolls \$35,844.12; 1953 tax receipts \$30,438.30, pay rolls \$40,733.55.

The above payrolls do not include employees in the electric department, the water and sewer department or the gas department. These departments are all self supporting from revenues derived from the sale of their services. The balance of the money needed to operate the City's general and administrative, street, police and fire departments comes from various sources. The records will also show that almost two-thirds of the tax revenue received by the City is paid to it by the Fairhope Single Tax Corporation and those who occupy its lands, you and other owners of deeded property paying only a little more than one-third. These records are available and we believe you would be interested in getting the information contained in them.

Of course we have to agree with you that we (C.A.G) cannot but see the singletax angle in almost every public problem however you will surely agree that you stretch the point a bit in stating that I would claim an appendicitis would be less severe and painful if one were living on single tax land. Also I judge from your postscript added on your letter of Nov. 9

that you appreciate that your copy is not in proper shape to hand to a compositor without some editing. May I suggest that you relieve us of any obligation to publish your letters until your physical condition has improved so you will be able to furnish more legible copy or until you can make a more detailed examination of the conditions of which you write.

As to your personal charge that "The writer of that article had had a 'free ride' on the backs of the taxpayers every since I knew him when a small child" was surely not a statement that was made on sober judgment. I did live in my father's home until I was nineteen years old during which time I was variously employed in my father's print shop, in local stores and at no small amount of home chores. Of course in my boyhood days I was largely supported by my father but the only public office he held other than a brief period as postmaster was as secretary of the Colony corporation for which he never received more than \$25.00 a month while I was in his household and never more than \$75.00 a month when he retired in 1936.

Except for about 3½ years of employment on the Panama Canal Zone as a machinist, I was never in government employ except as an enlisted man in the U. S. Army for a little more than a year, 1918-19. In 1936 after my father's retirement I was elected secretary of the S. T. Corporation at \$75.00 per month. When the Colony business came to require the full time service of a secretary with an office that was open daily my pay was increased and I have enjoyed several increases during the now almost seventeen years I have been continued in that office.

Should you care to verify the information given here I will be glad to assist and should you care for any further information I can give I will be glad to do what I can toward seeing that you have it. I shall be glad to have you call on me when you come to Fairhope.

Sincerely yours,

Des Moines Iowa, Nov. 9-1953

TO The Editor : IN your issue of the Courier of Oct. 22- You Publish an article

Signed by One. C.A.G. - whom every One recognises as being the end product of " Corney Gaston. Every one would know it without those initials. Here is the greatest illustration of a person with a one-track mind this writer has ever come across in some 60 years of travel. You cannot talk with this individual five minutes without he runs the conversation into the " single tax theory". if you have appendicitis you would not have it so badly if you lived on a single tax lot, all religion, politics, achievement in society of any character revolve around this one theory. Observers in our mental institutions start to mark improvement in the inmates mind at the time begins to show interest in other things than the ones he has gone nuts over. This fellow in his article states that the writer of a letter was critical of the city of Fairhope's administration- but adds that the letter writer is misinformed. And tries to give the impression that he is just a little dumb. If he had had the fairness and fortitude to have printed the letter he is criticising readers would have the opportunity to see why I am critical of the way civic affairs are handled in Fairhope. But this he would not do. he reasons I am critical of the

way tax money is spent in Fairhope is that so small a portion of the tax gatherings are spent in actual improvements, labor and material ect. The great portion is spent in paying someone a huge salary to tell some one else to have some one else do some work. Furthermore I maintain that Fairhope's salary role is made up, for the greater part, of political stooges who could not find a like job in private industry. Also, maintain that those elected to office are put forward and pushed into place by small political rings of local politicians who have been at the same business for many years. By this method they maintain control over the spending of the taxes in Fairhope. THE chief offender in this local political pressure group is the Fairhope single tax Cop. officers. I also state that they have in the years past been able to successfully use the greater part of the tax money in front of or near to " Colony " land in improvements such as paving, Sewer, Lights, curbing grading ect. They do this without any attempt to devote the improvement money in proportion to the amount derived from deeded land and that coming from Colony land. IN the writers rave of Oct 22nd he immediately sets out to state that the Fairhope single Tax Colony is operated on the principle ect. SO What?. Fairhope is not the Colony. Only one fourth of the land in the taxable limits of Fairhope is Colony land and less than one fifth of the people living in the city are single taxers and which proportion will drop during the winter months to less than one person in eight or nine. My Father had an old saying a hit dog always howls. Quite true in this case. BUT I Never expected to see him run out of

the brush with hair in his teeth. C. A. G. goes on to refer to the writer as expecting a " Free " ride when he suggests that a regular city council could be elected who would run the city as well as far more inexpensively than a city manager who costs the inhabitants of Fairhope 1.10 each per year for every man and woman and child in the city. FIRST let me say that the writer of that article has had a free ride on the backs of the taxpayers every since I knew him when a small child. HE has lived on and out of tax money, money in many times all the small home holder of a colony lease could barely scrape together. Only to be told by the same individual that next year it would be 5 to 15 \$ more. This fellow has always had a free ride. I have not. I work for my money and I earn it. I asked a man once if he ever knew of This C.A.G. working - a neighbor - he said heavens no, and if I did I would call Bay Minette. I will match Free rides any time with this chap. Again I state Fairhope does not need a City Manager at the salary they are paying him. I need a Harem. Further that the only way for the individual taxpayer to get a fair break with the local politicians is to form a Fairhope taxpayers association who can secure legal talent who can get orders from the courts compelling proper distribution of the tax money. This should be done at once. It has been the answer to just such situations as obtain in Fairhope at the present. I shall be pleased to assist in the organization of such a group.

Yours truly
T.G. Mann

I am ashamed of this writing but I have had a stroke on the keys but don't stop out

Des Moines Iowa Nov. 3-53

Gentlemen. I have been in the Hospital or
would have written sooner

I was never more surprised ~~in my life~~ than to
read in your issue of Oct 22 a completely opaque and
flat tired article by C. A. G. criticizing an article
written by myself which you neither had the fortitude
nor the fairness to even print. What kinder Garrisonian
is this? I have seen such practices even before but in practice
I have taken scores of periodicals and have read widely
for years and this is the first time in my 40 years
that I have ever seen such rape practiced. Of course
you did not have to print the item, but when in the
name of the sacred cow did you think you had a right
to print a criticism of it without printing it.

Now this will serve to advise you that I am going to write
a reply to that Orgain School ~~article~~ calibre article
and send it to you. You can either print it in full
or when I get it down in about 3 weeks I am going to have
the whole thing run in other newspapers circulating in Pacific
and a nice copy sent to every person receiving mail at the
post office or being put on the door step of
my residence of Hawthorne.

Yours truly
T. G. Mann

936-45
Des Moines Iowa

Letter To Editor Critical of City Administration

10-22-53

The editor is in receipt of a letter from a subscriber critical, among other things of the City's inability to finance sewer extensions to serve newly developing lands as reported in recent issues of the Courier. The writer appears to be ill informed concerning the local and general problems with which cities are faced in providing essential public services.

Fairhope's Single Tax Colony is operated on the principle that all such services increase the value of occupancy of land by the full cost of the essential means of performing the service. Most particularly this applies to sewer mains, street paving and maintenance, sidewalks, etc., though it does not exclude other services such as fire and police protection and all services of an essential public nature.

The critic presumes that the existing sewers were paid for by taxpayers whether on the sewer lines or not. This is not the case. The sewers and the water systems were paid for with the proceeds from the sale of bonds. The bonds have been and are being paid off out of proceeds from the service charges paid by customers. Not any of it is coming from property owners as such though all land owners whose land may be served have benefitted from an increase in the value of their land.

While the city cannot, because of legal restrictions, collect from the land owners all of the unearned increase in values conferred upon them and cannot now collect from those who have been favored in the past, there is no injustice in requiring present land owners to pay as much as can be legally collected by application of the law providing for the levying of spec-

ial assessments against the owners of land who are directly benefitted.

A difficulty in applying this law has resulted from a present unfavorable market for bonds, the repayment of which is secured only by such assessments. However if the city has not exceeded its legal borrowing capacity it can issue general obligation bonds for which there is a good market, pay the cost from the proceeds of the sale of such bonds and then repay the debt by the collection of special assessments.

The just completed sewer program cost \$13,666.08 exclusive of engineering fees. Private land owners benefitted paid \$2,909.92 and the Colony is paying the balance, \$10,756.16, a portion of which it hopes to recover from other private owners who will share in the benefit to be derived from some portions paid for by the Colony.

The critic also complains of the expense of administering the City services with a paid manager. He feels that there should be enough civic minded people in Fairhope to contribute their services without charge. It is these services that give land its value and the gentleman is a land owner. There are members of society that must be supported by charitable contributions but we have never seen land owners listed in this class. In the judgment of the Courier the benefits land owners receive that they are not required to pay for are largely responsible for many who must depend on charity.

In one respect we find ourselves somewhat in agreement with the critic. He writes: "It looks like the City of Fairhope was trying to own and operate a Cadillac on a Ford Income." We are rather fearful of mentioning this however for fear our city administration may take steps to remedy the situation

No. 2. Roast Leg of Lamb
No. 3 Roast Turkey with
No. 4. Choice Filet Mignon
Includes 2 vegetables. sa

CENT

FAIRHOPE'S LEAD

THE FINEST FOOD SERVED

Phone

by getting a Cadillac income by unfair though legal means. They might follow the example of the City of Fayette and levy a local sales tax. Fayette has an income of \$11.10 per capita from that source. Our city administration's recent act in which it resorted to the unfair and inequitable business license levy is not reassuring.

C. A. G.

Rural Women's Club Holds Meeting

The Club held its October meeting on Thursday afternoon at the Community Club House, Mrs. John Jones, president presided. The roll call was answered with each member giving her favorite spot remover.

Routine business was transacted, different reports were given, also Mrs. Fred Burmeister was elected to attend the leadership school Thursday October 22, at Senora. Mrs. Nina Hammontree the clothing leader, gave the demon-



Pictured above are officers of the East Fairhope Home Demonstration Club, which got statewide recognition last week when it was named the "Club of the Year". This photo was taken last Friday at the 4-H Club House, when photographers and representatives from the State Extension Department and from the Mobile Press-

Register were on hand for interviews and to get pictures. Reading from left to right: Mrs. Corbin Williams, secretary; Mrs. Charles Olsen, vice president; Mrs. Chauncy Free, parliamentarian and historian; Mrs. Rudy Krhut, president and Mrs. Herbert Leib, treasurer. —photo by Frank Vorel, Fairhope Photo Shop.

Kiwanis Club President Guest Speaker at Daphne Women's Study Club

J. E. Merrihew, president of the Eastern Shore Kiwanis Club was guest speaker at the meeting of the Daphne Women's Study Club on Tuesday afternoon. The meeting was held at the home of Mrs. S. W. Pickens in Daphne, with Mrs. A. R. Tuveson as co-hostess.

Miss Hazel Council, club president, introduced the speaker who

Baldwin Civic Music Club Drive Comes to a Successful Conclusion

The Baldwin County Civic Music Club membership drive came to a successful conclusion Saturday night according to A. R. McVay, president.

Many old members renewed and quite a number of new ones joined this organization for the first time. Following the returns which came in up to late in the evening Saturday, from all quarters of the coun-

Two of Fairhope's organizations walked off with prizes at the Baldwin County Fair, which got underway at Robertsedale this week with a large attendance. They were the Fairhope Rural Women's Club and the Auxiliary of Gaston Lee Post VFW No. 5660.

The former won top honors and received \$100 in prize money in the home demonstration club exhibit classification, and the Auxiliary in the civic women's club division took top honors and received a \$100 prize.

Runners up and their prizes in the Home Demonstration Clubs ex-

PLANS GO FORWARD SCOUT FUND CAMPAIGN

Twenty-two prominent Baldwin County leaders and scouters, met with the Baldwin District Scout Committee in Loxley, Tuesday night of last week to set plans for the November 3rd, 1953 Boy Scout Fund Campaign. Community Finance Chairman throughout the County were introduced by J. D. Sellers, District Campaign Manager, and a goal of \$6,000.00 was set for the County by the committee.

Jimmy Gilbert of Robertsedale District Publicity Chairman, outlined the Publicity being given for the forth-coming campaign and told of the splendid cooperation obtained from our newspapers, Radio Station WHEP and others in helping to promote scouting in Baldwin County.

J. L. Hubbard, Scout Executive of Mobile Area Council, Boy Scouts of America gave a brief account of the outstanding progress Baldwin District is making in Scouting. He urged everyone to give

Mansfield Products

PHONE 5-7290

940 SIXTY-FIFTH STREET

DES MOINES, IOWA

Oct 4-1953

Editor Fairhope Courier:

IN a very recent issue of the Courier A local news

item gives the information that the city of Fairhope has completely

exhausted the funds derived from the sale of sewer bonds and that owners

of local property desiring the use of a sewer will now have to pay the cost

of extensions out of their own pocket in addition to having borne the cost

of sewer bonds during the past years This situation seems difficult to

understand if the item is correctly understood by the writer. Is it possible

That the returns from the sewer bonds were spent without to any survey of

the needs of those who had to pay for them. IF so why was this done, didnt

any one on the city council know that a time was coming when the people who

had helped pay for those bonds would have to have a sewer as well as those

who were yelling for the sewer as soon as installed. IF they did know that why
did the council not charge a connectional fee in the beginning of the use

of a sewer and repay this to the sewer fund so that the sewer fund would

have sufficient money to stretch out to those who had paid but would apply

later. What sort of administration is this that the city now comes

up with no money to supply sewer to those who have paid for them in the

understanding that the sewer would be available when needed. Was no real

engineers survey made before the bonds were issued, if so what has become of it

and where is the chart showing how that money would reach. Such procedure

is a little short of pocket picking. Are there any civic minded men in

Fairhope sufficiently interested to see that those who buy lots are given

a square deal on paving and sewer. IF there are such why are they not on the

council where they can have a voice in such procedure.

IN the matter of administration let me add that it is indeed strange that

the city of Fairhope has to hire a city manager at a salary of around About

1.10 per person for every one who lives within its confines. At this rate the

City of Des Moines would pay about \$2,000,000 per year for a city manager

*h.d. Read this
and then see me
Shank*

MANUFACTURERS

Sweet Pickles

Dill Pickles

Mayonnaise

Salad Dressing

French Dressing

DISTRIBUTORS

Condiments

Mustard

Vinegars

Mansfield Products

PHONE 5-7290

940 SIXTY-FIFTH STREET

DES MOINES, IOWA

OR when reduced to taxable valuations the comparison becomes all the more ludicrous. Here the city manager manages assessed valuations of over 50 times those of Fairhope for 15,000 per year. What does the taxpayer get in Fairhope in the way of administration for his dollar. If you think this has no bearing on the entrapment of industries to Fairhope, which I read about so often being the objective of the Chamber of Commerce etc. you are sadly mistaken. Those

MANUFACTURERS

Sweet Pickles

things are looked into before any intimation is made of industry being interested in locating.

Are there sufficient men interested in the city of Fairhope's welfare

Dill Pickles

to handle the city administration without a city manager? If not something is dead wrong, and dead is the right word. It looks like the city of Fairhope

Mayonnaise

was trying to own and operate a Cadillac on a own income. The city managers salary placed in the sewer fund will within a few years extend a lot of sewer to those who have paid for it. Many cities in Alabama as well as all over the U.S.

Salad Dressing

have just such administration and they have sewers too.

French Dressing

If there are not such men in Fairhope ^{then} the organization of a Fairhope taxpayers protective asso. should be made at once. This has been the answer to poor or inadequate administration in other cities. Such an organization can employ legal council to secure court orders and injunctions

DISTRIBUTORS

which will compel the proper use of public funds.

Condiments

Yours very truly
T.G. Mann

Mustard

Vinegars

Nov. 6, 1953

Mr. Brad Niemeyer, City Manager
City of Fairhope, Alabama

Dear Mr. Niemeyer:

Your letter of October 27 was read to our council at its regular meeting, Nov. 5 and was laid on the table for future consideration.

