

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

M. L. BUSH, DR. J. L. DUNLAP, JR., M. A. FLOWERS,
H. M. GANDEE, B. E. GEWIN, F. E. GROVER AND GEORGE
W. HOGSHEAD, M. D.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City of the 21st day of November, 1957, at 9:15 o'clock, A. M., for the purposes following:

1. To consider and act upon all matters relating to the paving, the construction of sidewalks thereon, and the permanent improvements of the following named streets in the City of Nitro, Kanawha and Putnam Counties, West Virginia:

30th Street, from its intersection with Second Avenue to Blake's Creek;

9th Street, from its intersection with First Avenue to its intersection with Second Avenue;

Minor Avenue, from its intersection with Lock Street Extending East to Back water;

Dupont Avenue (formerly Dupont Street), from its intersection with Beech Street (formerly 2nd Avenue) to its intersection with Dogwood Street (formerly 4th Avenue);

21st Street North side from Kroger Lot to Blake's Creek Bridge;

21st Street, (South side) from Third Avenue (Old County Road) to Blake's Creek Bridge;

36th Street, from its intersection with First Avenue to its intersection with Second Avenue;

35th Street, from its intersection with First Avenue to its intersection with Second Avenue;

32nd Street, from its intersection with First Avenue to its intersection with Second Avenue;

29th Street, from its intersection with First Avenue to its intersection with Second Avenue;

28th Street, from its intersection with First Avenue to its intersection with Second Avenue;

21st Street, North, from its intersection with 21st Street to the end of present paving;

31st Street, from its intersection with First Avenue to its intersection with Second Avenue;

31st Street, from its intersection with Second Avenue to 31st Street Bridge;

22nd Street, from its intersection with First Avenue to its intersection with Second Avenue;

Third Avenue, from its intersection with 21st Street to its intersection with 31st Street Bridge;

8th Street, from its intersection with First Avenue to its intersection with Second Avenue;

Bank Street, from its intersection with 20th Street to its intersection with 21st Street.

2. To consider any and all other matters that may properly come before the council.

Respectfully yours,

W. W. Alexander
W. W. Alexander, Mayor

CITY OF NITRO

The foregoing notice is hereby accepted as being both sufficient and timely:

M. J. Lewis

Marion L. Bush

M. A. Flawen

H. M. Standley

J. L. Standley Jr

J. E. Grier

Meeting of the 21st day of November, 1957.

At a special meeting of the Council of the City of Nitro, regularly and duly called, on the 21st day of November, 1957.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, and M. L. Bush, Dr. J. L. Dunlap, Jr., M. A. Flowers, H. M. Gandee, B. E. Gwin, F. E. Grover, members of the Council. George W. Hogshead, M. D. being absent.

Mayor Alexander called the meeting to order and announced that the meeting was now open for business.

Thereupon the Reports of J. A. Spence, City Engineer, were presented to Council by Grace Lewis, Recorder, that the improvements authorized by Ordinance of Council adopted on the 25th day of June, 1957, and as hereinafter set out in full, had been completed in accordance with the plans, specifications, paving Ordinances and Contracts with R. N. Hewitt Corporation, a corporation, and Andersons' Inc., a corporation, which said reports are in form and figures as follows, to-wit:

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF 36TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 35TH STREET FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 32ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 29TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 28TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 21ST STREET, NORTH, FROM ITS INTERSECTION WITH 21ST STREET TO THE END OF PRESENT PAVING; 31ST STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 31ST STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO 31ST STREET BRIDGE; 22ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; THIRD AVENUE, FROM ITS INTERSECTION WITH 21ST STREET TO ITS INTERSECTION WITH 31ST STREET BRIDGE; 8TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE, BANK STREET, FROM ITS INTERSECTION WITH 20TH STREET TO ITS INTERSECTION WITH 21ST STREET, ALL IN THE CITY OF

NITRO, UNION AND POCA DISTRICTS, KANAWHA AND PUTNAM COUNTIES,
WEST VIRGINIA.

TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO,
WEST VIRGINIA:

I hereby certify that the cost of the permanent improvement of 36th Street, from its intersection with First Avenue to its intersection with Second Avenue; 35th Street, from its intersection with First Avenue to its intersection with Second Avenue; 32nd Street, from its intersection with First Avenue to its intersection with Second Avenue; 29th Street, from its intersection with First Avenue to its intersection with Second Avenue; 28th Street, from its intersection with First Avenue to its intersection with Second Avenue; 21st Street, North, from its intersection with 21st Street, to the end of present paving; 31st Street, from its intersection with First Avenue to its intersection with Second Avenue; 31st Street, from its intersection with Second Avenue to 31st Street Bridge; 22nd Street, from its intersection with First Avenue to its intersection with Second Avenue; Third Avenue, from its intersection with 21st Street to its intersection with 31st Street Bridge; 8th Street, from its intersection with First Avenue to its intersection with Second Avenue; Bank Street, from its intersection with 20th Street to its intersection with 21st Street, in the City of Nitro, Union and Pocahontas Districts, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$41,532.90, and that said work was made and completed in accordance with the specifications, and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the