We wish to assure you and the City Council that such action was not due to any consideration that requested improvements on Magnolia Ave. and Johnson St. are not needed or that your request was in any manner inappropriate. In withholding its immediate favorable action on the City Council's request consideration was given to the lateness of the season and to the very considerable cash payment of taxes we must make between now and the end of the year.

We also wish to advise you that immediate approval was withheld from the proposed paving of the alley back of the postoffice and the proposed diagonal parking area on the south side of Fairhope, Avenue west of Church St. Considerations leading to this action were, in addition to the foregoing, the anticipation that these small projects can be included in a larger 1954 program of street improvement and thus be accomplished with greater economy.

We trust that you, the mayor and the members of the City Council will appreciate our present position in this matter. We believe we can assure you of our cooperation in securing both these and additional improvements early next year.

Respectfully yours,

Secretary

C. B. NIEMEYER, CITY MANAGER

MARIE MOORE, CLERK

FLOYD PHILLIPS, CHIEF OF POLICE

CITY OF FAIRHOPE

PHONE 4791

FAIRHOPE, ALABAMA

"On Beautiful Mobile Bay"

T. J. KLUMPP, MAYOR

ALDERMEN:

M. O. BERGLIN

L. E. BLATCHFORD

R. C. "DICK" MACON

J. DUPREE MASON

E. B. OVERTON

WATER AND SEWER BOARD

R. ROY MOYERS, CHAIRMAN

L. A. BERGLIN, SR.

ARTHUR MANNICH

J. E. GOODEN

WILLIAM RUFFLES

GEORGE DYSON, SUPT.

October 27, 1953

Fairhope Single Tax Corporation
Fairhope, Alabama

Gentlemen:

At the regular meeting of the Fairhope City Council on October 26, 1953 the matter of installing concrete sidewalks and widening paving on Johnson and Magnolia between Section and Bancroft was discussed and the Council would like to go on record as requesting the Fairhope Single Tax Corporation to authorize or proceed with this work as soon as possible.

Very truly yours,

CITY OF FAIRHOPE


City Manager

April 11, 1953

Mayor T. J. Klumpp and Councilmen
City of Fairhope

Gentlemen:

As directed by Chairman Dick Wagon, of the civic center or gymnasium committee appointed by you, I make the following report:

I believe I attended all meetings of which I received notice and participated in the general discussion of the problem submitted to the committee. At our first meeting, as I recall, most of the committee considered that the securing of a building suitable for a civic center could not be considered at this time.

The general opinion appeared to be that the most vital and immediate need is for a public school gymnasium and the problem of supplying such a building, its size, location and cost was quite thoroughly discussed. The conclusions reached were that a building at least 100 ft. x 120 ft. is needed, that it should be located on the public school grounds or adjacent thereto, and that the minimum present cost with barest necessities would be between \$30,000.00 and \$40,000.00.

The principle points of disagreement developed in a proposal for financing such a building. It being reported that there is no present prospect of the school authorities providing the needed building consideration was given to the feasibility and propriety of the City of Fairhope providing the necessary finances.

It is my opinion that the City cannot properly, and I question whether it can legally use City funds to build a gymnasium for a consolidated school that serves a population that is largely outside the corporate limits of the City. While consideration was given to a conveyance by the school to the City of land for its erection of the building it would and must be for all practical purposes a school building and should be, if it is to serve its primary purpose, under the supervision of the school authorities.

It is my further opinion that the City cannot, at this time afford to use its limited credit to build such a building.

Our city is expanding so rapidly that municipal expenses must be expected to increase more rapidly than can revenue from existing sources. I am sure you are all well aware and concerned with the increase in municipal expenses and with the present very high cost of building.

In support of my objection to the City doing anything at the present time I wish to call attention to the fact that we have a new administration in Washington that has pledged itself to the elimination of the existing inflation that accounts for present high building costs. I also wish to call attention to proposals of the Alabama Chamber of Commerce reported in yesterday's Mobile Register which if adopted by the state legislature could lead to an increased ad valorem tax revenue for the school district, the municipality and the county. Favorable action on this proposal may well make it possible for the school to provide its own building as it should.

Respectfully yours,

Copy to:

Dick Macon

M. O. Berglin

E. B. Overton

J. D. Mason

L. E. Blatchford

City Manager C. B. Niemeyer

Nov. 21, 1952

Mr. C. B. Niemeyer,
City Manager,
City of Fairhope.

Dear Mr. Niemeyer:

At our Colony council meeting Thursday night the matters brought up at the joint meeting of our councils Monday night were further discussed. While no action was taken you probably should be informed of indications.

A majority appeared to consider that the criticism of the projecting curbs at the intersections is unfounded and that they are desirable both for protection of pedestrians at street crossings and as reasonable regulators of traffic at intersections. They did not therefore consider that the Colony should be expected to pay for their removal should the City council so decide.

With respect to the sidewalks the indication was that a concrete sidewalk on the east side of Church St. between Fairhope Ave. and De La Mare St. might be favored, but that asphalt sidewalks would be favored elsewhere. Present consideration is to have five foot sidewalks where diagonal parking is contemplated and four foot sidewalks elsewhere. Contract prices are \$4.05 on concrete and \$1.45 on asphalt, per sq. yd.

It is expected that, subject to a settlement of the existing controversy, the work can be proceeded with as quickly as the City's road crew can prepare the subgrade for the sidewalks. To avoid further misunderstanding it would probably be well for the City council to determine whether the sidewalk proposals are acceptable and where they contemplate having provision for diagonal parking.

Very truly yours,

Secretary.

ELECTRIC BILLS IN U. S.
AND IN ALABAMA CITIES

The Federal Power Commission compiles an annual report on the charges for electricity to residential users in the United States. In the 1951 report we were interested to see how Fairhope's rates compare with others.

In a comparison of national averages for cities having populations of 2500 or more Fairhope's charge for 25 KWH, \$1.45 is higher than the average, \$1.29. Fairhope customers using 100 KWH are slightly better off than the average, the Fairhope charge being \$3.61 and the national average \$3.74. The same is true where the customer uses 250 KWH. In Fairhope the cost is \$6.23 and the national average, \$6.95.

In the nation's cities of 2,500 to 10,000 population the lowest costs in the nation for 100 KWH, \$2.00, charged by eight cities in the TVA districts in Alabama, Mississippi and Tennessee. The highest, \$7.25 is in Canadian, Texas. The lowest charge for 250 KWH, \$3.50 is charged in the same eight TVA cities. For 500 KWH Forest Grove, Oregon is lowest with a charge of \$5.00. In the eight TVA cities the charge is \$5.10. The highest is in Etna, Pa. where the cost is \$24.08. Fairhope's charge for 500 KWH is \$9.98.

The report lists 79 cities in Alabama with populations of 2,500 or more. With these Fairhope's rates compare less favorably and rank it with the twelve cities having the highest rates in the state. Our charge of \$1.04 for 15 KWH is exceeded only by Lanett's \$1.30 and Dothan's \$1.25. Fairhope's charge of \$1.45 for 25 KWH is exceeded by Dothan, \$1.85, Lanett, \$1.75, Sylacauga, \$1.58 and Alexander City, \$1.50. Andalusia, Brundige, Elba, Opp and Troy charge the same for 25 KWH as does Fairhope. Our showing is somewhat better in the 40 KWH bracket. Exceeding our charge of \$2.07 are Dothan, \$2.55, Lanett, \$2.42, Alexander City, \$2.25, Sylacauga, \$2.21, and Andalusia, Brundige, Elba, Opp and Troy, \$2.13. Cities exceeding Fairhope's charge of \$3.61 for 100 KWH are Alexander

City, \$4.75, Dothan, \$4.55, Lanett, \$4.47, Opelika and Sylacauga, \$4.00 and Piedmont, \$3.80. Fairhope's charge for 250 KWH, \$6.23, is exceeded by the same six, Alexander City, \$7.55, Lanett, \$7.47, Dothan, \$7.30, Sylacauga, \$7.07 Opelika, \$6.75 and Piedmont, \$6.40. Fairhope gets near the top with its charge of \$9.98 for 500 KWH. Charging more are Alexander City, \$11.30, Sylacauga, \$11.09 and Lanett, \$10.78.

In all of the above the electric service is owned and operated by the city. Only Lanett is higher than Fairhope in all brackets. Alexander City and Sylacauga are lower than Fairhope only with their \$1.00 charge for 15 KWH, while Dothan is lower only with its \$9.55 for 500 KWH. Andalusia, Brundige, Elba, Opp and Troy are lower than Fairhope with their charges of \$1.00 for 15 KWH, \$3.58 for 100 KWH, \$6.08 for 250 KWH and \$8.58 for 500 KWH. Opelika shades Fairhope with its charge of \$1.00 for 15 KWH, \$1.40 for 25 KWH, \$2.00 for 40 KWH and \$9.00 for 500 KWH. Piedmont charges the same as Opelika for 15 KWH, 25 KWH and 40 KWH but goes up to \$9.40 for 500 KWH.

Other municipally owned services not having contracts with the Tennessee Valley Authority are at Evergreen and Tuskegee. In all brackets their rates are lower than Fairhope. They are as follows: Evergreen, 15 KWH, \$1.00, 25 KWH, \$1.30, 40 KWH, \$1.92, 100 KWH, \$3.55, 250 KWH, \$5.92, and 500 KWH, \$8.75; Tuskegee, 15 KWH, \$1.00, 25 KWH, \$1.20, 40 KWH, \$1.80, 100 KWH, \$3.50, 250 KWH, \$6.00 and 500 KWH, \$8.50.

Cities with municipally owned systems having service contracts with the Tennessee Valley Authority have the lowest rates. Of these the lowest are Decatur, Guntersville and Hartselle, 15 and 25 KWH, \$0.75, 40 KWH, \$0.80, 100 KWH, \$2.00, 250 KWH, \$3.50 and 500 KWH, \$5.10. Florence is the same except that it charges \$5.25 for 500 KWH. Next are Athens, Cullman, Fort Payne and Scottsboro, 15 KWH and 25 KWH, \$0.75, 40 KWH, \$1.00, 100 KWH, \$2.25, 250 KWH, \$4.13 and 500 KWH, \$6.03. Higher, except for the 15 and 25 KWH brackets are Albertville, Bessemer, Huntsville,

Russellville, Sheffield, Tarrant City, and Tuscumbia. In Bessemer the charge for 15 KWH is \$0.70. Other charges are, 40 KWH, \$1.20, 100 KWH, \$2.50, 250 KWH, \$5.00 and 500 KWH, \$6.90. The last and highest of the TVA cities is Boaz, 15 KWH and 25 KWH, \$1.00, 40 KWH, \$1.60, 100 KWH, \$3.50, 250 KWH, \$6.00 and 500 KWH, \$7.90.

The remaining Alabama cities depend for service on the Birmingham Electric Co. and the Alabama Power Co. Both have charges lower than Fairhope in all brackets. Except for the 250 KWH and 500 KWH brackets the Birmingham Electric Co. rates are the lower.

It has the lowest charge in the state for 15 KWH, \$0.70. Other charges are 25 KWH, \$0.81, 40 KWH, \$1.30, 100 KWH, \$2.75, 250 KWH, \$6.13, 500 KWH, \$9.75. The cities served are Bessemer, Birmingham, Fairfield, Homewood, Lipscomb, Mountain Brook and Tarrant City, all in a rather small area.

The greater part of the state is served by the Alabama Power Co. with rates as follows: 15 KWH, \$0.75, 25 KWH, \$0.94, 40 KWH, \$1.50, 100 KWH, \$3.10, 250 KWH, \$5.60 and 500 KWH, \$8.10. Cities served are Aliceville, Anniston, Atmore, Attalla, Auburn, Bay Minette, Brewton, Chickasaw, Childersburg, Clanton, Cordova, Crichton, Demopolis, Dolomite, Enterprise, Eufaula, Fayette, Florala, Gadsden, Geneva, Greenville, Haleyville, Homewood, Jackson, Jacksonville, Jasper, Leeds, Marion, Mobile, Monroeville, Montgomery, Mountain Brook, Northport, Oneonta, Ozark, Phenix City, Prattville, Pricard, Roanoke, Selma, Talladega, Tuscaloosa, Union Springs, Westfield, Wetumpka and Whistler.--CAG

City Council Proceedings

STATE OF ALABAMA
COUNTY OF BALDWIN

The City Council of the City of Fairhope met in regular session at the City Hall, Monday, January 23, 1961 with the following members present: Mayor Joe Schneider, Councilmen: Boone, Gaston, Nelson, Poser and Schermer.

The minutes of the previous regular meeting were read and corrected to read that the City use services of Marx and Co., as their fiscal agent for a four year period ending January, 1965.

Motion by Councilman Schermer seconded by Councilman Nelson that the minutes be approved as corrected. Motion carried.

Members of the Elks Club met with the Council concerning the 5% liquor tax. Taken under advisement until next meeting of the Council.

Mr. Huet requested that the City accept streets in Huet subdivision. The Mayor appointed Councilman Boone and George Dyson to make inspection of streets and report to Council.

On motion by Councilman Boone seconded by Councilman Gaston Ordinance No. 275 was introduced and read to the meeting.

ORDINANCE No. 275
AN ORDINANCE REGULATING THE KEEPING OF BARKING DOGS WITHIN THE CITY OF FAIRHOPE, ALABAMA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, AS FOLLOWS:

SECTION 1. The owner of any dog in the City of Fairhope who allows same to be a nuisance by barking or creating offensive odors or unsanitary conditions shall be punished by a fine of not more than Fifty Dollars (\$50.00). The Police of the City of Fairhope shall take action against anyone charged with violation of this Ordinance by any parties so annoyed.

This Ordinance shall go into effect within thirty (30) days after its passing.

Adopted this _____ day of _____ 1961.

Joe Schneider, Mayor

Marie Moore, City Clerk

On motion by Councilman Boone seconded by Councilman Gaston Ordinance No. 276 was introduced and read to the meeting.

AN ORDINANCE REGULATING THE KEEPING OF DOGS WITHIN THE CITY LIMITS OF FAIRHOPE AND PROVIDING FOR THE PUBLIC HEALTH AND SAFETY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, AS FOLLOWS:

SECTION 1. When used in this Ordinance, the following words and phrases shall have the meanings given to them by Code of Alabama, recompiled, 1958, Title 22, Section 105: (a) "Dog" (b) "Person" (c) "Inoculation against rabies." The words "at large" shall be intended to mean off the premises of the owner and not under control by leash, cord, chain or otherwise. The word "dog Catcher" or "pound keeper" shall include all agents or assistants of the City that have been delegated to control dogs.

SECTION 2. No owner of any dog shall permit said dog to run at large at any time within the corporate limits of the City of Fairhope.

SECTION 3. If the owner of a dog carelessly manages the dog or permits it to go at large, and another person, without fault on his part, suffers damages thereby, such owner shall be liable for such damages.

SECTION 4. It shall be the duty of every Police officer of the city, upon discovering a dog running at large within the City, to promptly notify the City dog catcher. It shall be the duty of the dog catcher when so notified, or whenever he observes any dog running at large, to immediately take such dog in his possession and confine it in the City Pound, and if said dog is licensed by the City of Fairhope, to notify the owner of said dog.

SECTION 5. If said dog exhibits pronounced symptoms of rabies, or if the dog has bitten anyone, the pound keeper shall notify the Department of Public Health in Baldwin County, Alabama, and impound said dog in accordance with the instruction from the Department of Public Health, until it is determined whether or not said dog has rabies. If said dog has rabies, it is to be destroyed; if it does not have rabies, the pound keeper is to allow said dog to be redeemed as hereinafter set out, and if it is not redeemed, he is to destroy said dog.

SECTION 6. The owner of any

impounded dog may within forty-eight hours after said dog is impounded redeem the dog by paying to the Clerk of the City of Fairhope, the sum of Two Dollars and Fifty Cents (\$2.50) for the impounding, and Fifty Cents (50c) a day for the keep of said dog, and by securing a City License and exhibiting evidence that said dog has been inoculated against rabies.