City with the lowest bidder; that the description of the lots, and the numbers thereof, and the names of the owners of the lots and lands and the amount assessed against each of said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 25th day of June, 1957, and in accordance with the specifications, plans, bid and contract therefore; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

~~THIRTY~~SIXTH STREET
(FIRST AVENUE TO SECOND AVENUE)
(NORTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lloyd M. Chapman	Lots 3601, 3603, and 3605	150.03	\$ 3.26	\$ 491.71
James S. Dabney and Leah F. Dabney	Lot 3607	50.00	3.26	163.00
Paul T. Arbuckle and Ona B. Arbuckle	Lot 3609	50.00	3.26	163.00
J. F. Woods and Mildred Woods	Lot 3611	50.00	3.26	163.00
Nitro Industrial Corp.	Lot 3613	50.00	3.26	163.00
H. M. Graves and N. B. Graves	Lot 3615	50.00	3.26	163.00

D. Nalley (deceased) Albert D.
 Huston, Mrs. Beulah R. Andrews,
 Jesse (Cesidio) Clemente,
 Cathrine A. Nalley, Nunziata Nallie
 and Ralph D. Thomas

	Lot 3617	50.00	3.26	163.00
C. W. Cole	Lot 3619	45.00	3.26	146.70

THIRTY-SIXTH STREET
 (FIRST AVENUE TO SECOND AVENUE)
 (SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ada T. Jamison	Lot 3602	50.83	3.26	\$ 165.71
William Angel Hager and Jessie Grace Hager	Lot 3604	50.00	3.26	163.00
Carl R. Fowler	Lot 3606	50.00	3.26	163.00
Walter Hedrick	Lot 3608	50.00	3.26	163.00
Walter Hedrick	Lot 3610	50.00	3.26	163.00
C. F. Schowen and Fannie May Schowen	Lot 3612	50.00	3.26	163.00
John Santrock, Jr., and Ruth Santrock	Lot 3614	50.00	3.26	163.00
Dr. George W. Hogshead and Eleanor P. Hogshead	Lot 3616	50.00	3.26	163.00
G. S. Smith	Lot 3618	<u>50.00</u>	3.26	<u>163.00</u>
		946.66		3,086.12

THIRTY-FIFTH STREET
 (FIRST AVENUE TO SECOND AVENUE)
 (North Side)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibbons and Susie P. Gibson	Lot 3501 and Part of Lot 3503	80.83	7.7246	624.38

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Elsie C. Alderson	Lot 3505 and Part of Lot 3503	70.00	7.7246	540.72
C.K. McCallister and Eliza McCallister	Lot 3507	50.00	7.7246	386.23
J.F. McClanahan and Valeida V. McClanahan	Lot 3509	50.00	7.7246	386.23
C.F. Schowen and Fannie May Schowen	Lot 3511	50.00	7.7246	386.23
Carmel E. Davis and Gladys H. Davis	Lot 3513	50.00	7.7246	386.23
James R. Phillips and Dorothea W. Phillips	Lot 3515	50.00	7.7246	386.23
G. S. Smith	Lot 3517	50.00	7.7246	386.23

THIRTY-FIFTH STREET
(FIRST AVENUE AND SECOND AVENUE)
(SOUTH SIDE)

G. W. Gibson and Susie P. Gibson	Lot 3502	50.83	7.7246	392.64
Lawrence Leroy Shank and Fannie L. Shank	Lots 3506 and 3504	100.00	7.7246	772.46
C. S. McDaniel and Mary Alice McDaniel	Lot 3508	50.00	7.7246	386.23
Nitro Industrial Corp.	Lot 3510	50.00	7.7246	386.23
C.M. Trevillian and Ruby Trevillian	Lots 3512, 3514 3516 & 3518	195.00	7.7246	1,506.30
Totals		896.66		6,926.34

THIRTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
(NORTH SIDE)

Mildred Hill	Lot 3201	50.83	3.324	168.96
Marion L. Bush	Lot 3203	50.00	3.324	166.20
H.P. Brubaker and Mabel Brubaker	Lot 3205	50.00	3.324	166.20
Glendale Gallie Rawlings and Freda N. Rawlings	Lot 3207 and 3209	100.00	3.324	332.40

Edith Katherine Lintzmeyer Johnson	Lot 3211	50.00	3.324	166.20
Leonard G. Asbury and Wilma L. Asbury	Lot 3213	50.00	3.324	166.20
Clarence M. Schowen	Lot 3215	50.00	3.324	166.20

THIRTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Luigi Lemma	Lot 3202	50.83	3.324	168.96
L. O. Grass	Lot 3204	50.00	3.324	166.20
Ruby Lee Fowler	Lot 3206	50.00	3.324	166.20
Lydia Entzminger Kelly	Lot 3208	50.00	3.324	166.20
Lula Smith	Lot 3212	50.00	3.324	166.20
Jim Smith	Lot 3210	50.00	3.324	166.20
Mrs. Hattie M. Bird	Lot 3214	50.00	3.324	166.20
Cecil Meadows	Lot 3216	<u>50.00</u>	3.324	<u>166.20</u>
TOTALS		801.66		2,664.72

TWENTY-NINTH STREET
(FIRST AVENUE AND SECOND AVENUE)
(NORTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
O.O. Harrison, Mar- guerite Harrison, Edward Marcus Harrison, Robert Lee Harrison and Mar- guerite Marie Harri- son	Lots 2901 and 2903	100.83	3.345	337.28
Henry Pauley	Lot 2905	50.00	3.345	167.25

N.H.Gates and Kathleen Gates	Lot 2907	50.00	3.345	167.25
Joseph E. Nelson and Laura C. Nelson	Lot 2909	50.00	3.345	167.25
Sara Ruth Honaker	Lot 2911	50.00	3.345	167.25
Mary A. Davis and Charles J. Davis	Lot 2913	50.00	3.345	167.25
Cecil W. Martin	Lot 2915	50.00	3.345	167.25
	SOUTH SIDE			
Floyd Roznowski and Lima Roznowski	Lot 2902	50.83	3.345	170.03
George Witt and Thelma Witt	Lot 2904	50.00	3.345	167.25
Theodore F. Baumgartner and Blanch Baumgartner	Lot 2906	50.00	3.345	167.25
Dolly Leutisha Jones	Lot 2908	50.00	3.345	167.25
William E. Burgess and Thelma Burgess	Lot 2910	50.00	3.345	167.25
Lucy Stover	Lots 2912 and 2914	100.00	3.345	334.50
Elmer S. Gaylor, Jr.	Lot 2916	<u>50.00</u>	3.345	<u>167.25</u>
TOTALS		801.66		2,681.56

TWENTY-EIGHTH STREET
 (FIRST AVENUE TO SECOND AVENUE)
 (NORTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
A.J. Bland and Wanda Bland	Lot 2801	50.83	3.152	160.22
A.J. Bland and Wanda Bland	Lot 2801	50.83	4.864	247.24
A.J. Bland and Wanda Bland	Lot 2801	50.83	3.349	170.23
Garnet E. Smith	Lot 2803	50.00	3.152	157.60
Carl Smith	Lot 2805	50.00	3.152	157.60
Edward E. Null	Lot 2807	50.00	3.152	157/60

Ira L. Hedrick	Lot 2809	50.00	3.152	157.60
Harvey A. Sublette and Edith S. Sublette	Lot 2811	50.00	3.152	157.60
Lena Scholz Woody	Lot 2813	50.00	3.152	157.60
Margaret Huffman	Lot 2815	50.00	3.152	157.60

TWENTY-EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lena Scholz Woody	Lots 2802, 2804 and 2806	150.83	3.152	475.42
Fred Hill	Lot 2808	50.00	3.152	157.60
M.C. McLaughlin and Virginia McLaughlin	Lot 2810	50.00	3.152	157.60
Pearl McCallister	Lot 2812	50.00	3.152	157.60
Grace T. West	Lot 2814	50.00	3.152	157.60
W.G. Lamb and Rosalynd Lamb	Lot 2816	<u>50.00</u>	3.152	<u>157.60</u>
TOTALS		903.32		2,944.31

TWENTY-FIRST STREET-NORTH
(TWENTY-FIRST STREET TO END OF PRESENT PAVING)
(EAST SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Harrold L. VanNetta and Sybal Cox Van Netta	Part of Lot 41	103.50	2.7226	281.79
W.A.B. Vivvian	Lot 36, and Pt. 41	72.96	2.7226	198.64
J/L. Dunlap Jr. and Carrie A. Dunlap	Lot 38	60.00	2.7226	163.36
J.R. Ingram and Kathryn Ingram	Lot 40	60.00	2.7226	163.36

Monsanto Chemical Company, a Corp.	Lot 64	74.00	2.7226	201.47
Homer L.Putney and Edith F.Putney	Lot 66	60.00	2.7226	163.36
G.C.Alderson and Elsie C.Alderson	Lot 68	60.00	2.7226	163.36
Food Machinery and Chemical Corp.	Lot 70	55.00	2.7226	149.74
Food Machinery and Chemical Corp.	Lot 70	54.00	4.632	250.07

TWENTY-FIRST STREET-NORTH
(TWENTY-FIRST STREET TO END OF PRESENT PAVING)
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Food Machinery and Chemical Corp. a corporation	Lot 34	128.90	2.7226	350.94
Marion W.Harmon and Gladys Harmon	Lot 35	68.00	2.7226	185.14
Robert H.Cooper and Marville D.Cooper	Lot 37	60.00	2.7226	163.36
Harriett M.Pickens	Lot 39	60.00	2.7226	163.36
G.P.Russell and A.S.Russell	Lot 65	60.00	2.7226	163.36
George L.Magoun and Helen Magoun	Lot 67	61.00	2.7226	166.08
Lucy S.Munkenbeck	Lot 69	60.00	2.7226	163.36
Lucy S.Munkenbeck	Lot 71	60.00	2.7226	163.36
Lucy S.Munkenbeck	Lot 71	<u>45.00</u>	4.631	<u>208.40</u>
TOTALS		1,202.36		3,462.51

THIRTY-FIRST STREET
(FIRST AVENUE TO SECOND AVENUE)
(NORTH SIDE)