SECTION 7. In the event the impounded dog is not redeemed within seventy-two (72) hours after same is impounded and said dog does not bear a current City license, or, if after seventy-two (72) hours from the time notice is mailed to the owner that his dog has been picked up and said dog bears a current City license, the pound keeper may, at his discretion, sell said dog if purchaser complies with all the provisions of this Ordinance, and such purchaser shall be vested with a legal title to the dog so purchased, or the pound keeper may destroy said dog in a humane manner, allowing a local humane society to destroy the dog if it so desires.

SECTION 8: The dog catcher of the City of Fairhope shall have the right and it shall be his duty to enter upon any property, except a private dwelling house, for the purpose of capturing any dog at large, in compliance with this ordinance.

SECTION 9. All ordinances in conflict with this Ordinance are hereby specifically repealed.

SECTION 10. This Ordinance shall go into effect within sixty (60) days after passing.

Adopted this _____ day of _____ 1961.

Joe Schneider, Mayor

Marie Moore, City Clerk

Motion by Councilman Nelson seconded by Councilman Gaston that the letter of resignation of Mr. Julius King as Public Relations Director be accepted as of January 31, 1961. Motion carried.

Motion by Councilman Schermer seconded by Councilman Boone that Ordinance No. 273 introduced at the regular meeting of January 9, 1961 be adopted as introduced.

ORDINANCE No. 273
ZONING ORDINANCE OF THE CITY OF FAIRHOPE, ALABAMA
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, that Section 32 of the Zoning Ordinance of the City of Fairhope, Alabama, (Ordinance No. 231), be amended to read as follows:

SECTION 32. CORNER VISIBILITY IN RESIDENCE AND LOCAL BUSINESS DISTRICTS. In a residence or local business district no fence, wall shrubbery, sign, marquee, or other obstruction to vision between the heights of three and one-half (3½) feet and fifteen (15) feet above street level shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of two streets or railroads or of a street and a railroad right-of-way line.

All structures on corner lots in any R, R1 or R2 district must be at least fifteen (15) feet from the

side street property line.

Accessory structure within twenty-five (25) feet of the real lot line, of a corner lot shall be set back the minimum front yard depth required on the side street.

This ordinance shall go into effect on the 23rd day of January, 1961.

CITY OF FAIRHOPE, A
Municipal Corporation

Joe Schneider, Mayor

Marie Moore, City Clerk

Upon being put to vote the following vote was recorded: Voting for: Councilmen Boone, Gaston, Nelson, Poser and Schermer. Voting Against: None The Mayor thereupon declared the Ordinance duly adopted.

Motion by Council Schermer seconded by Councilman Boone that Ordinance No. 274 introduced at the regular meeting of January 9, 1961 be adopted as introduced.

ORDINANCE No. 274

ZONING ORDINANCE OF THE CITY OF FAIRHOPE, ALABAMA
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE., that the Zoning Ordinance of the City of Fairhope, Alabama, (Ordinance No. 231), be amended by adding Section 73, which shall read as follows:

"SECTION 73. REPEALING CLAUSE. All ordinances of the City of Fairhope, Alabama, in conflict with this Zoning Ordinance, as amended, are hereby expressly repealed."

This Ordinance shall go into effect on the 23rd day of January, 1961.

CITY OF FAIRHOPE, A
Municipal Corporation

Joe Schneider, Mayor

Marie Moore, City Clerk

Upon being put to vote the following vote was recorded. Voting For: Councilmen Boone, Gaston, Nelson, Poser and Schermer. Voting Against: None. The Mayor thereupon declared the Ordinance duly adopted.

Mayor Schneider made the following appointments to the Fairhope Harbor Board: Mr. Charles F. Belew for a period of two years and Mr. Joe Hipsh for a period of one year.

Two bids were received on fire equipment, Midwest Fire and Safety Equipment and Walter Kidde Sales and Service. Motion by Councilman Nelson seconded by Councilman Gaston that City accept low bid of Midwest Fire and Safety Equipment Company. Motion carried.

Motion by Councilman Schermer seconded by Councilman Boone that the following Resolution be adopted: Motion carried.

BE IT RESOLVED BY THE CITY OF FAIRHOPE that the City install water main to Coleman and Pleasant Streets.

The following three bids were received for sewer installation in the Fairwood Section:

Campbell Construction
Engineers, Inc. \$6,307.50
W. R. Mitchell, Contractor 4,293.50
Fairhope Paving Co. Inc. 2,718.75

Motion by Councilman Gaston seconded by Councilman Poser that

the City accept low bid of Fairhope Paving Company, Inc. Upon being put to vote the following vote was recorded. Voting for: Councilmen: Gaston, Nelson, Poser and Schermer. Voting Against: None. Councilman Boone not voting. Motion carried.

It was duly moved and seconded that the meeting adjourn. Motion carried.

Approved _____
Mayor

Attest: _____
City Clerk

City of Fairhope

ORDINANCE NO. 254

An Ordinance to determine upon, order and authorize the improvement of portions of certain streets, avenues, alleys, highways and other public places within the corporate limits of the City of Fairhope, Alabama, by filling, clearing, grading, leveling, graveling, paving, side-walking, curbing, guttering, draining and the construction of storm water sewers or drains or lateral storm sewers in connection with such improvements for the purpose of properly draining the portions of streets so improved and the property abutting thereon, together with all necessary appurtenances thereto; to provide for the payment of all costs and expenses thereof by assessment against the property abutting on the portion of such streets, avenues, alleys, highways and public places so improved, drained, served, protected or benefited to the extent of the increased value thereof by reason of the special benefits derived from such improvements to describe the nature and extent of the work, the general character of the materials to be used and the location and terminal points thereof, and the streets, avenues, alleys and other highways or parts thereof embraced therein, and to define the area to be drained, served or benefited by such storm water sewer or sewers or drains and the lateral storm water sewers; to direct that full details, drawings, plans, specifications and surveys of said work and estimates to be prepared by the City Engineer; to designate the officer with whom such plans shall be filed; to designate the party under whose supervision the work shall be done and the improvements made; to provide for the publication of the ordinance and the mailing of copies thereof to the persons last assessing for city taxation the property which may be assessed for said improvements; to fix and appoint a time for and to authorize the holding of a meeting of the Council to hear objections to said improvements, and to give to this ordinance an official designation.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, AS FOLLOWS:

Section 1. That it be and hereby is determined upon, ordered, and authorized by the City Council of the City of Fairhope, Alabama, that the City of Fairhope, Alabama design or cause to be designed contract for execute and cause to be executed, improvements to and on the following streets, avenues, alleys, highways and other public places within the corporate limits of the City of Fairhope, Alabama, viz:

1. Grand Avenue from present paving to North Mobile Avenue.
2. Liberty Street from Pecan to Nichols.
3. Pier Street from Church to Pomele.
4. Kumquat Street from Pier to dead end.
5. Sea Cliff Drive from City limits South.
6. Gayfer-Bon Secour to Greeno.
7. Gayfer Court-Section Street west.
8. Satsuma-Nichols to Pier.
9. Fig-Mobile Avenue East to City Limits.
10. N. Mobile Avenue-Grand to Pensacola.
11. Pinecrest-Church Street west to present paving.

Including all streets, avenues,

and alley intersections and public place;

all as per plats filed in the office of the Judge of Probate of Baldwin County, Alabama, by clearing, filling, grading, leveling, graveling, paving, sidewalking, curbing, guttering, draining and the construction of storm water sewers or drains, or lateral storm sewers in connection with such improvements or the purpose of properly draining such portions of said streets and the property abutting thereon, together with all necessary appurtenances thereto.

Section 2. That the area to be drained, served or benefited by each of such storm water sewers or drains or lateral storm water sewers to be constructed in connection with such other improvements for the purpose of properly draining said streets and the property abutting thereon, be and the same hereby is defined to be the property fronting on each portion of the streets, avenues and highways herein provided to be improved, actually drained, served or benefited by each of said storm water sewers or drains or lateral storm water sewers.

Section 3. That all of the costs and expenses of aforesaid works and improvements be assessed upon and against the property abutting on the portion of such streets, avenues, alleys, highways, and other public places so improved, served, drained, protected or benefited by such improvements to the extent of the increased value thereof by reason of the special benefits derived from such improvements, provided that for the intersections of streets, avenues, alleys, or other highways so improved the cost of improving any intersection or any part thereof, shall be assessed against the lots or parcels of land abutting on each of the streets, avenues, alleys or other highways so intersecting for a half block in each direction therefrom; provided that for the purpose of computing assessments hereunder no block shall be considered as extending more than 1,000 feet from any intersection so improved; for such sidewalk improvements, including curbing and guttering, all of the costs thereof for street and avenue corners shall be assessed against the lots abutting on or near said improvement and the entire cost of the sidewalks improvements, including curbing and guttering at the intersection of any alley with a street or avenue or other highway, shall be assessed in fair proportion against the respective lots or parcels of land abutting or cornering on the alley at such intersection; but in no case shall be assessment against any lots or parcels of land by reason of the special benefits derived from such improvement. The cost and expenses of such works and improvements shall include the expense of the preliminary and other surveys, and the inspection and superintendence of such work, printing, and publishing the notices, resolutions and ordinances required, including notice of assessment, the cost of construction, preparing bonds, interest on money borrowed during construction or on bonds when the bonds have been issued in anticipation of the collections of the assessment, and any other expenses necessary for the completion of such improvements.

Section 4. That the works and improvements herein determined upon, ordered and authorized shall be in the nature and to the extent of roadway or street paving of a bituminous surface treat-

ment on a prepared sand clay base, including all necessary intersections and street corners; storm water sewers or drains to the extent necessary to properly drain such portions of said streets to be improved hereunder and the property abutting thereon, together with all necessary appurtenances and filling, clearing, grading, leveling, draining and graveling.

Section 5. That the general character of the materials to be issued for such works and improvements shall be as follows: Pavement of streets with an asphalt shell wearing surface, 2 ft. min. concrete rolled curb and gutter, 20 ft. driving surface on a prepared sand clay base.

Section 6. That all of the work to be done and the improvements to be made hereunder shall be done and made under the supervision of the City Engineer of the City of Fairhope, Alabama, being hereby appointed for that purpose by the Council.

Section 7. That the said City Engineer, hereby is directed to prepare full details, drawings, plans, specifications and surveys of said work and estimates thereon and thereof which shall be when completed placed on file not later than two weeks prior to the date of the meeting of the City Council hereinafter provided for, in the office of the City Clerk of the City of Fairhope, Alabama, where property owners who may be affected by such improvements may see and examine the same.

Section 8. That this ordinance be published once a week for two consecutive weeks in the Fairhope Courier, a newspaper published in the City of Fairhope, Alabama, and that a copy thereof be sent by registered mail, postage prepaid, to the persons last assessing for city taxation the property which may be assessed for said improvements, at their last known addresses, said notices to be so mailed not less than ten days before the meeting of the Council provided for in the next succeeding section.

Section 9. That the City Council of the City of Fairhope, Alabama, meet at 7:30 o'clock p. m. in the City of Fairhope, Alabama, at the office of the City Clerk thereof, on the 18th day of August, 1958 for the purpose of hearing and at which time it will hear any objections or remonstrances that may be made to said improvements, the manner of making the same, or the character of material or materials to be used.

Section 10. That this ordinance is hereby termed and designated shall be known and may be cited as the "Street Improvement Ordinance of the City of Fairhope, Alabama."

Duly adopted by the City Council of the City of Fairhope, Alabama, at regular meeting thereof held the 14th day of July, 1958.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE:

That Section 9 of ordinance number 254 adopted on the 14th day of July, 1958, be and the same is hereby amended to read as follows:

SECTION 9: That the City Council of the City of Fairhope, Alabama, meet at 7:00 o'clock p. m. on the 8th day of September, 1958, at the City Hall for the purpose of hearing, and at which time it will hear, any objections or remonstrances that may be made as to the street improvement, the manner of making the same, or the character of materials to be used.

Approved: E. B. Overton
Mayor

Attest: Marie Moore
City Clerk

Ordinance No. 256 City of Fairhope

An Ordinance Regulating The Improvements of Streets in the Corporate Limits of The City of Fairhope

WHEREAS, the Planning Commission of the City of Fairhope has heretofore adopted certain regulations governing the subdivision of land within the jurisdiction of said Planning Commission, and which said regulations contain certain requirements concerning the improvement of streets within the corporate limits of the City of Fairhope, namely, that roadways in subdivisions within the limits of the City of Fairhope shall be provided with paving, curbing and guttering, all of which shall comply with the specifications of the regulations, and, said regulations further provide that no street, except parallel service streets and cul-de-sacs, shall have a paved width of less than twenty feet; and,

WHEREAS, the Members of the Council of the City of Fairhope deem said regulations of the Planning Commission to be reasonable, and necessary for the purpose of promoting the health, safety, and general welfare of the taxpayers and citizens within the City of Fairhope;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, AS FOLLOWS:

Section One: That henceforth all streets within the City of Fairhope that are to be improved by any person, firm, corporation, or any governing body, by providing a paving, shall be provided with a paving, curbing and guttering which said paving shall be not less than twenty feet in width, and which curbing and guttering shall be of concrete construction; that all such improvements shall meet with the minimum requirements as set forth in specifications of the regulations established. When any street within the City of Fairhope is improved by providing a pavement and curbing and guttering, such streets shall also be provided with adequate underground drainage facilities to provide for the drainage of surface waters.

Subject "A": Paving Specifications
Alternate No. 1 1/2" Asphalt wearing course, 5" compacted cement shell base.

Alternate No. 2 1 1/2" Asphalt wearing course 6" compacted plain oyster shell base.

Alternate No. 3 1 1/2" asphalt wearing course 8" compacted sand shell base.

Alternate No. 4 1 1/2" Asphalt wearing course compacted sand clay base.

NOTES:
CONCRETE: Concrete shall be a 1:2:3 1/2 mix and shall have 3000 pounds per square inch compressive strength in 28 days. Cylinders shall be made and broken at 7 & 28 days.

The Contractor may be required to remove and replace, at no expense to the City, any concrete not meeting the specifications. Valley type gutter and combination curb and gutter shall have 1/2" expansion joints 30' on centers and contraction joints 10' on centers.
BASE: In no case shall clay base (Alternate No. 4) be used until the site of the work has been inspected by the City Engineer or authorized agent to see if through drainage of the sub-grade can be obtained.

Sand Clay shall meet Alabama State Highway Department Specifications 1950.

The Contractor or sub-divisor shall furnish the city engineer borings made by an approved laboratory, showing the thickness of the base. Borings to be made at distances not greater than 200' apart.

If the base is found to be less than the required depth, the street will not be accepted until the necessary corrections have been made, or the required thickness obtained as directed by the City Engineer.

Compaction of sub-grade and base courses shall meet Alabama State Highway Department Specifications (1950) except that tests shall be made at intervals not to exceed 200' apart.

The Contractor may be required to remove and replace, at no expense to the City, any base not meeting the specifications.

Asphalt Wearing Course: Asphalt surfacing shall be 1 1/2" thick after Compaction. The Contractor or Sub-divisor shall furnish the City Engineer borings, made by an approved laboratory, showing the thickness of the asphalt surfacing. Borings to be made at distances not greater than 200' apart.

If the asphalt is found to be less than the required depth, the streets will not be accepted until the necessary corrections have been made, or the required thickness obtained as directed by the City Engineer.

The Contractor may be required to remove and replace, at no expense to the City, any asphalt not meeting the specifications.

Street Markers: City Standard reinforced concrete street markers shall be furnished and erected by owner.

Concrete Monuments: Concrete monuments shall be set according to City Planning Commission Regulations.

Testing Laboratory: The Owner shall employ an approved testing laboratory to make tests. This will in no way keep the City engineer

from making any additional tests he may deem necessary.

Drainage and Street Plans: Drainage and street plans shall be prepared by a licensed and registered engineer. The engineer shall furnish the city engineer a set of proposed street improvement plans for approval before any work is started on the streets. Before the streets are accepted by the City for maintenance the engineer shall furnish the city engineer a corrected set of plans showing any changes made during construction of the streets.

Drainage: All pipe shall meet A. S. T. M. Standards for the grade and class of pipe used.

Where the grade of a pipe is less than 0.5% sand traps 2' deep shall be constructed in manholes, junction boxes or inlets at both the upper and lower end of the pipe.