Luigi Lemma	Lot 3101	50.83	3.17	161.13
J. W. Scott	Lot 3103	50.00	3.17	158.50
Cordelia C. Selby	Lot 3105	50.00	3.17	158.50

Ray Butler and Florence Butler	Lot 3107	50.00	3.17	158.50
R. S. Evans	Lot 3109	50.00	3.17	158.50
Donald E. Grover and Frances Pierson Grover	Lot 3111	50.00	3.17	158.50
Howard Childers	Lot 3113	50.00	3.17	158.50
W.W. Alexander	Lot 3115	50.00	3.17	158.50

THIRTY-FIRST STREET
(FIRST AVENUE TO SECOND AVENUE)
(SOUTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessments</u>
Norma Francis Hohnson Jack Edwin Johnson and Dona F. Johnson	Lot 3102	50.83	3.17	161.13
Ancel Martin	Lot 3104	50.00	3.17	158.50
Mumphord Johnson and Flora Johnson	Lot 3106	50.00	3.17	158.50
Elmer M. Knell and Lessa O. Knell	Lot 3108	50.00	3.17	158.50
Robert M. Tormey	Lot 3110	50.00	3.17	158.50
Robert Muck Jr.	Lot 3112	50.00	3.17	158.50
Cecelia M. Tormey	Lot 3114	50.00	3.17	158.50
Trustees for Nitro Church of Christ, Nitro, West Vir- ginia.	Lot 3116	<u>50.00</u>	3.17	<u>158.50</u>
TOTALS		801.66		2,541.26

THIRTY-FIRST STREET
(SECOND AVENUE TO THIRTY-FIRST STREET BRIDGE)
(NORTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Frank W. Woods	Lot 3119	65.00	8.935	580.78

Omar Rawlings and Icy M. Rawlings	Lots 3121 and 3123	118.00	8.935	1,054.33
Omer Rawlings and Icy M. Rawlings	Lot 3123	17.00	3.168	53.86

THIRTY-FIRST STREET
(SECOND AVENUE TO THIRTY-FIRST STREET BRIDGE)
(SOUTH-SIDE)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Nola Milam	Lot 3120	50.00	8.935	446.75
J.A. Thacker and Ether Thacker	Lot 3122	50.00	8.935	446.75
Sylvia M. Phillips	Lot 3124	50.00	8.935	446.75
Edward Withrow	Lot 3126	36.00	8.935	321.66
Edward Withrow	Lot 3126	<u>14.00</u>	3.168	<u>44.35</u>
TOTALS		400.00		3,395.23

BANK STREET
(TWENTY-FIRST STREET TO TWENTIETH STREET)
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G.C. Alderson and G.S. Smith	Lot, Plot 24	230.00	5.62	1,292.60

EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
(NORTH SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gertie E. Watkins	Lot 801	45.20	7.656	346.05
(SOUTH SIDE)				
Nitro Industrial Corporation	Lot 800	<u>29.70</u>	7.656	<u>227.38</u>
TOTALS		74.90		573.43

THIRD AVENUE
(TWENTY-FIRST STREET TO THIRTY-FIRST STREET BRIDGE)
(EAST SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruth S. Mann	Lot 2101	233.00	2.321	529.19
Olaf K. Walker and Ival K. Walker	Part of Lots 2101 and 2103	67.00	2.321	155.51
Dr. L.I.Hoke	Part of Plot 4	148.57	2.321	345.25
E.L.Harris and Sallie Harris	Lot, Part of Plot 4, Area R	137.00	2.321	317.98
M.A.Lawless and Myrtie Lawless	Lot, Part of Plot 4, Area R	114.92	2.321	266.73
James Clay Turley and Peggy Lee Lawless Turley	Lot, Part of Plot 4, Area R Nitro Reser- vation	70.00	2.321	162.47
Nitro Indust.Corp	Lot, Part of Plot 4, Area R	20.00	2.321	46.42
N.L.Rose and Mary M. Rose	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
Robert Jackson Boggs and Thelma Gertrude Boggs	N.1/2 of .37 Acre Lot, Part of Plot 4, Area R	50.37	2.321	116.91
Owen B. Sizemore and Audrie E. Sizemore	S.1/2 of .37 Acre Lot, Part of Plot 4, Area R	50.38	2.321	116.93
Wilma F. Burdette	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
W. J. Waldorf	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
Nitro Indust.Corp.	Area R, Tract Plot 4	520.00	2.321	1,206.92
Edward Withrow and Kathryn N. Withrow	1-1/2 Acre Lot, Area S	201.70	2.321	468.15
O.J. Shamblin	2.95 Acre Lot Area S	143.30	2.321	332.60

THIRD AVENUE
(TWENTY-FIRST STREET TO THIRTY-FIRST STREET BRIDGE)
(WEST SIDE)

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Thelma H. Comstock	Part of Lot 15, Area R	229.00	2.321	531.51
Nitro Industrial Corporation	Part of Lot 15, Area R	334.73	2.321	776.91
J. W. Higginbotham	Lot 2337	65.00	2.321	150.87
Lillian Trout	Lot 2438	90.50	2.321	210.05
Mary Frances Campbell and Leland W. Campbell	Lot 2437	90.67	2.321	210.45
Emil Arcuri and Madeline Arcuri	Lot 2538	91.16	2.321	211.58
Delbert Burdette	Lot 2537	92.53	2.321	214.76
Robert H. Waldorf Wendell H. Harrison and Dorothy V. Harrison	Lot 2638	91.30	2.321	211.91
Wellington J. Waldorf and Georgia Reed	Lot 2635	91.15	2.321	211.56
A. Q. Wiley	Lot 2733	93.47	2.321	216.94
Thomas M. Waldorf and Rosalie Ann Waldorf	Lot 2736	93.00	2.321	215.85
S.L. Burdette	Lots 2831, 2834	170.83	2.321	396.50
O. J. Shamblin	Lots 2833, 2835, 2929, 2931	195.42	2.321	453.57
James H. Fowler and Kathleen B. Fowler	Lot 3028	65.20	2.321	151.33
James H. Fowler and Kathleen B. Fowler	Lots 3128 and 3027	<u>136.10</u>	2.321	<u>315.89</u>
TOTALS		3,988.73		9,257.83

TWENTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G.C.Alderson and W.L. Wintz	Lot, Area R. 1st Avenue and 22nd. Street	72.00	3.9866	287.04
G.C.Alderson and W.L.Wintz	Lot, Plot 23 Area R	127.00	3.9866	506.30
West Virginia Water Service Co. A Corp.	Lot, Area R, Nitro Reser- vation	130.00	3.9866	518.26

SOUTH SIDE

J. W. Skaggs and Reba Skaggs	Part of Lot 13, Area R	120.02	3.9866	478.47
Charles H.Kittle	Part of Lot 13, Area R	50.00	3.9866	199.33
Aldo W.Hanes and Rosehelena F. Hanes	Part of Lot 13, Area R	50.00	3.9866	199.33
Trustees of The First Baptist Church of Nitro	Area R. Part of Lot 13	<u>130.00</u>	3.9866	<u>518.26</u>
TOTALS		<u>679.02</u>		<u>2,706.99</u>

GRAND TOTALS FOR PROJECT	<u>2,944.31</u>	<u>41,532.90</u>
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Given under my hand this 20 day of November, 1957.

CITY ENGINEER
Municipal Engineering Corp.

By SS: J. A. Spence
J. A. Spence, Engineer

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF 30th STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO BLAKE'S CREEK; 9th STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; MINOR AVENUE, FROM ITS INTERSECTION WITH LOCK STREET EXTENDING EAST TO BACK WATER; DUPONT AVENUE (FORMERLY DUPONT STREET), FROM ITS INTERSECTION WITH BEECH STREET (FORMERLY 2nd AVENUE) TO ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4th AVENUE); 21st STREET NORTH SIDE FROM KROGER LOT TO BLAKE'S CREEK BRIDGE; 21st STREET, (SOUTH SIDE) FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK BRIDGE, IN THE CITY OF NITRO, UNION DISTRICT AND POCA DISTRICT, KANAWHA COUNTY AND PUTNAM COUNTY, WEST VIRGINIA.

To THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO,
WEST VIRGINIA:

I hereby certify and report that the cost of the permanent improvement of 30th Street, from its intersection with Second Avenue to Blake's Creek; 9th Street, from its intersection with First Avenue to its intersection with Second Avenue; Minor Avenue, from its intersection with Lock Street extending East to Back Water; DuPont Avenue (formerly DuPont Street), from its intersection with Beech Street (formerly 2nd. Avenue) to its intersection with Dogwood Street (formerly 4th Avenue); 21st Street (North Side) from Kroger Lot to Blake's Creek Bridge; 21st Street, (South Side) from Third Avenue (Old County Road) to Blake's Creek Bridge, in the City of Nitro, Putnam and Kanawha Counties, Pocahontas and Union District, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$36,071.88, and that said work was made and completed in accordance with the specifications, and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding

and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 25th day of June, 1957, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the common council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

SIDEWALK IMPROVEMENTS
 TWENTY-FIRST ST.
 (FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK)
 NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruth S. Mann	2101	60.00	3.978	238.68
Robert E. Dent and May Dent	2103	60.00	3.978	238.68
J.W. Skaggs and Reba Skaggs	2105	52.00	3.978	238.86
Edward Clark Colcord Jr. 2107	60.00	3.978	3.978	238.68
Helen J. Knapp	2109	60.00	3.978	238.68
Nitro Industrial Corp. 2111	2111	60.00	3.978	238.68
John W. McClain and Virginia McClain	2113	60.00	3.978	238.68
J.E. Temple and Inez Temple	2115	60.00	3.978	238.68