General: The sub-divisor must furnish the city engineer copies of all test reports made by the laboratory.

Streets will not be accepted by the City for maintenance until all requirements have been met.

"ATTACH DRAWINGS HERE"

Section Two: The construction of improvements upon any street within the City of Fairhope, not in compliance with any provisions of this ordinance, is hereby declared to be a public nuisance.

Section Three: Whenever any street within the City of Fairhope has a right-of-way of insufficient width to allow the construction of improvements, thereon in compliance with the provisions of this ordinance and the specifications of the City Paving and Street Regulations, then the person, firm, corporation or governing body proposing to make improvements thereon may make application to the City Governing Board of the City of Fairhope for the right to construct improvements upon such street to a width of less than the minimum prescribed therein, and should the Council find that it is impossible or impractical to obtain additional rights-of-way for said street then they may authorize the construction of the paving, curbing, and guttering, and underground drainage, in such fashion as to adequately serve the needs of the public, but of less than the minimums herein prescribed because of such unusual circumstances.

Section Four: Subdivision Regulations

The following rules and regulations for the platting and subdivision of property in the City of Fairhope or within the subdivision jurisdiction of the Fairhope City Planning Commission in accordance with the Laws of the State of Alabama, Title 37, Chapter 16, Subdivision Two (2), Sections 799-803 inclusive, Code of Alabama, 1940, are hereby prescribed.

Section Five: Purpose. The purpose of these rules and regulations shall be to promote (a) the public health, safety and general welfare (b) the orderly growth and development of the City and lands contiguous thereto, (c) the proper use of land, (d) the conservation stabilization and protection of the value of property, and (e) adequate provisions for necessary utilities and services. Variations and exceptions from the design and dimensional standards of these regulations may be made by the Planning Commission in cases where it is deemed that hardship, topography, or other factual deterrent conditions prevail.

Section Six: Definitions. For the purpose of these regulations certain words and phrases used herein are defined as follows:

Alley—A public right-of-way, less than twenty-one (21) feet in width between rear or side property lines, which provides access to adjacent properties.

Crosswalkway—A public right-of-way, ten (10) feet or more in width between property lines which provides pedestrian access to adjacent properties.

Cul-De-Sac—A minor street having one end open to traffic and being terminated at the other end by a vehicular turnaround.

Easement—The quantity of land set aside or over which a liberty privilege or advantage in land without profit, existing distinct from the ownership, is granted to others or the public.

Final Plat—A map of the land subdivision prepared following the approval of the Preliminary Plat, on which are shown those data listed in Section Eleven.

Improvements—Street surfacing with curb and gutters, sidewalks, crosswalkways, water mains, sanitary sewers, storm sewers, utilities, street trees and other appropriate items.

Land Subdivision—Any change, redivision or rearrangement in the boundary or division lines of a parcel of land or public street.

Lot—A portion of a subdivision intended as a unit for transfer of ownership or for development.

Major Street Plan—A part of the Master Plan showing location and size of principal trafficways.

Planting Strip—A strip of land between the roadway and the sidewalk or sidewalk side.

Preliminary Plat—A map of a proposed land subdivision on which are shown those data listed in Section Ten.

Roadway—The portion of a street available for vehicular and pedestrian access to adjacent properties.

Minor Street—A street or great continuity, existing or planned, which serves or is intended to serve as a principal trafficway, and is designated in the Major Street Plan as a limited access highway, major street, or other equivalent term to identify those streets

comprising the basic structure of the street plan.

Secondary Street—A street of considerable continuity, existing or planned, which serves or is intended to serve as the principal trafficway between separated areas and which is the chief means of access to the major street system.

Minor Street—A street of limited continuity, existing or planned, which serves or is intended to serve the local needs of a neighborhood.

Subdivider—Any person laying out or making a land subdivision for the purpose of first sale, offering for first sale or first selling, or otherwise granting or conveying for himself or others any lot in any subdivision or part thereof.

Section Seven: General Requirements

1. A vicinity sketch or key map at a scale or not more than four hundred (400) feet to the inch shall accompany the Preliminary Plat and on such key map shall be shown all existing subdivisions, streets and tract lines of acreage so designated in the Major Street Plan, such part of such proposed public way shall be platted by the subdivider in the location and of the width indicated in the Major Street Plan.

2. The proposed subdivision shall conform to the Master Plan. Whenever a tract of land to be subdivided embraces any part of a Major Street or Secondary Street, such part of such proposed public way shall be platted by the subdivider in the location and of the width indicated in the Major Street Plan.

3. The street layout of the proposed subdivision shall be in conformity with a plan for the most advantageous development of the entire area in which the subdivision is located. All proposed streets shall be substantially in alignment at the intersection with existing, planned or platted streets with which they are to connect.

(a) Whenever the proposed subdivision contains or is adjacent to a main highway or major street as shown on the Major Street Plan, provision shall be made for a parallel service road on each side of such right-of-way and separated from such right-of-way by a strip at least ten (10) feet wide. Separation strips shall be provided with screen planting to give protection from the noise and lights of the major street; such planting shall be low at intersections to permit clear vision.

(b) Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.

(c) Secondary streets shall be extended to the boundary line of the tract to be subdivided sufficiently to provide for normal circulation of traffic within the vicinity.

(d) Wherever there exists a dedicated or platted half street or alley adjacent to the tract to be subdivided the other half shall be platted. No new half streets or half alleys shall be platted.

(e) Paved rear alleys will be required in all business and industrial districts. Except where justified by unusual conditions alleys will not be approved in residence districts.

(f) Cul-de-sacs shall not exceed six hundred (600) feet in length except where geography, topography, or other relation to the street and block layout of the immediate vicinity make greater length necessary. Each cul-de-sac shall be provided with a turnaround not less than eighty-four (84) feet in diameter of right-of-way at the closed end.

(g) In front of areas zoned or designated for commercial use, the street width shall be increased on the side on which the property for commercial use is located by fifteen (15) feet to insure the free flow of traffic with out interference by vehicles entering or leaving parking areas; such space shall be separated from the roadway by a curb or island. This is not a parking space requirement and shall in no way affect or diminish requirements by zoning ordinance or otherwise for off-street parking facilities; neither shall fulfillment of this requirement and its acceptance by the Planning Commission be deemed approval or endorsement of the rezoning of any property.

(h) In group housing or multiple-family housing projects having more than two (2) families for each sixty (60) feet of street frontage there shall be provided indent spaces for off-street parking with one (1) parking space for each housing unit.

4. A crosswalkway at approximately the center of the block may be required in blocks longer than eight hundred (800) feet. Where the proposed subdivision has frontage on a major street, insofar as possible the long dimension of the blocks shall front thereon.

(5) Minimum street and alley widths:
(a) Major Streets, as indicated by the Major Street Plan not less than one hundred (100) feet.
(b) Secondary Streets, not less than sixty (60) feet.

(c) Minor Streets (including cul-de-sacs) which cannot be extended in the future, not less than fifty

(50) feet.
(d) Parallel service streets not less than thirty (30) feet.
(e) Alleys not less than twenty (20) feet.

(f) Crosswalkways not less than ten (10) feet.

6. Minimum roadways or paved widths:

(a) Major Streets, as indicated by the Major Street Plan, Paving and other improvements to Major Streets, Boulevards, Parkways are not required of subdivider.

(b) Secondary Streets thirty-six (36) feet.

(c) Minor Streets Twenty-six (26) feet.

(d) Parallel Service Streets and cul-de-sacs greater than four hundred (400) feet in length, eighteen (18) feet.

Parallel Service Streets and cul-de-sacs greater than four hundred (400) feet in length twenty (20) feet.

(e) Cul-de-sac turnarounds seventy-two (72) feet outside diameter, within twenty (20) foot roadway.

(f) Sidewalks four (4) feet wide in residence districts and eight (8) feet wide in business districts.

7. Alignment and visibility: Clear visibility, measured along the center line, shall be provided for at least three hundred (300) feet on Major Streets, two hundred (200) feet on Secondary Streets, and at least one hundred (100) feet on Minor Streets.

8. Minimum radii of curvature on the center line:

(a) Major Streets, four hundred (400) feet.

(b) Secondary Streets, three hundred (300) feet.

(c) Minor Streets, one hundred (100) feet.

9. Tangents: Between reverse curves there shall be a tangent at least one hundred (100) feet long.

10. Intersections:

(a) At street and alley intersections curbs shall be rounded by an arc, the minimum radius of which shall be ten (10) feet.

(b) Street curb intersections shall be rounded by an arc, the minimum radius of which shall be twenty (20) feet.

(c) The foregoing minimum radii shall be increased when the smallest angle of intersection is less than sixty (60) feet.

11. Grades: Street grades shall conform in general to the terrain and shall not be less than one-half per cent (0.5%) nor more than five per cent (5%) for Major Streets and not less than one-half per cent (0.5%) nor more than ten per cent (10%) for Minor Streets.

12. Lots: The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated and shall conform to the following:

(a) Lots for residential use shall be at least sixty (60) feet wide at the building line, and not less than 8500 in R. I. and 6000 in R. Z. square feet in area.

(b) Every lot shall abut on a street.

(c) Double frontage lots, other than corner lots, will not be permitted except under unusual conditions.

(d) Side lot lines shall be approximately at right angles to the street line on which the lot faces.

13. Open space other than streets: Due consideration shall be given to the allocation of suitable areas for schools, parks and playgrounds to be dedicated for public use or reserved by deed covenants for the common use of all property owners with the proposed subdivision. In the interest of public welfare, open space should be set aside for recreational uses where the city or other approved agency will assume responsibility for its upkeep. Where the tract contains less than forty (40) acres such reservation for open space shall be combined wherever possible, with similar reservations in adjoining tracts.

14. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use except when the Planning Commission approves.

15. Above-ground utilities shall be placed on rear property lines, and where necessary, on side property lines of lots in easements provided for this purpose; such easements shall be at least fifteen (15) feet wide, seven and one-half (7 1/2) feet on each side of rear or side lot lines. No building shall be allowed to encroach on this area.

16. Easements of a width satisfactory to the City Engineer shall be provided where necessary for drainage ditches or culverts.

17. Large trees and other natural features shall be preserved wherever possible because of their value, in soil conservation, health and community well-being; planting strips shall be provided with live oak or other species of trees planted approximately sixty (60) feet apart. Trees so planted shall not be of a low bushy species that would obstruct traffic vision. No tree shall be planted within forty (40) feet of the intersection property lines at a street intersection.

Section Eight: Improvement Requirements

1. All improvements shall be constructed in accordance with the specifications and under the supervision of the City Engineer Fairhope, the Superintendent of water works, the County Health Officer or other appropriate authority. Improvements required by these regulations shall be optional with the subdivider provided no lot in the proposed subdivision is less than five-tenths (0.5) acre in net area; improvements required by these regulations shall be mandatory for any subdivision having any lot less than five-tenths (0.5) acre in

net area.
2. Roadways in subdivisions in the City of Fairhope shall be provided with paving, curbing and guttering, all of which shall comply with the specifications of the City Engineer; provided, however, that where installation of the curb and gutter would not be economically justifiable for any reason, then the Planning Commission may grant an exception to the requirement of providing the curb and gutter, in which event the street right-of-way in such subdivision shall be provided with paving and drainage ditches which meet the specifications and requirements of the City Engineer.

3. Necessary facilities for drainage of roadways and for drainage of surface water in the subdivision shall be installed. Surface water shall be emptied into the city storm sewer system where such system is reasonably accessible.

4. Crosswalkways shall have paved sidewalks at least four (4) feet wide. Other sidewalks will be required on at least one side of the street in new subdivisions and where it is desirable to continue an existing sidewalk to a suitable termination point such as a street. This requirement may be waived where in the opinion of the Planning Commission the value of the property to be subdivided does not justify the cost of sidewalks. Sidewalks shall be on the property line.

5. Where a public water supply is reasonably accessible as determined by the City Engineer, the subdivider shall install a water supply system with a water connection for each lot in the proposed subdivision and shall connect such system to the public water supply.

Where a private water supply system is installed it shall be constructed in accordance with requirements and under the supervision of the City Engineer and the County Health Officer.

6. Where a public sanitary sewer is reasonably accessible as determined by the City Engineer, the subdivider shall install a sanitary sewer system with a connection for each lot in the proposed subdivision and shall connect such system to the public sanitary sewer. Where a private sanitary sewer system is installed it shall be constructed in accordance with the requirements and under the supervision of the City Engineer and the County Health Officer.

7. The location of water and sewer system connections for each lot shall be permanently marked on the curb or as otherwise required by the City Engineer.

8. Reimbursement of the subdivider by the city for installation costs of water system and sanitary sewer system improvements shall be in accordance with the then-current policy of the municipality.

9. In lieu of the completion of improvements prior to the submission of the Final Plat for approval, the Planning Commission may accept for the city a performance bond to secure to the municipality the actual construction and installation of such improvements within such time as may be specified in the Planning Commission.

Section Nine: The Preliminary Plat
1. Any application for approval of a new subdivision shall be considered an application for tentative approval unless express demand is made in writing that the application be considered for final approval. Tentative approval by the Planning Commission is revocable and does not constitute acceptance of the plat of the proposed subdivision; it is to be considered only as approval of the design thereof.

2. Before any subdivider or his agent contracts for the sale or offers to sell any subdivision of land or any part thereof or interest therein which is laid out within the corporate limits of the City of Fairhope or within five (5) miles of such limits, said subdivider or his agent shall file four (4) prints of a preliminary Plat of said subdivision with the Planning Commission for its study and review and recommendations. Such prints shall be filed with the Secretary of the Commission if the plat is to be acted upon at such meeting.

3. The Preliminary Plat shall be prepared in accordance with the regulations herein set out and shall be submitted to the Planning Commission prior to the completion of the final surveys of streets and lots and before any grading or construction work has been started upon the proposed streets and before any map or said subdivision is made in final form for advertising or recording.

4. The Preliminary Plat shall be checked by the City Engineer, the Superintendent of Water Works, the County Health Officer and the Planning Commission.

5. On receipt of reports from the City Engineer, the Superintendent of Water Works, and the County Health Officer, and on completion of its study the Planning Commission shall make a report to the subdivider of its tentative approval or disapproval giving (1) the specific changes which it will require in the Preliminary Plat, (2) the character and extent of the required improvements, and (3) the amount of the performance bond which it will require in lieu of the completion of the improvements required herein.

6. Should the subdivider not submit a Final Plat to the Planning Commission within one (1) year of the date of the approval of the Preliminary Plat, any approval of the Preliminary Plat previously given shall expire.

Section Ten: Specific Requirements of the Final Plat
1. The Final Plat shall be drawn at the scale of one hundred (100) feet to the inch.

2. The Final Plat shall show:
(a) All the information required in Section VI (a) through (1).

(b) All lot and block numbers and lines with accurate dimensions in feet and hundredths with bearings and angles to street and alley lines.

(c) The accurate location and reference of all monuments which shall be concrete blocks six (6) inches by six (6) inches and thirty (30) inches long, properly centered and sunk to grade level. Two such monuments shall be placed within each block as directed by the City Engineer.

(d) Certification of engineer or surveyor to the effect that the plan represents a survey made by him and that all monuments shown thereon actually exist as located and that all dimensional and other details are correct.

(e) Notarized certification by the owners or owner of the adoption of the Plat and the dedication of streets and other public areas.

(f) Approval by engineers signature (City Engineer and County Engineer) the Superintendent of Water Works, the County Health Officer and other appropriate authorities concerned with the specifications and inspection of utility installations and improvements.

ments for Preliminary Plat

1. The Preliminary Plat shall be drawn at the scale of one hundred (100) feet to the inch.

2. The Preliminary Plat shall show:

(a) The proposed name of the subdivision.

(b) Scale, Date, and North Point with label showing whether north point is true or magnetic.

(c) Names and addresses of the record owner and the holder of any encumbrance against the property, the subdivider, and the engineer or surveyor.

(d) The tract designation and legal description according to the real estate records of the city or county.

(e) Boundary Lines of the proposed subdivision with length and bearing of lines.