Food Machinery and Chemical Corp.	2117	60.00	3.978	238.68
Emma A. Bender	2119	60.00	3.978	238.68
J.E. Temple and Clara Inez Temple	2121	60.00	3.978	238.68
Agnes Creasy	2123	49.50	3.978	196.91
Kathryn S. Ingram	2125	60.00	3.978	238.68
Daniel Mittman and Laura Lee Mittman	2127	60.00	3.978	238.68
Harry M. Graves	2128	60.00	3.978	238.68
T.A. Dent and Thelma Dent	2129	60.00	3.978	238.68
James Crewdson	2130	52.00	3.978	206.86
Paul Reford Walker and Clara S. Walker	2131	60.00	3.978	238.68
Clara M. Kautz	2132	60.00	3.978	238.68
Nitro Industrial Corp. 2133	60.00	3.978	238.68	
Food and Machinery and Chemical Corp.	2134	35.50	3.978	141.22

SIDEWALK IMPROVEMENTS
(FROM THIRD AVENUE (OLD COUNTY ROAD) TO
BLAKE'S CREEK BRIDGE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number of other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Nitro Industrial Corp.	2112	4.00	3.978	15.91
Nitro Industrial Corp.	2114	60.00	3.978	238.68
Nitro Industrial Corp.	2116	60.00	3.978	238.68
Nitro Industrial Corp.	2118	60.00	3.978	238.68
Paul T. Arbuckle and Ona B. Arbuckle	2120	60.00	3.978	238.68

Nitro Industrial Corp.	2122	60.00	3.978	238.68
Nitro Industrial Corp.	2124	60.00	3.978	238.68
Ella Higginbotham	2126	80.00	3.978	318.24
Food Machinery and Chemical Corp.	2174	<u>5.00</u>	3.978	<u>19.89</u>
TOTALS		1,658.00		6,595.53

THIRTIETH STREET
(SECOND AVENUE TO BLAKE'S CREEK)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Alfred E. Gorby	3019	50.00	12.853	642.65
Howard Martin	3021	50.00	12.853	642.65
Mafalda Earls and Claude G. Earls	3023	50.00	12.853	642.65
W.D. Hartigan and Elaine V. Hartigan	3025	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3027	55.00	12.853	706.92

THIRTIETH STREET
(SECOND AVENUE TO BLAKE'S CREEK)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lawrence A. Hedrick and Dalphia Hedrick	3020	50.00	12.853	642.65
Elsie Persinger	3022	50.00	12.853	642.65
Magalda Earls and Claude G. Earls	3024	50.00	12.853	642.65
Robert H. Tinsley	3026	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3028	<u>55.00</u>	12.853	<u>706.92</u>
TOTALS		510.00		6,555.04

DUPONT AVENUE
(BEECH STREET TO DOGWOOD STREET)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Amount Assessment</u>
Harry O. Prine and Georgia M. Prine	Lots 1, 2, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Davis, Alexander Co. and State of West Virginia	Lots 3, 4, Block F Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
John Rollins and Opal Rollins	Lots 5, 6, Block F, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Roy Reed and Blanche Reed	Lots 7, 8, Block F, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Meda L. McDonald	Lots 9, 10, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Mrs. T. R. Farley Lillian Robertson and State of West Virginia	Lots 11, 12, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
W. P. Arthur	Lots 1, 2, Block G, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Zeta O. Phipps	Lots 4, 5, Block G, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Brown's Chevrolet Co. a Corporation	Lots 3, 6, 7, Block G, Northside Development Co. Property, Helena Tract.	60.00	16.751	1,005.06
Charleston Realty Co.	Lot Number 8, Block G, Northside Development Co. Property, Helena Tract.	20.00	16.751	335.02

Lucy S. Quarrier,	Lot 9, Block G,			
Elizabeth G. Quarrier	Northside Development Co.			
Elizabeth G. Quarrier	Property, Helena Tract,			
and The Chas. Nat.	and Lot 20, Block G, Baker-			
Bank, Gdn, for	Myer Subdivision			
Elizabeth May Wuarrier		40.00	16.751	670.04

DUPONT AVENUE
(BEECH STREET TO DOGWOOD STREET)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Jo Ann Hautem	Lots 13, 14, Block C, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Luther W. Martin and Minnie C. Martin	Lots 15, 16, 17, 18, 19, Block C, Northside Development Co. Property Helena Tract.	100.00	16.751	1,675.10
Don Biggs and Ruby E. Biggs	Lots 21, 21, 22, Block C, Northside Development Co. Property, Helena Tract.	60.00	16.751	1,005.06
Calvin C. Caldwell	Lots 23, 24, Block C, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Milton Alford	Lots 11, 12, 13, Block D, Northside Development Co. Property, Helena Tract.	60.00	16.751	1,005.06
G. T. Lewis and Louise Lewis	Lots 14, 15, 16, Block D, Northside Development Co. Property, Helena Tract/	60.00	16.751	1,005.06
Unknown Heirs of C.P. Myer and State of West virginia	Lot 17, Block D, Northside Development Co. Property, Helena Tract, Lot 13, Block D, Baker- Myer Subdivision of Mohler- Gregory Tract.	40.00	16.751	670.04
N.R. Henderson	Lots 14, 15, Block D, Baker-Myer Subdivision of Mohler-Gregory Tract.	40.00	16.751	670.04
TOTALS		880.00		14,740.88

NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Maple L. Wilson	901	52.04	16.971	883.17
Maggie L. Wilson	903	40.00	16.971	678.84

SOUTH SIDE

Gertie E. Watkins	902	<u>85.50</u>	16.971	<u>1,451.02</u>
TOTALS		177.54		3,013.03

MINOR AVENUE
(LOCK STREET TO BACK WATER)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
J.W.Byrd and Sylvia Byrd	Lot 65, East View Land Co.Addi- tion	46.00	9.587	441.00
Helen M. Saffel	Lot 64, East View Land Co., Addition	46.00	9.587	441.00
Eugene Humphrey	Lots 62, 63, East View Land Co., Adn.	92.00	9.587	882.00
Appalachian Elect. Power Co., A Corp.	Lots 61, 60, East View Land Co. Adn.	85.50	9.587	819.69

WEST SIDE

A.W. Milhoan	Lots 68,69,70 East View Land Co., Adn.	170.00	9.587	1,629.80
Ernest Ray Wright and Mary Maxine Wright	Lot 71, East View Land Co. Adn.	31.00	9.587	297.20
Herbert Doss and Dorothy Doss	Lot 72, East View Land Co.,Adn.	30.00	9.587	287.61

Edward G. Robertson and Martha L. Robertson	Lot 76, East View Land Co. Adn.	<u>38.50</u>	9.587	<u>369.10</u>
TOTALS		539.00		5,167.40

TOTALS FOR PROJECT		3,764.54		36,071.88
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Given under my hand this 20 day of November, 1957

CITY ENGINEER
Municipal Engineering Corp.

By SS: J. A. Spence
J. A. Spence, Engineer

And said Council having inspected said report of work awarded to Anderson's Inc., a corporation, upon motion of Councilman Bush, seconded by Councilman Gewin, and adopted unanimously said report is accepted and ordered to be made a part of the minutes of Council, And said Council having inspected said report of Work awarded to H. N. Hewitt Corporation, a corporation, upon motion of Councilman Bush, seconded by Councilman Gandee, and adopted unaminously said report is accepted and ordered to be made a part of the Minutes of Council, and the City Recorder is authorized and directed to publish notice that at a meeting to be held on the 10th day of December, 1957, at 8:00 o'clock, P.M. in the City Building, all owners of abutting property and other interested parties might appear and move the revision or correction of said reports, and that on or after said date an assessment for the cost of same would be laid on said property and the owners thereof for the cost of same, which said notice is to be filed with the minutes and made a part hereof.

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

M. L. BUSH, DR. J. L. DUNLAP, JR., M. A. FLOWERS, H. M. GANDEE,
B. E. GEWIN, F. E. GROVER AND GEORGE. W. HOGSHEAD, M. D.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chambers in the City Hall of said City on December 10, 1957, at 8:00 o'clock P. M. for the purpose of considering the laying of assessments for the permanent improvements the streets set out in the notice published in the Kanawha Valley Leader on November 29, 1957 and December 6, 1957, and the making of any revisions and corrections in such proposed assessments before proceeding to lay same; and for the further purpose of considering any other matters relating to said improvements, and any other matters that may properly come before the Council.

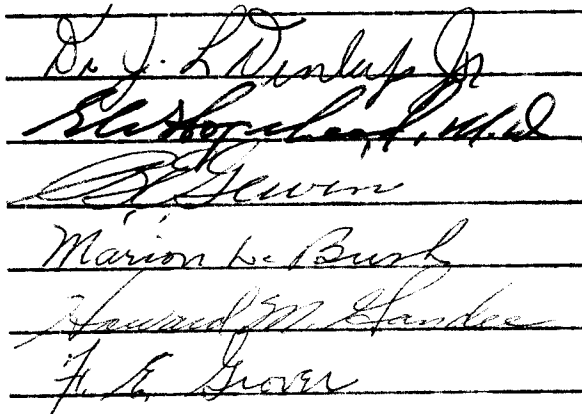
Respectfully yours,



W.W. Alexander, Mayor

CITY OF NITRO

The foregoing Notice is hereby accepted as being both sufficient and timely:




Upon motion of Councilman Dunlap, seconded by Councilman Bush, and unanimously adopted it is ordered that the Council meet in Special Session at the City Building on the 10th day of December, 1957, at 8:00 o'clock, P.M. for the purposes above set out.

Upon motion of Councilman Gewin, seconded by Councilman Bush, and unanimously adopted it is ordered that Council stand adjourned until said above date.



W.W. Alexander, Mayor



Grace Lewis, City Recorder

Meeting of December 10th, 1957.

At a special meeting of the Council of the City of Nitro, regularly and duly called, on the 10th day of December, 1957, there were present W. W. Alexander, Mayor, Grace Lewis, Recorder, and M. L. Bush, Dr. J. L. Dunlap, Jr., H. M. Gandee, B. E. Gewin, F. E. Grover and Dr. George W. Hogshead, M.D. members of the Council. M. A. Flowers being absent.

The meeting was called to order by W. W. Alexander, Mayor, who announced that this was a meeting called for the levying of assessments for paving as set out in the notice to property owners as published in the Kanawha Valley Leader under dates of November 29, 1957, and December 6, 1957, and further accounced that the meeting was open for any revisions or corrections of the Reports of the Engineer as set out in said notice.