(f) The locations of any streams, water courses or drainage ditches.

(g) All parcels of land intended to be dedicated for public use or reserved in deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservations, if any.

(h) The locations, widths and names of all existing, platted or proposed streets or other public ways, easements, railroad rights-of-way, and the location of section or grant lines and political subdivision or corporation lines within or adjacent to the tract with distances and bearings to the nearest official monuments which shall be accurately described.

(i) The lengths and bearings of street center lines, with central angles, radii or curves, points of curvature, length and bearing of tangents.

(j) The profile of each street and the location of proposed bridges, culverts and other provisions for collecting and discharging surface drainage.

(k) The cross section of proposed streets showing the width of roadways location and width of sidewalks and the location of utility mains.

(l) Set-back building lines.

(m) The layout, numbers and approximate dimensions of proposed lots and blocks.

(n) Existing permanent buildings or structures within or adjacent to the tract.

(o) Contours drawn at not less than two (2) feet intervals, using City of Fairhope Standard Datum, except where not more than four (4) lots are being made of one (1) Parcel, which parcel is now facing a dedicated street of the City of Fairhope, in which event this requirement for contours may be waived by the City Engineer, if, in his judgment, such contours are unnecessary.

(p) Names of adjacent subdivisions or land tracts.

(q) The proposed location and type of street lighting standards and the location and species of proposed street trees.

3. The Preliminary Plat shall be accompanied by the following:

(a) Statement as to the source of domestic water supply to be used in the subdivision. If an independent supply is to be used the statement should be supported by reports as to quality and quantity of water available and how it will be developed.

(b) Statement as to method of sewage disposal.

(c) Statement as to street improvement which the subdivider proposes to install.

(d) Restrictions which the subdivider proposes to apply if any.

Section Eleven: The Final Plat
1. After approval of the Preliminary Plat, the Final Plat shall be prepared by the subdivider and submitted to the Planning Commission for examination and approval. It shall be submitted in the form of an original tracing on tracing cloth twenty (20) inches by thirty (30) inches or a multiple of this size, together with four (4) blueprint copies thereof.

2. Approval of the Final Plat by the Planning Commission shall be null and void if the plat is not recorded within thirty (30) days after the date of approval unless application for an extension of time is made in writing during said thirty (30) days period to the Planning Commission and granted.

Section Twelve: Specific Requirements of the Final Plat

1. The Final Plat shall be drawn at the scale of one hundred (100) feet to the inch.

2. The Final Plat shall show:
(a) All the information required in Section VI (a) through (1).

(b) All lot and block numbers and lines with accurate dimensions in feet and hundredths with bearings and angles to street and alley lines.

(c) The accurate location and reference of all monuments which shall be concrete blocks six (6) inches by six (6) inches and thirty (30) inches long, properly centered and sunk to grade level. Two such monuments shall be placed within each block as directed by the City Engineer.

(d) Certification of engineer or surveyor to the effect that the plan represents a survey made by him and that all monuments shown thereon actually exist as located and that all dimensional and other details are correct.

(e) Notarized certification by the owners or owner of the adoption of the Plat and the dedication of streets and other public areas.

(f) Approval by engineers signature (City Engineer and County Engineer) the Superintendent of Water Works, the County Health Officer and other appropriate authorities concerned with the specifications and inspection of utility installations and improvements.

(g) Space for approval of the Planning Commission with date and signature.

3. The Final Plat shall be accompanied by the following:

(a) A conveyance to the City by fee simple or by easement of land set aside for parks, playgrounds or other public use.

(b) An attached letter showing any deed restrictions to be recorded with the plat and signed by the owner and by the holder of any encumbrance against the property.

(c) Performance bond to secure to the City the actual construction and installation of utilities and improvements, if required by the Planning Commission.

(d) A check payable to the Fair

GRAND OPENING

FRIDAY, MAY 6 - 9 A.M. TO 5 P.M.

Yes, We Are Having A Grand Opening Sale Just In Time For Mother's Day and Graduation

REGISTER FOR LADIES DIAMOND RING TO BE GIVEN AWAY MAY 21st, 1960

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BARGAIN!

CANNISTERS
SET - JUMBO
4 pc. CHERRY
WOOD
REG. \$6.95 - \$4.88

SPECIAL!

STEAK KNIVES
English Sheffield
Set of 6
Reg. \$3.95 1.88

SENSATION!

TABLE CLOTHS
50 X 70
All Pure Irish Linen
Reg. \$6.95 \$4.88

TERRIFIC!

GARDEN TOOLS
3 pc. Set
Trowel, Fork, Weeder
Reg. \$1.95 all for .88

SUMMER COSTUME
JEWELRY
Necklaces & Earrings
\$3.00

SAVE UP TO 75¢ on the DOLLAR

PINKING SHEARS Reg. \$2.95 88¢

Wall Can Openers Magnetic Reg. \$2.95 88¢

EVERYBODY GETS A BARGAIN!

NATIONALLY FAMOUS MAKES INCLUDED

WATCHES

AT THE LOWEST PRICES ever OFFERED!!

*LOOK over these
Big SAVINGS!*

ELGIN

ELGIN

ELGIN

Gents 17 Jewel Water Proof, Shock Proof Life-Time Mainspring

ONLY \$14.88

ITS NOW OR NEVER FOR VALUES LIKE THESE!

BUY FOR YOURSELF; FOR INVESTMENT! Buy Now!

DIAMONDS

WERE NEVER PRICED LOWER THAN THIS!

LADIES BIRTHSTONE RINGS

\$7.88

*Stone
Set* **RINGS!**

GENTS BIRTHSTONE RINGS Heavy Shank

\$15.88

**SHOPPER
Stoppers!**

**GRAB THESE
SPECIALS!**
ONE TO A CUSTOMER

WRITTEN GUARANTEE WITH EVERY PURCHASE!

BILL FOLDS

Genuine Leather

Ladies & Gents

Reg. \$7.50 \$1.88

**FREE
GIFT!**

TO ALL
ATTENDING
THIS GREAT
SALE!!

WATCH BANDS

National Brands

Ladies & Gents

Reg. \$11.95 \$4.88

CLOSE OUT!

SILVERWARE

50 pc. Set
Stainless Steel
Reg. \$9.95 \$3.88

FEATURE!

TRAVEL IRON

Complete with travel pak
Reg. \$7.50 \$4.88

BARGAIN!

Beautiful Hand Woven
PLACE MAT
Set 8 Pcs.
4 Napkins, 4 Place Mats
Reg. \$2.50 .88

SPECIAL!

PARFUM

Moulin Rouge from Paris
Exotic import
Reg. \$5.00 \$1.88

See The 8 in 1 LUSTRA

GEM NECKLACE \$11.95

FREE

WITH EVERY *Magnolia* DIAMOND
"THE MAGNOLIA BRIDE"



"INEZ"
\$200



"THETA"
\$125

**EASY
CREDIT
TERMS**



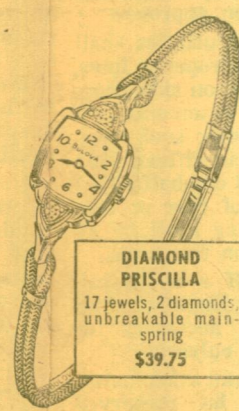
\$350 "MADRA"

Enduring brilliance and beauty will be hers forever with a Magnolia diamond ring set. Select her ring now, and give her, too, this charming Magnolia doll.

LOOK FOR THE NAME "MAGNOLIA" IN EVERY RING

BULOVA

LADIES AND MEN'S
WATCHES



DIAMOND
PRISCILLA
17 jewels, 2 diamonds,
unbreakable main-
spring
\$39.75

From \$24.75 to \$85.00

LOOK AT THIS

PEARLS

Simulated
Supreme
Quality by Chez Madeline

**JAM YOUR WAY
IN FOR ONE
OF THESE!**

In Beautiful Gift Box

Reg. \$2.50 88¢

ONE TO A CUSTOMER!

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COME IN - LET US GET ACQUAINTED

BAMA JEWELERS

HORACE AND JOYCE STOWE, OWNERS

393 FAIRHOPE AVENUE

FAIRHOPE, ALABAMA

PHONE WA 8-5349

Honorable Mayor and Council
City of Fairhope

Gentlemen:

We, the undersigned qualified voters of Fairhope, do hereby beg and petition the Mayor and Council of the City of Fairhope to revoke and eliminate the present and existing Ordinances No. 247 and 248. We strongly feel that these ordinances are inadequate and discriminatory.

We, the undersigned, favor a tax for public benefit such as improvements of parks and beaches or a municipal auditorium in conjunction with a new pier.

This tax must be carried by the general public and not isolated groups and must be set up so as not to excuse certain groups.

Any new referendum must be presented to the public 30 days before coming to a vote, with sufficient explanation as to type of tax, estimated revenue per year and specific commitment as to use of revenue. No generalities such as "recreation" or "improvements" will be considered.

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TAX PETITION

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TAX PETITION

-3-

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TAX PETITION

-4-

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TAX PETITION
-5-

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242.	271.

THIS LICENSE IS NOT TRANSFERABLE

Nº

43

This License Expires December 31, 1965

\$ 150⁰⁰

CITY OF FAIRHOPE

COUNTY OF BALDWIN

LICENSE FOR 1965

THIS IS TO CERTIFY, That Fairhope Single Tax Corporation
has deposited with the Clerk of said city, for the use of the City of Fairhope
One Hundred fifty and 00/100 DOLLARS
as required by the Ordinances of said city, adopted by the Mayor and City Council, and that
Fairhope Single Tax Corporation is therefore authorized
from and after date of this License to transact business as same
in the City of Fairhope Schedule Number # 49

Countersigned:

Dec. 9 1964

Willie Hanby Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº

39

This License Expires December 31, 1964

\$ 150.00

CITY OF FAIRHOPE

COUNTY OF BALDWIN

LICENSE FOR 1964

THIS IS TO CERTIFY, That

Fairhope Single Tax Corp.
has deposited with the Clerk of said city, for the use of the City of Fairhope

Alabama

One Hundred and fifty + no/100

DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council, and that

Fairhope Single Tax Corporation

is therefore authorized

from and after date of this License to transact business as

Corporation

in the City of Fairhope

Alabama

Schedule Number

49

Countersigned:

December 21 19 63

Leah M. Smith

Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº

18

This License Expires December 31, 1963

\$ 150 00

CITY OF FAIRHOPE

COUNTY OF BALDWIN

LICENSE FOR 1963

THIS IS TO CERTIFY, That Fairhope Single Tax Corporation

has deposited with the Clerk of said city, for the use of the City of Fairhope

One Hundred and Fifty DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council, and that

Fairhope Single Tax Corporation is therefore authorized

from and after date of this License to transact business as Corporation

in the City of Fairhope Alabama Schedule Number 49

Countersigned:

28 December 1962 E. Sanders for Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº

96

This License Expires December 31, 1962

\$ 150⁰⁰

CITY OF FAIRHOPE

COUNTY OF BALDWIN

LICENSE FOR 1962

THIS IS TO CERTIFY, That

Fairhope Single Tax Corp.

has deposited with the Clerk of said city, for the use of the City of Fairhope

One hundred fifty and no/100

DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council, and that

Fairhope Single Tax Corp.

is therefore authorized

from and after date of this License to transact business as a Corporation

in the City of Fairhope

Schedule Number

49

Countersigned:

January 24 1962

Trawick Clerk
JW

THIS LICENSE IS NOT TRANSFERABLE

Nº 99

This License Expires December 31, 1961

\$ 150.00

CITY OF FAIRHOPE

COUNTY OF BALDWIN

LICENSE FOR 1961

THIS IS TO CERTIFY, That Fairhope Single Tax Corp.

has deposited with the Clerk of said city, for the use of the City of Fairhope _____

One Hundred Fifty and ^{no} 100 DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council, and that _____

Fairhope Single Tax Corp. is therefore authorized

from and after date of this License to transact business as Fairhope Single Tax Corp.

in the City of Fairhope _____ Schedule Number 49

Countersigned:

January 12 1961

W. H. H. H. H.

Jan
Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº

122

This License Expires December 31, 1960

\$ 150⁰⁰

CITY OF FAIRHOPE
COUNTY OF BALDWIN

LICENSE FOR 1960

THIS IS TO CERTIFY, That Fairhope Single Tax Corp
has deposited with the Clerk of said city, for the use of the City of Fairhope _____
One hundred fifty & no/100 DOLLARS
as required by the Ordinances of said city, adopted by the Mayor and City Council, and that _____
Fairhope Single Tax Corporation is therefore authorized
from and after date of this License to transact business as Corporation
in the City of Fairhope _____ Schedule Number 49

Countersigned:

Feb. 8 19 60

Wilson Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº 112

This License Expires December 31, 1959

\$ 150.⁰⁰

CITY OF FAIRHOPE

COUNTY OF BALDWIN

LICENSE FOR 1959

THIS IS TO CERTIFY, That Fairhope Single Tax Corporation
has deposited with the Clerk of said city, for the use of the City of Fairhope _____

One Hundred Fifty & ⁰⁰/₁₀₀ DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council, and that _____

Fairhope Single Tax Corporation is therefore authorized

from and after date of this License to transact business as Corporation

in the City of Fairhope _____ Schedule Number 49

Countersigned:

Feb. 11 1959 Maie Moore Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº 202

This License Expires December 31, 1958

\$ 150⁰⁰

CITY OF FAIRHOPE

COUNTY OF BALDWIN

License For 1958

THIS IS TO CERTIFY, That Fairhope Single Tax Corp.

has deposited with the Clerk of said city, for the use of the City of Fairhope _____

One Hundred Fifty & 00/100 DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council on June 29, 1953,

and that Fairhope Single Tax Corp. is therefore authorized

from and after date of this License to transact business as Corporation

in the City of Fairhope _____

Countersigned:

March 17 19 58

E. J. Jancy for Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº

78

This License Expires December 31, 1957

\$ 150.00

CITY OF FAIRHOPE

COUNTY OF BALDWIN

License For 1957

THIS IS TO CERTIFY, That Fairhope Single Tax Corp.

has deposited with the Clerk of said city, for the use of the City of Fairhope One Hundred and Fifty Dollars DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council on June 29, 1953,

and that Fairhope Single Tax Corp. is therefore authorized

from and after date of this License to transact business as

Fairhope Single Tax Corp. in the City of Fairhope

Countersigned:

Jan. 26 19 57

James P. [Signature] Clerk
for

THIS LICENSE IS NOT TRANSFERABLE

Nº 90

This License Expires December 31, 1956

\$ 150.00

CITY OF FAIRHOPE

COUNTY OF BALDWIN

License For 1956

THIS IS TO CERTIFY, That

Fairhope Single Tax Corp.
has deposited with the Clerk of said city, for the use of the City of Fairhope

One Hundred Fifty & no/100 DOLLARS

as required by the Ordinances of said city, adopted by the Mayor and City Council on June 29, 1953,

and that Fairhope Single Tax Corp. is therefore authorized

from and after date of this License to transact business as

Corporation in the City of Fairhope

Countersigned:

Feb. 6 19 56

Paris Presman Clerk

THIS LICENSE IS NOT TRANSFERABLE

Nº 100

This License Expires December 31, 1955

\$ 150⁰⁰

CITY OF FAIRHOPE

COUNTY OF BALDWIN

License For 1955

THIS IS TO CERTIFY, That Fairhope Single Tax Corp.
has deposited with the Clerk of said city, for the use of the City of Fairhope
One Hundred Fifty 7⁰⁰/₁₀₀ DOLLARS,
as required by the Ordinances of said city, adopted by the Mayor and City Council on June 29, 1953,
and that Fairhope Single Tax Corp. is therefore authorized
from and after date of this License to transact business as Corporation
in the City of Fairhope

Countersigned:

Feb 7 1955

Margaret Smith ant.
Clerk

THIS LICENSE IN NOT TRANSFERABLE

Nº 65

This License Expires December 31, 1954

\$ 150.00

CITY OF FAIRHOPE

COUNTY OF BALDWIN

License For 1954

THIS IS TO CERTIFY, That

Fairhope Single Tax Corp.
has deposited with the Clerk of said city, for the use of the City of Fairhope

One Hundred, Fifty and 00/100 DOLLARS, as required by

the Ordinances of said city, adopted by the Mayor and City Council June 29 19 54

and that Fairhope Single Tax Corp. is therefore authorized

from and after date of this License to transact business as Corporation

in the City of Fairhope

Countersigned:

March 5 19 54

Marie Moore Clerk

OBSERVATIONS ON FAIRHOPE'S SANITARY SEWERS

The construction of sewers in the Magnolia Beach area in 1953 was financed by the Fairhope Single Tax Corporation and some, not all, of the private owners of the land to be served. The portion of the cost properly chargeable to the private owners who did not pay, was paid by the Colony, as well as all that was properly chargeable to it.

It had been understood that the City would require applicants for sewer connection permits on such privately owned land to reimburse the Colony before a permit was granted. As calculated the per front foot charges on property owned, as that appears to be the only practical basis on which to make the charge, and the lands involved are listed below:

South side Fig St., Pomelo to Liberty, 610 ft. @ 1.19

South side Fig St., Liberty to Church, 718 ft. @ 1.15

North side Pecan St., Pomelo to Liberty, 610 ft. @ 1.14

West side Pomelo St., 180 ft. N. from Fig St., 180 ft. @ 0.92

West side of Pomelo St., Orange to Pinecrest, 260 ft. @ 1.19

There are at present some 55 connectors on Colony owned land in the area. A number more are on land where the sewer was paid for by Mr. Meador, W. R. Todd and others. The Colony's total outlay on the job was \$10,766.16, with \$2,909.92 having been paid by others. So far the Colony has been reimbursed only \$80.50, paid it by L. B. McKay for connection to a 70 foot lot and \$92.00 paid it by B. A. Forsman for connection to an 80 foot lot, both on the South side of Fig St. between Liberty and Church.

The Colony has also paid the full cost of sewer extens-

ions in the Golf Course Subdivision in the amount of \$7,623.45.

There are at present some 28 connectors on those lines and a number more in early prospect. The front foot cost there was \$1.18.

It is understood that the present sewer extension project will serve a considerable area, including several developed and partially developed subdivisions. Presumably the cost to connectors will be the established connection fee and the monthly service charge. It is understood these same charges are made where the sewer has been constructed at no cost to the City.

If this is the case it would seem to be only fair for the City to consider some means for reimbursing the Colony and others who have paid the construction costs; or, where the City has paid the construction cost, requiring a connection fee that would reimburse the City all or at least a considerable part of its cost. It would appear that the latter would be a more fair and equitable plan as well as being the more practical.

As an example the City might establish a standard connection fee of \$10.00 to cover cost of inspection, etc. This fee would apply to all applicants for sewer connection whether the service had been paid for by the City or others. Where the City had paid for the sewer an additional charge could be made, on the basis of the street frontage of the lot to be served. If the per front foot charge were \$1.00, the applicant occupying a 75 foot lot would be charged \$85.00. If \$75.00 were placed in a special sewer extension fund a revolving fund would be created making future extensions possible without the expense of bond issues. Such a plan would encourage subdividers to install sewers ahead of building development, since they would be assured of equitable treatment by the

City.

The present monthly service charge of \$1.00, in all probability, does not pay the cost of operation and maintenance of the disposal plant, lift stations and existing lines, so should be continued and possibly increased. The general connection fee should be sufficient to cover the reasonable cost to the City of inspection; and the per front foot charge should be high enough to return to the City as much as possible of its construction cost, but low enough to be competitive with septic tank disposal systems.

In the past the sewer system has been largely financed out of water rate charges. While such a proposed financing of the sewer system might make Fairhope's sewer connection and service charges higher than in some other towns it should make it possible to establish water rates low enough to offset any economic advantage of lower sewer charges elsewhere.

#1 Set

OBSERVATIONS ON FAIRHOPE'S SANITARY SEWERS

The construction of sewers in the Magnolia Beach area in 1953 was financed by the Fairhope Single Tax Corporation and some, not all, of the private owners of the land to be served. The portion of the cost properly chargeable to the private owners who did not pay, was paid by the Colony, as well as all that was properly chargeable to it.

It had been understood that the City would require applicants for sewer connection permits on such privately owned land to reimburse the Colony before a permit was granted. As calculated the per front foot charges on property owned, as that appears to be the only practical basis on which to make the charge, and the lands involved are listed below:

South side Fig St., Kumquat to Pomelo, 360 ft. @ 1.18
South side Fig St., Pomelo to Liberty, 610 ft. @ 1.19
South side Fig St., Liberty to Church, 718 ft. @ 1.15
North side Pecan St., Pomelo to Liberty, 610 ft. @ 1.14
West side Pomelo St., 180 ft. N. from Fig St., 180 ft. @ 0.92
West side Pomelo St., Orange to Pinecrest, 260 ft. @ 1.19

There are at present some 55 connectors on Colony owned land in the area. A number more are on land where the sewer was paid for by Mr. Meador, W. E. Todd and others. The Colony's total outlay on the job was \$10,766.16, with \$2,909.92 having been paid by others. So far the Colony has been reimbursed only \$80.50, paid it by L. B. McKay for connection to a 70 ft. lot on the South side of Fig St. between Liberty and Church. 92 80 ft

The Colony has also paid the full cost of sewer extens-

ions in the Golf Course Subdivision in the amount of \$7,623.45.

There are at present some 28 connectors on those lines and a number more in early prospect. The front foot cost there was \$1.18.

It is understood that the present sewer extension project will serve a considerable area, including several developed and partially developed subdivisions. Presumably the cost to connectors will be the established connection fee and the monthly service charge. It is understood these same charges are made where the sewer has been constructed at no expense to the City.

If this is the case it would seem to be only fair for the City to consider some means for reimbursing the Colony and others who have paid the construction costs; or, where the City has paid the construction cost, requiring a connection fee that would reimburse the City all or at least a considerable part of its cost. It would appear that the latter would be a more fair and equitable plan as well as being the more practical.

As an example the City might establish a standard connection fee of \$10.00 to cover cost of inspection, etc. This fee would apply to all applicants for sewer connection whether the service had been paid for by the City or others. Where the City had paid for the sewer an additional charge could be made, on the basis of the street frontage of the lot to be served. If the per front foot charge were \$1.00, the applicant occupying a 75 foot lot would be charged \$85.00. If \$75.00 were placed in a special sewer extension fund a revolving fund would be created making future extensions possible without the expense of bond issues. Such a plan would encourage subdividers to install sewers ahead of building de-

velopment, since they would be assured of equitable treatment by City.

The present monthly service charge of \$1.00, in all probability, does not pay the cost of operation and maintenance of the disposal plant, lift stations and existing lines, so should be continued and possibly increased. The general connection fee should be sufficient to cover the reasonable cost to the City of inspection; and the per front foot charge should be high enough to return to the City as much as possible of its construction cost, but low enough to be competitive with septic tank disposal systems.

In the past the sewer system has been largely financed out of water rate charges. While such a proposed financing of the sewer system might make Fairhope charges higher than in some other towns it should make it possible to establish water rates that would be low enough to offset the economic advantage of lower sewer charges elsewhere.

City of Fairhope Council Proceedings

STATE OF ALABAMA
COUNTY OF BALDWIN

The City Council of the City of Fairhope met in regular session at the City Hall, Monday, January 22, 1968 at 7:30 p.m., with the following members present: Mayor Macon, Councilmen Spader, Reynolds, Stipes, Gaston and Stine.

Minutes of previous regular meeting were approved.

Mr. Harris and Mr. Hieronymus of Smith, Dukes and Buckalew, Certified Public Accountants met with the Council to answer any questions pertaining to the annual audit.

Motion by Councilman Gaston, seconded by Councilman Stine that Davis Seafood, Twin Beech Road, in the Police Jurisdiction of the City, be granted permit to sell packaged beer only. Upon being put to vote, the following vote was recorded: Voting for: Councilmen Gaston, Stine, Stipes and Reynolds. Voting Against: Councilman Spader, motion carried.

This being date set for opening bids on car for City Superintendent, the following bids were received:

Kumpp Motor Co.	\$2,549.51
Carey & Mike	
Motor Co.	\$2,744.99
Gaston Motor Co.	
Inc.	\$2,299.76

Motion by Councilman Reynolds seconded by Councilman Stipes that City accept low bid of Gaston Motor Co., Inc., in the amount of \$2,229.76. Upon being put to vote the following vote was recorded: For: Councilman Spader, Reynolds, Stipes and Stine. Against: None. Councilman Gaston abstained from voting. Motion carried.

Motion by Councilman Reynolds seconded by Councilman Stine that the following Ordinance be introduced. Motion carried.

Be It Ordained By The City Council of the City of Fairhope that any person desiring to become a candidate for the office of Mayor in any regular municipal election shall pay into the City Treasury a qualifying fee of fifty dollars (\$50.00).

Be It Further Ordained that any person desiring to become a candidate for the office of Councilman in any regular Municipal election shall pay into the City Treasury a qualifying fee of Twenty-five dollars (\$25.00).

This Ordinance shall become effective upon its adoption and publication as required by law. Adopted this the _____ day of _____, 1968 and published in the Fairhope Courier in its issue of _____, 1968.

Motion by Councilman Stipes that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$300.00 per month for the term which commences October, 1968.

Be it Further Ordained that the salaries of the Councilmen to be set at \$100 per month for the term which commences October, 1968.

Motion died for lack of second.

Motion by Councilman Reynolds that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$250.00 per month for the term which commences October, 1968.

Bt It Further Ordained that the salaries of the Councilmen be set at \$100.00 per month for the term which commences October, 1968.

Motion died for lack of second.

Motion by Councilman Gaston that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$300.00 per month for the term which commences October, 1968.

Be It Further Ordained that the salaries of the Councilmen be set at \$75.00 per month for the term which commences October, 1968.

Motion died for lack of second.

Motion by Councilman Stine that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$150.00 per month for the term which commences October, 1968.

Be It Further Ordained that the salaries of the Councilmen be set at \$50.00 per month for the term which commences October, 1968.

Motion died for lack of second.

Motion by Councilman Reynolds that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$250.00 per month for the term which commences October, 1968.

Be It Further Ordained

that the salaries of the Councilmen be set at \$100.00 per month for the term which commences October, 1968.

Motion died for lack of second.

Motion by Councilman Stipes seconded by Councilman Spader that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$300.00 per month for the term which commences October, 1968.

Be It Further Ordained that the salaries of the Councilmen be set at \$100.00 per month for the term which commences October, 1968.

Upon being put to vote the following vote was recorded: Voting for: Councilmen Stipes and Spader. Voting against: Councilman Stine, Gaston and Reynolds.

Motion defeated.

Motion by Councilman Reynolds seconded by Councilman Stipes that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$250.00 per month for the term which commences October, 1968.

Be It Further Ordained that the salaries of the Councilmen be set at \$100.00 per month for the term which commences October, 1968.

Upon being put to vote the following vote was recorded: Voting for: Councilmen Reynolds, Stipes and Spader. Voting Against: Mayor Macon, Councilmen Gaston and Stine. Mayor Macon cast second vote to break the tie and the motion was defeated.

Motion by Councilman Stipes seconded by Councilman Spader that the following Ordinance be introduced:

Be It Ordained by the City Council of the City of Fairhope that the salary of the Mayor be set at \$300.00 per month for the term which commences October, 1968.

Be It Further Ordained that the salaries of the Councilmen be set at \$100.00 per month for the term which commences October, 1968.

Upon being put to vote the following vote was recorded: Voting for: Mayor Macon, Councilmen Spader, Stipes, and Stine. Voting against: Councilmen Gaston and Reynolds. Motion carried.

Motion by Councilman Reynolds, seconded by Councilman Spader that the Mayor and City Clerk be authorized to execute agreement with South Alabama Regional Planning Commission. Motion carried.

Motion by Councilman Stine seconded by Councilman Stipes that Moore Engineering Company be authorized to secure contracts from Frances F. Escoffier, Hydraulic Consultant and Dixie Laboratories for services on Pier, for council approval. Motion carried.

Motion by Councilman Stipes seconded by Councilman Stine that the Mayor and Clerk be authorized to execute contract submitted by Byrd L. Moore and Company, covering Development of Park III, and the Beach and Pier Projects. Motion carried.

Motion by Councilman Reynolds seconded by Councilman Stipes that bill of Moore Engineering Company in the amount of \$6,162.54 be approved for payment. Motion carried.

Motion by Councilman Gaston seconded by Councilman Spader that the meeting adjourn. Motion carried.

Mayor

ATTEST:

City Clerk

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BALDWIN

IN THE PROBATE COURT OF
BALDWIN COUNTY, ALABAMA
ESTATE OF HAROLD W.
GRAHAM, DECEASED

TO: The unknown heirs of
Harold W. Graham, deceased.

Notice is hereby given that on the 18th day of January, 1968, Temple B. Albach filed a petition in writing and under oath therewith producing and filing in this Court an instrument of writing purporting to be the Last Will and Testament of Harold W. Graham, deceased, and praying such orders, decrees and proceedings as will duly and legally affect the probate and record of said instrument as such Will.

It is ordered that the 9th day of February, 1968 is hereby set as a day for hearing said petition and the proof to be submitted in support of the same and all of the unknown heirs and all other persons in interest, may appear in this Court to contest said application if they think proper so to do.

S/ HARRY D'OLIVE

Judge of Probate

Ernest M. Bailey
Attorney At Law

Jan. 25 - Feb. 1-8, 1968

Piling Machine
W. L. M. Gill
\$1.25 per lineal ft.

14000 per ft Material
404 a foot for poles

Spikes instead of bolts

83	3 ft piling @ 40¢ ft	273.60
9.628	10 ft @ 140¢ ft	1347.92
Labor	825 lin ft @ 1.25	1031.00
		<hr/> 2652.52

Bolts nails etc (7)

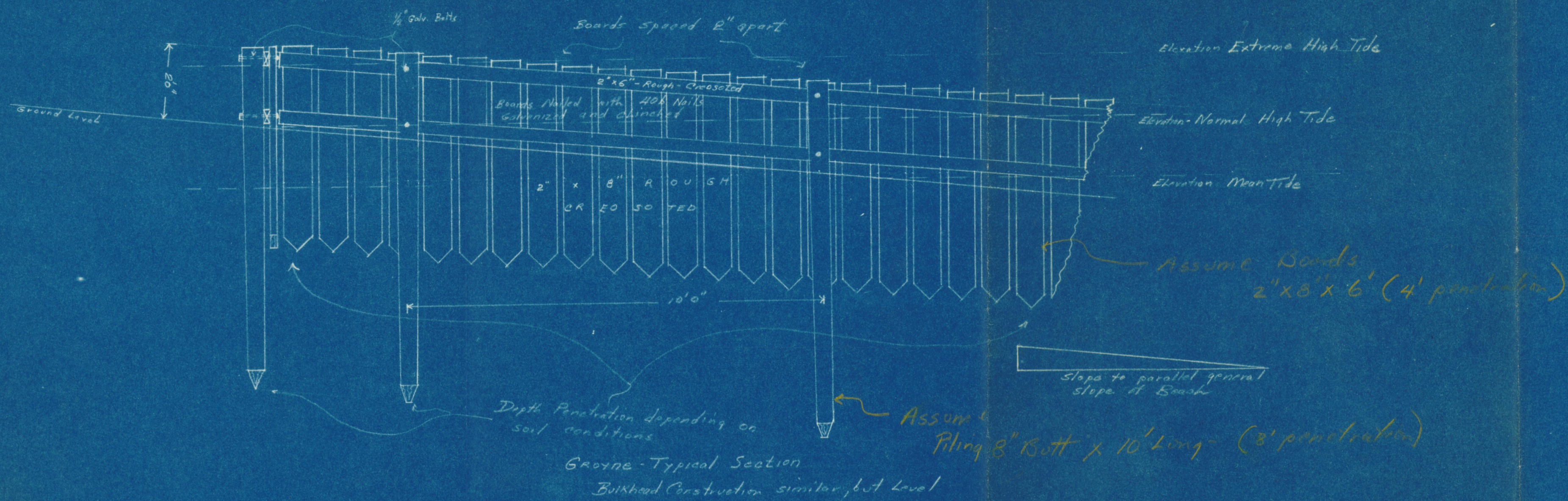
E. B. OVERTON
 INVESTMENTS
 359 FAIRHOPE AVENUE
 FAIRHOPE, ALABAMA

$$\begin{array}{r} 83 \\ \hline 284 \\ \hline 273.60 \end{array}$$

$$\begin{array}{r} 116 \\ \hline 83 \\ \hline 348 \\ \hline 928 \\ \hline 9.628 \\ \hline 140 \\ \hline 385120 \\ \hline 7628 \\ \hline 1.347.420 \end{array}$$

Fairhope Single Tax Corporation
 Fairhope, Ala.

$$\begin{array}{r} 825 \\ \hline 1\frac{1}{4} \\ \hline 206 \\ \hline 825 \\ \hline 1031 \end{array}$$



Bill Material per 10 feet of Groyne or Bulkhead

2 ea - Bolts, carriage, Galv. 1/2" x 14"

2 ea - Flat washers 1/2"

2 ea - Lock washers 1/2"

1 ea - Piling, Crimped, 8" Butt x 10' Long

12 ea - Lumber, Crimped, 2" x 8" x 6", Rough (76 BF)

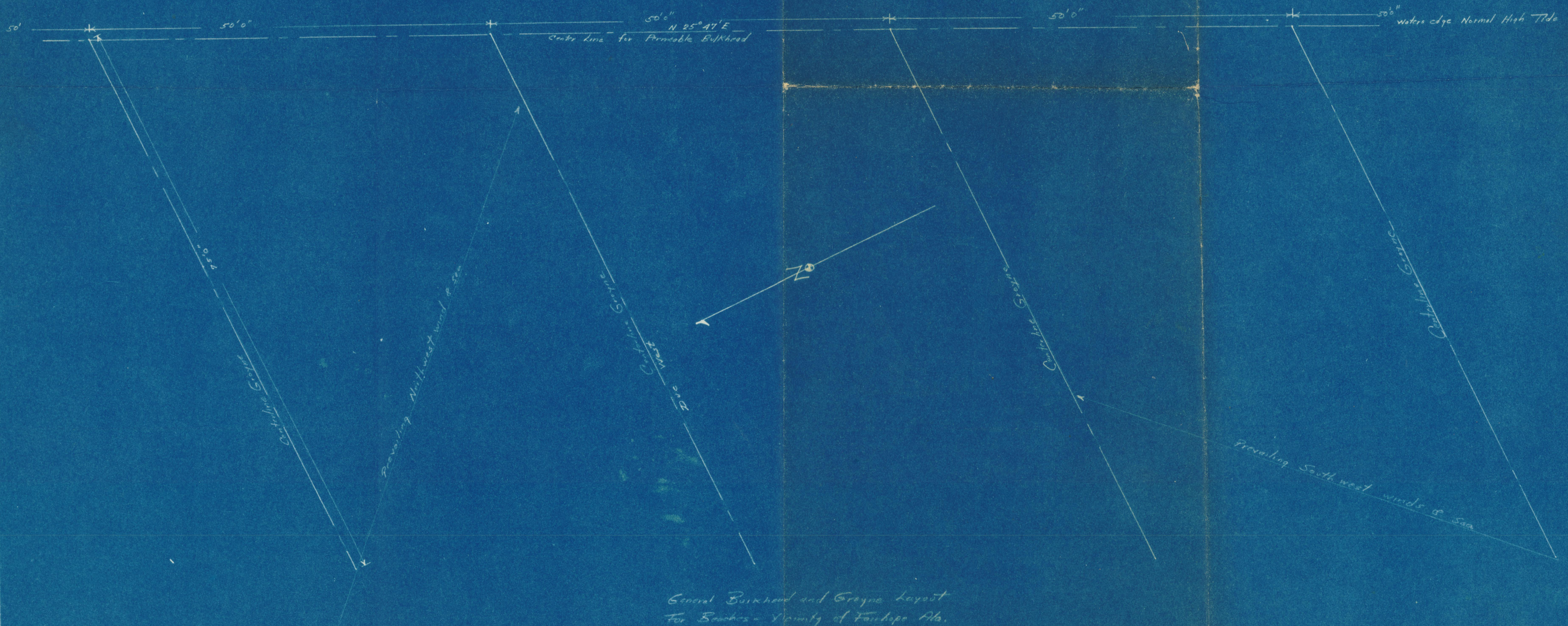
- Crimped, 2" x 6", rough (20 BF)

Assuming your Beach to be 300' - then there will be

300 LF Bulkhead

525 LF Groyne

825 LF Total or say 83 times the material listed above.



May 13, 1968

Hon. R. C. Macon, Mayor
and City Councilmen
City of Fairhope, Ala.

Gentlemen:

The Fairhope Single Tax Corporation wishes to go on record as protesting the proposal of the City of Fairhope to charge the Fairhope Single Tax Corporation with the construction cost of the proposed street improvements on Section St. and Fairhope Ave., where the lands of the Fairhope Single Tax Corporation abut on the said Section St. and Fairhope Ave.

It is the opinion of the Fairhope Single Tax Corporation that the value of its land will not be increased to the extent of the prospective cost of such improvements. It is also the opinion of the Fairhope Single Tax Corporation that the extent of the proposed improvements is in excess of the current needs of its lessees and of their prospective future needs for some years.

Money spent now for future needs must come from funds now available and intended to be expended in supplying street improvements where the need is current and apparent, of which there are many.

Respectfully yours,

C. A. Gaston, Secretary

May 7, 1968

Hon. R. C. Macon, Mayor
City of Fairhope, Alabama

Re: Section St. & Fairhope Ave. r. o. w. Deeds

Dear Mayor Macon:

As stated in our letter to you dated March 25, 1968, to which we have received no reply, the Fairhope Single Tax Corporation is prepared to deed to the City of Fairhope for street right of way purposes, the land needed for the proposed street improvements on Fairhope Ave. and Section St.

We thought we made clear that our situation is different from that of the ordinary land owner. As in the case of the Casino property, the land is owned by our corporation but the improvements are owned by another, the lessee. As stated in our March 25 letter, our corporation is willing to execute r. o. w. deeds without any charge for the land.

As was the case in the Casino property and in former requests by the City for land needed to increase the width of Section St., the City recognized the right of the lessees to compensation for any improvements they might have on the land involved. In many cases the only lessee improvements were fences, shrubbery etc. and the City was able to satisfy the lessee by relocating fences or hedges to the new line and replanting shrubbery in accordance with the lessees wishes. In several cases however, mainly on the east side of Section St., Fairhope Ave. to Johnson St., several buildings projected onto the 10 feet requested. In all cases the City made acceptable arrangements with the lessee for removal of the projecting portion and reconstruction of the new front.

Also, while the description makes reference to a distance of 40 feet on either side of a center line, it further specifies that both the Fairhope Single Tax Corporation and the lessee will have to make available for permanent road construction proposed, undetermined additional "strips of land beyond the conveyed right of way of sufficient length and width to permit the construction and maintenance of fill and cut slopes." We believe both our corporation and the lessee should be shown on the ground just how much additional land will have to be devoted to such construction.

We wish to remind you that the foregoing action was taken by our Council, in response to your letter of March 15, wherein you stated "we can have these improvements at no cost to the property owners if we act now." However, in the Improvement Ordinance mailed to us under post mark of May 2, A. M., 1968 it is noted the City now proposes to tax property owners with the full cost of the improvements.

Very truly yours,

Secretary

CAG:rer

cc: R. J. Spader
R. Roy Reynolds
Jack A. Stipes
James E. Gaston, Jr.
Robert H. Stine
John V. Duck
Ack Moore

IMPROVEMENT ORDINANCE NO. 393

AN ORDINANCE TO PROVIDE CERTAIN IMPROVEMENTS ON FAIRHOPE AVENUE RUNNING FROM AT ITS INTERSECTION OF SECTION STREET EAST 5,317 FEET TO THE EDGE OF THE PAVEMENT OF GREENO ROAD IN THE CITY OF FAIRHOPE, ALABAMA.

BE IT ORDAINED by the City Council of the City of Fairhope, Alabama as follows:

SECTION 1 - That the following described avenue in the City of Fairhope, Alabama shall be improved as hereinafter provided between the respective terminal points as hereinafter set forth:

(a) Fairhope Avenue shall be improved from its intersection of Section Street in Fairhope, Alabama east 5,317 feet to the edge of the pavement of Greeno Road as follows: Both edges of a variable width roadway (some 52 to 56 feet wide) the centerline of which shall be approximately the centerline of the above described portion of said avenue, shall be curbed and guttered with Portland Cement Concrete combined curb and gutter, curb and gutter to be 6" thick and the gutter to be 2-1/2 feet wide; curb lines of said gutter shall be connected with the curb lines of all intersecting streets or alleys, with Portland Cement Concrete combined curb and gutter as above described, of suitable radius and the surface area between the gutters to be constructed shall be improved by paving with bituminous plant mix paving 2" thick on a 12" shell and sand clay base foundation, provided, however, that the final selection of the pavement, the kind or character thereof, shall be postponed until after the bids shall have been received; said improvement shall include grading and all necessary drainage structures, including concrete culvert, concrete pipe, valley gutters and drop inlets; manholes of brick or reinforced concrete with cast iron covers shall be constructed or reconstructed where needed. Said portion of said street shall be further improved by construction of a Portland Cement Concrete sidewalk 4" thick and at least 4 feet wide on both sides thereof.

SECTION 2 - That the full details, drawings, plans, specifications and surveys of the above described work and estimates which have been prepared by Byrd L. Moore & Company, who have been duly designated and appointed City Engineer by this Council, have been fully considered and studied by this Council and hereby adopted. Said details, drawings, plans, specifications, surveys and estimates shall be immediately placed on file in the office of the City Clerk where property owners who may be affected by such improvements may see and examine the same.

SECTION 3 - That the improvements hereinabove described shall be made in accordance with the grades heretofore established by Ordinance and according to the full details, drawings, plans, specifications and surveys of said work and estimates herein adopted, all under the supervision of the City Engineer.

SECTION 4 - That the cost of constructing said improvements shall be assessed against the property abutting on the portions of the streets so improved, provided:

(a) That the cost of improving any intersection or any part thereof shall be assessed against the lots or parcels of land abutting on each of the streets, avenues, alleys or other highways so intersecting for half a block in each direction therefrom; provided that for the purpose of computing assessments, no block shall be considered as extending more than 1,000 feet from any intersection so improved.

(b) That the cost of the sidewalk improvements, including curbing and guttering on street and avenue corners, shall be assessed against the lots or parcels of land abutting or nearest to said improvements, and the cost of sidewalk improvements, including curbing and guttering at the intersection of any alley, with a street, avenue or other highway shall be assessed in fair proportion against the respective lots or parcels of land abutting or cornering on the alley at such intersection.

(c) No assessment shall exceed the cost of the improvements or the increased value of such property by reason of the special benefits derived from such improvements.

SECTION 5 - That the City Council shall meet on the 13th day of May, 1968 at 7:30 o'clock P.M. at the City Hall in the City of Fairhope to hear any objections, remonstrances or protests that may be made against said improvements, the manner of making the same or the character of materials to be used.

SECTION 6 - This ordinance shall be published once a week for two consecutive weeks in the Fairhope Courier, a newspaper published and of general circulation in the City of Fairhope, the date of the first publication to be not less than two weeks before the 13th day of May, 1968.

SECTION 7 - A copy of this Ordinance shall be sent by Registered Mail, postage prepaid, to the persons last assessing for city taxation the property which may be assessed for said improvements, at their last known addresses, said notices to be so mailed by the City Clerk not less than ten (10) days prior to the 13th day of May, 1968.

ADOPTED this the _____ day of _____, 1968.

MAYOR

ATTEST:

CITY CLERK

IMPROVEMENT ORDINANCE NO. 395

AN ORDINANCE TO PROVIDE CERTAIN IMPROVEMENTS ON SECTION STREET RUNNING FROM AT ITS INTERSECTION OF FAIRHOPE AVENUE NORTH TO THE CENTERLINE OF NORTH CREEK DRIVE IN THE CITY OF FAIRHOPE, ALABAMA.

BE IT ORDAINED by the City Council of the City of Fairhope, Alabama as follows:

SECTION 1 - That the following described street in the City of Fairhope, Alabama shall be improved as hereinafter provided between the respective terminal points as hereinafter set forth:

(a) Section Street shall be improved from its intersection of Fairhope Avenue in Fairhope, Alabama north to the centerline of North Creek Drive a distance of 8,250 lineal feet, as follows: Both edges of a variable width roadway (some 52 to 56 feet wide) the centerline of which shall be approximately the centerline of the above described portion of said street, shall be curbed and guttered with Portland Cement Concrete combined curb and gutter, curb and gutter to be 6" thick and the gutter to be 2-1/2 feet wide; curb lines of said gutter shall be connected with the curb lines of all intersecting streets or alleys, with Portland Cement Concrete combined curb and gutter as above described, of suitable radius and the surface area between the gutters to be constructed shall be improved by paving with bituminous plant mix paving 2" thick on a 12" shell and sand clay base foundation, provided, however, that the final selection of the pavement, the kind or character thereof, shall be postponed until after the bids shall have been received; said improvement shall include grading and all necessary drainage structures, including concrete culvert, concrete pipe, valley gutters and drop inlets; manholes of brick or reinforced concrete with cast iron covers shall be constructed or reconstructed where needed. Said portion of said street shall be further improved by construction of a Portland Cement Concrete sidewalk 4" thick and at least 4 feet wide on both sides thereof.

SECTION 2 - That the full details, drawings, plans, specifications and surveys of the above described work and estimates which have been prepared by Byrd L. Moore & Company, who have been duly designated and appointed City Engineer by this Council, have been fully considered and studied by this Council and hereby are adopted. Said details, drawings, plans, specifications, surveys and estimates shall be immediately placed on file in the office of the City Clerk where property owners who may be affected by such improvements may see and examine the same.

SECTION 3 - That the improvements hereinabove described shall be made in accordance with the grades heretofore established by Ordinance and according to the full details, drawings, plans, specifications and surveys of said work and estimates herein adopted, all under the supervision of the City Engineer.

SECTION 4 - That the cost of constructing said improvements shall be assessed against the property abutting on the portions of the streets so improved, provided:

(a) That the cost of improving any intersection or any part thereof shall be assessed against the lots or parcels of land abutting on each of the streets, avenues, alleys or other highways so intersecting for half a block in each direction therefrom; provided that for the purpose of computing assessments, no block shall be considered as extending more than 1,000 feet from any intersection so improved.

(b) That the cost of the sidewalk improvements, including curbing and guttering on street and avenue corners, shall be assessed against the lots or parcels of land abutting or nearest to said improvements, and the cost of sidewalk improvements, including curbing and guttering at the intersection of any alley, with a street, avenue or other highway shall be assessed in fair proportion against the respective lots or parcels of land abutting or cornering on the alley at such intersection.

(c) No assessment shall exceed the cost of the improvements or the increased value of such property by reason of the special benefits derived from such improvements.

SECTION 5 - That the City Council shall meet on the 13th day of May, 1968 at 7:30 o'clock P.M. at the City Hall in the City of Fairhope to hear any objections, remonstrances or protests that may be made against said improvements, the manner of making the same or the character of materials to be used.

SECTION 6 - This ordinance shall be published once a week for two consecutive weeks in the Fairhope Courier, a newspaper published and of general circulation in the City of Fairhope, the date of the first publication to be not less than two weeks before the 13th day of May, 1968.

SECTION 7 - A copy of this Ordinance shall be sent by Registered Mail, postage prepaid, to the persons last assessing for city taxation the property which may be assessed for said improvements, at their last known addresses, said notices to be so mailed by the City Clerk not less than ten (10) days prior to the 13th day of May, 1968.

ADOPTED this the _____ day of _____, 1968.

MAYOR

ATTEST:

CITY CLERK

Mar. 25, 1968

Hon. R. C. Macon, Mayor
City of Fairhope, Ala.

Re; Section St. & Fairhope Ave. r. o. w. Deeds

Dear Mayor Macon:

At our regular council meeting Thursday night, March 21, action was taken by our Executive Council as follows:

It was moved and carried to authorize the officers to execute Fairhope Ave. and Section St. r. o. w. deeds to City of Fairhope subject to redescrptions relating the land conveyed to the plat of the lands of the Fairhope Single Tax Corp. recorded in the Probate Records of Baldwin County in Misc. Book No. 1, pages 320-21; and subject further to the City securing from lessees whose leaseholds are involved, their written consent to surrender from their leases such of their leased land as may be included within the boundaries of the land to be conveyed; and deletion of the "consequential damage" agreement.

From the descriptions appearing on the deeds previously submitted by your engineer it would appear that it will be necessary to secure from the Eastern Shore Art Association consent to the surrender of the West five feet of their leasehold. The land presently leased to the Association is described on their lease as follows:: "Begin at Southwest corner of remainder of Block one (1), Division four (4) of land of lessor in the City of Fairhope, Alabama as per its plat thereof filed for record Sept. 13, 1911 after adding the West 10 feet thereof to the width of Section St., per council action May 1, 1941 and run North 260.7 feet to City park land per Colony council action Nov. 17, 1938 and Town council action Nov. 29, 1938, thence S 68° 32' E, 272.92 feet along South boundary of park land to East side of said Block 1, thence South 160.15 feet to Southeast corner thereof and thence West 254 feet to beginning.

On the cemetery side the council members and cemetery committee members will want your engineer to stake the west boundary line of the land needed to "permit the construction and maintenance of fill and cut slopes." We would judge the Art Association may want relative information with respect tp its property.

Three leaseholds in Block 45, Division 4 on the North side of

Fairhope Ave. are involved. No. 1 on the West is that of Jessamine C. (Mrs. Wm. W.) Gray, Lots 15 and 16, erroneously shown on your Detail plat as Lots 16 and 17. The P. C. Sta. 36+87.4 appears to be located about 11½ feet West of the southeast corner of Lot 16. Also concerned in that leasehold is Mrs. Cecil E. Edge who is purchasing the Gray improvements. No. 2 is Gene B. Whiting who holds lease to Lot 17 and West 9 feet of Lot 18, erroneously shown on the Detail plat as Lots 18 and 19; also concerned in that leasehold is Grace A. King who is purchasing the Whiting improvements. No. 3 and last is the leasehold of Joseph A. Emelie S. Wells who hold lease to the East 57 feet of Lot 18 and all of Lot 19, erroneously described on the Detail plat as Lots 19 and 20. Our plat previously referred to shows Block 45 to have an unnumbered lot at West end 33 feet wide and 179 feet deep, then 17 lots 66 feet wide and 179 feet deep and Lots 18 and 19 at the East end as follows: begin at southwest corner of Lot 18 and run East 47 feet to a point; thence N 45° E to E/S of Lot 19; thence North 84 feet to northeast corner Lot 19; thence West 76 feet to northwest corner Lot 19; thence an additional 66 feet West to northwest corner Lot 18 and South 179 feet to point of beginning..

The council

Very truly yours,

C, A. Gaston, Secretary

cc: Ack Moore, City Engineer

City of Fairhope

"ON BEAUTIFUL MOBILE BAY"

R. C. MACON
MAYOR

C. B. NIEMEYER
EXECUTIVE ASSISTANT

MARIE MOORE
CITY CLERK

P. O. DRAWER 429

FAIRHOPE, ALABAMA, 36532

March 15, 1968

COUNCILMEN:

R. J. SPADER, PLACE 1
R. ROY REYNOLDS, PLACE 2
JACK A. STIPES, PLACE 3
JAMES GASTON, JR. PLACE 4
ROBERT H. STINE, PLACE 5

FAIRHOPE SINGLE TAX CORPORATION
Fairhope, Alabama

Gentlemen:

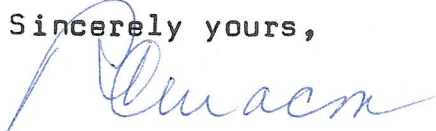
You have no doubt heard of the good news regarding the State Highway Department participation in widening of Section Street and Fairhope Avenue.

The fact that they have offered to do this work involved and stand 50% of the over-all cost means that we can have these improvements at no cost to the property owners, if we act now.

It is imperative that we have the properly signed deed to the footage as per deed sent you recently, and have it by March 25th. I realize there may be some who would like some questions answered before they act, and some who might feel that this improvement will work to their disadvantage. In either case, I would welcome a chance to discuss these matters with you at your earliest convenience so that we will know the wishes of all the people who are directly involved.

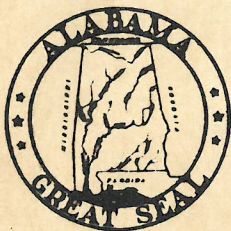
Please feel free to call me, Mr. Ack Moore (City Engineer), or any member of the City Council so that we can know your feelings regarding this matter, but please do it soon.

Sincerely yours,



R. C. Macon, Mayor

RCM/es



STATE OF ALABAMA
HIGHWAY DEPARTMENT

FIFTH DIVISION
OFFICE OF DIVISION ENGINEER
P.O. BOX 7158

MOBILE, ALABAMA 36607

January 15, 1968

1701 Belt Line Highway, North
Telephone: 471-3441

H. L. NELSON
STATE HIGHWAY DIRECTOR
BLUE BARBER
ASSISTANT HIGHWAY DIRECTOR

Mr. A. W. Moore
Byrd ~~Don~~ L. Moore and Company
Fairhope, Alabama

Dear Mr. Moore:

In response to your inquiry regarding the clause in the right of way deed of conveyance, pertaining to consequential damage, we wish to offer herein our comments.

This office conferred with Mr. George Hodges, Assistant Attorney General, Highway Legal Division, and he advised that it would meet with the Departments approval to delete the language in this regard. Therefore, this is your authority to ~~use~~ accordingly.
uct

Please advise if we can be of further assistance in this matter.

Very truly yours,

C. W. Coleman
C. W. Coleman
Assistant Division Engineer

CWC/pb
cc: File

Council Minutes:
April 5, 1945

A letter was received from Mayor Ruge requesting the corporation to provide the Town with an additional ten feet of its lands on the west side of Section St. from Magnolia Ave. North to Bayou Charbon to be used to widen Section St. 10 feet to the west.

It was moved and carried to comply with the request, conditioned on the Town's making satisfactory arrangements with the lessees and its preserving or restoration of the cemetery entrance.

Dec. 11, 1967

City of Fairhope
Fairhope, Alabama

Gentlemen:

Your request for an 80 foot right-of-way deed for Section St. extending North from the North side of Oak St. to City Park lands was tabled by our executive council at its regular meeting, the 7th of this month, pending a clarification of the description.

Our records show we had previously agreed to deed 70 feet to the City, 35 feet East of the Section line, May 1, 1941 and 35 feet West of the Section line, April 5, 1945. The original allowance for Section St. right-of-way was 50 feet and the increase to 70 feet made necessary the securing of surrenders by existing lessees of 10 foot wide strips from their leaseholds on both sides.

In response to the prior requests from the City for the increases to make the right-of-way 70 feet wide, we agreed to grant the land to the City, subject to its "making satisfactory arrangements with the lessees and its preserving or restoration of the cemetery entrance." With the exception of the cemetery the right-of way boundaries were adjusted to the 70 foot width. The Eastern Shore Art Association is the only lessee affected by the proposed deed and the present slope to the bituminous sidewalk appears to be almost wholly within the land covered by their lease

Sincerely yours,

C. A. Gaston, Secretary

cc: Eastern Shore Art Association

RIGHT-OF-WAY DEED FOR PUBLIC ROAD

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, FAIRHOPE SINGLE TAX CORPORATION, a corporation, of the County and State aforesaid, in and for the consideration of ONE DOLLAR (\$1.00) in hand paid by the CITY OF FAIRHOPE, ALABAMA, a Municipal Corporation, the receipt whereof is hereby acknowledged, and for the further consideration of the benefit accruing to it and to the public from the improvement of U. S. Highway 98 (Section Street) through our lands in Fairhope, Alabama, do hereby give, grant, bargain, sell and convey unto the CITY OF FAIRHOPE, ALABAMA, a Municipal Corporation, its successors and assigns, a right-of-way hereinafter described, over and across our lands in the City of Fairhope, Alabama, for a public road; which right-of-way shall be 40 feet in width on each side of the centerline of said road as shown by the Right-of-Way Map of Project No. F-4L67-(1), as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, said right-of-way being more particularly described as follows:

Beginning at Station 15+52 of Project No. F-4L67-(1) where the westerly projection of the north boundary of Oak Street intersects the centerline of said project; thence North along the centerline of said project a distance of 264 feet to Station 18+16 where the westerly projection of the boundary common to lands of the Fairhope Single Tax Corporation and park lands of the City of Fairhope, Alabama intersects the centerline of said project.

The conveyed strip of land is 40 feet wide on the east side of the centerline of said project and contains 0.24 acres, more or less, including that area now being used as a public road;

Also, beginning at Atation 15+52 of Project No. F-4L67-(1) where the easterly projection of the north boundary of Oak Street intersects the centerline of said project; thence North along the centerline of said project a distance of 290 feet to Station 18+42 where the Easterly projection of the south boundary of the Fairhope Single Tax Corporation Cemetery Lands intersects the centerline of said project.

The conveyed strip of land is 40 feet wide on the west side of the centerline of said project, contains 0.27 acres, more or less, and includes that area now being used as a public road.

Also, a construction easement is granted to strips of land beyond the conveyed right-of-way of sufficient length and width to permit the construction and maintenance of fill and cut slopes.

TO HAVE AND TO HOLD by the CITY OF FAIRHOPE, ALABAMA, or its assigns, and for and in consideration of the benefit to our property by reason of the construction and improvement of said road, we hereby release the CITY OF FAIRHOPE, ALABAMA and all of its employees and officers from all consequential damages, present or prospective, to our property, arising out of the construction improvement, maintenance or repair of said road, and that said road is a benefit to our property is hereby admitted and acknowledged.

IN WITNESS WHEREOF the corporation has caused this deed to be signed by its President and Secretary, on this the _____ day of _____, 19_____.

FAIRHOPE SINGLE TAX CORPORATION

By _____
President

ATTEST:

Secretary

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that _____, whose names as President and Secretary of FAIRHOPE SINGLE TAX CORPORATION, a corporation, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the _____ day of _____, 19_____.

NOTARY PUBLIC

RIGHT-OF-WAY DEED FOR PUBLIC ROAD

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, FAIRHOPE SINGLE TAX CORPORATION, a corporation, of the county and state aforesaid, in and for the consideration of ONE DOLLAR (\$1.00) in hand paid by the CITY OF FAIRHOPE, ALABAMA, a Municipal corporation, the receipt whereof is hereby acknowledged, and for the further consideration of the benefit accruing to it and to the public from the improvement of U. S. Highway 98 (Section Street) through our lands in Fairhope, Alabama, do hereby give, grant, bargain, sell and convey unto the CITY OF FAIRHOPE, ALABAMA, a Municipal Corporation, its successors and assigns, a right-of-way hereinafter described, over and across our lands in the City of Fairhope, Alabama, for a public road; which right-of-way shall be all that area lying between the existing south and southeast boundaries of Block 45, Division IV, Lands of Fairhope Single Tax Corporation and a line 40 feet left of and parallel to the centerline of said project from Station 36+87.4 to Station 39+20, as shown by the Right-of-way Map of Project No. F-4L67-(1), as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, said right-of-way being more particularly described as follows:

Beginning at a point 40 feet left of Station 36+87.4 of Project No. F-4L67 (2), according to map thereof as filed in the Probate Records of Baldwin County, Alabama, where the south boundary of Block 45, Division IV of the Lands of Fairhope Single Tax Corporation intersects a curved line 40 feet left of and parallel to the centerline of said project; thence northeasterly along said curve to the left (which is concave northwesterly and has a radius of 319.26 feet) a distance of 190 feet, more or less, to a point of intersection with the southeast boundary of said Block 45; thence southwesterly along the southeast boundary of said Block 45 a distance of 88 feet, more or less, to a point of intersection with the south boundary of said Block 45; thence westerly along the south boundary of said Block 45 a distance of 113 feet, more or less, to the point of beginning.

The conveyed strip of land is all that area lying between the existing south and southeast boundaries of Block 45, Division IV, Lands of Fairhope Single Tax Corporation and a line 40 feet left of and parallel to the centerline of said project from Station 36+87.4 to Station 39+20. Parcel contains 0.04 acres, more or less.

TO HAVE AND TO HOLD by the CITY OF FAIRHOPE, ALABAMA, or its assigns, and for and in consideration of the benefit to its

property by reason of the construction and improvement of said road, it hereby releases the CITY OF FAIRHOPE, ALABAMA and all of its employees and officers from all consequential damages, present or prospective, to our property, arising out of the construction improvement, maintenance or repair of said road, and that said road is a benefit to our property is hereby admitted and acknowledged.

IN WITNESS WHEREOF, the corporation has caused this deed to be signed by its President and Secretary, and its corporate seal to be affixed thereto on this the _____ day of _____, 19_____.

FAIRHOPE SINGLE TAX CORPORATION

By _____
President

ATTEST:

Secretary

State of Alabama
Baldwin County

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that _____ and _____, whose names as President and Secretary of FAIRHOPE SINGLE TAX CORPORATION, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the _____ day of _____, 19_____.

NOTARY PUBLIC

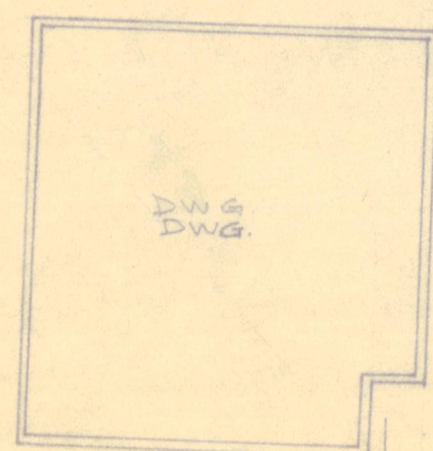
FAIRHOPE SINGLE TAX CORPORATION
(Portion of Lots 17, 18, 19 & 20 Block 45, Division IV)

Beginning at a point 40 feet left of Station 36+87.4 of Project No. F-4167 (2), according to map thereof as filed in the Probate Records of Baldwin County, Alabama, where the south boundary of Block 45, Division IV of the Lands of Fairhope Single Tax Corporation intersects a curved line 40 feet left of and parallel to the centerline of said project; thence northeasterly along said curve to the left (which is concave northwesterly and has a radius of 319.26 feet) a distance of 190 feet, more or less, to a point of intersection with the southeast boundary of said Block 45; thence southwesterly along the southeast boundary of said Block 45 a distance of 88 feet, more or less, to a point of intersection with the south boundary of said Block 45; thence westerly along the south boundary of said Block 45 a distance of 113 feet, more or less to the point of beginning.

The conveyed strip of land is all that area lying between the existing south and southeast boundaries of Block 45, Division IV, Lands of Fairhope Single Tax Corporation and a line 40 feet left of and parallel to the centerline of said project from Station 36+87.4 to Station 39+20. Parcel contains 0.04 acres, more or less.

& CURVE DATA
 P1 38+24.4
 Δ 41°45'LT.
 D 16°00'
 T 136.6'
 E 260.9'
 R 359.26'
 L 23.55'

Block 45 Division
 LANDS OF FAIRHOPE SINGLE TAX CORPORATION



61' LOT

N. 40°22'E

& CURVE DATA
 P1 41+45.4
 Δ 41°35'RT.
 D 16°00'
 T 136.6'
 E 260.2'
 R 359.26'
 L 23.45'

J. M. VAN CLEAVE

D. C. BYRNE, JR.

DETAIL
 FAIRHOPE AVENUE-INGLESIDE INTERSECTION
 PROJECT NO. F-4L 67 (2)



SCALE: 1"=20'

FAIRHOPE
SINGLE TAX
CORPORATION

ESTABLISHED IN 1906
DAVID F. HOOVER & CO.