Thereupon the Recorder read the minutes for the meetings held November 19, 1957 and November 21st, 1957. Thereupon Councilman Grover, moved that the minutes for the Meeting held November 19th, 1957, be approved, said motion was seconded by Councilman Gandee and upon vote b y Council the motion carried. Thereupon Councilman Bush moved that the minutes for the Meeting held November 21st, 1957, be approved, said motion was seconded by Councilman Dunlap and upon vote by Council the motion carried.

Thereupon the Recorder informed Council that the Engineer having heretofore filed his reports, and that pursuant to its directions she had given notice as required by law to the owners of the property abutting upon the streets and portions thereof pursuant to paving Ordinance adopted by

Council on June 25, 1957, by publication in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro and tendered to Council the Publisher's Affidavit and Certificate of Publication of said notices.

Thereupon upon motion of Councilman Gewin, seconded by Councilman Hogshead, and unanimously adopted, it is ordered that the Publisher's Affidavit and Certificate of Publication as above mentioned be received and made a part of the minutes of this meeting by actual inclusion therein.

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON 36th STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 35th STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 32nd STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 29TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 28TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 21ST STREET, NORTH, FROM ITS INTERSECTION WITH 21ST STREET TO THE END OF PRESENT PAVING; 31ST STREET FROM ITS INTERSECTION WITH FIRST

AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 31ST STREET FROM ITS INTERSECTION WITH SECOND AVENUE TO 31ST STREET BRIDGE; 22ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; THIRD AVENUE, FROM ITS INTERSECTION WITH 21ST STREET TO ITS INTERSECTION WITH 31ST STREET BRIDGE; 8TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; BANK STREET, FROM ITS INTERSECTION WITH 20TH STREET TO ITS INTERSECTION WITH 21ST STREET, ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 25th day of June, 1957, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8, of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and reference is hereby made

to said maps and deeds for more complete descriptions.)

THIRTY-SIXTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lloyd M. Chapman	Lots 3601, 3603 and 3605	150.83	3.26	491.71
James S. Dabney and Leah F. Dabney	Lot 3607	50.00	3.26	163.00
Paul T. Arbuckle and Ona B. Arbuckle	Lot 3609	50.00	3.26	163.00
J. F. Woods and Mildred Woods	Lot 3611	50.00	3.26	163.00
Nitro Indust. Corp.	Lot 3613	50.00	3.26	163.00
H. M. Graves and N. B. Graves	Lot 3615	50.00	3.26	163.00
D. Nalley (Deceased) Albert D. Huston, Mrs. Beulah R. Andrews, Jesse (Cesidio) Nalli, Jennie (Giovanna) Clemente, Catherine A Nalley, Nunziata Nallie and Ralph D. Thomas	Lot 3617	50.00	3.26	163.00
C. W. Cole	Lot 3619	45.00	3.26	146.70

THIRTY-SIXTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ada T. Jamison	Lot 3602	50.83	3.26	165.71
William Angel Hager and Jessie Grace Hager	Lot 3604	50.00	3.26	163.00
Carl R. Fowler	Lot 3606	50.00	3.26	163.00
Walter Hedrick	Lot 3608	50.00	3.26	163.00
Walter Hedrick	Lot 3610	50.00	3.26	163.00

C. F. Schowen and Fannie May Schowen	Lot 3612	50.00	3.26	163.00
John Santrock, Jr. and Ruth Santröck	Lot 3614	50.00	3.26	163.00
Dr. George W. Hogshead and Eleanor P. Hogshead	Lot 3616	50.00	3.26	163.00
G. S. Smith	Lot 3618	<u>50.00</u>	3.26	<u>163.00</u>
TOTALS		946.66		3,086.12

THIRTY-FIFTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibson and Susie P. Gibson	Lot 3501 and part of Lot 3503	80.83	7.7246	624.38
Elsie C. Alderson	Lot 3505 and part of Lot 3503	70.00	7.7246	540.72
C.K. McCallister and Eliza McCallister	Lot 3507	50.00	7.7246	386.23
J. F. McClanahan and Valeida V. McClanahan	Lot 3509	50.00	7.246	386.23
C. F. Schowen and Fannie May Schowen	Lot 3511	50.00	7.7246	386.23
Carmel E. Davis and Gladys H. Davis	Lot 3513	50.00	7.7246	386.23
James R. Phillips and Dorotha W. Phillips	Lot 3515	50.00	7.7246	386.23
G. S. Smith	Lot 3517	50.00	7.7246	386.23

THIRTY-FIFTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibson and Susie P. Gibson	Lot 3502	50.83	7.7246	392.64

Lawrence Leroy Shank and Fannie L. Shank	Lot 3506 and 3504	100.00	7.7246	772.46
C. S. McDaniel and Mary Alice McDaniel	Lot 3508	50.00	7.7246	386.23
Nitro Indust. Corp.	Lot 3510	50.00	7.7246	386.23
C. M. Trevillian and Ruby Trevillian	Lots 3512, 3514 3516 and 3518	<u>195.00</u>	7.7246	<u>1,506.30</u>
TOTALS		896.66		6,926.34

THIRTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number of Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Mildred Hill	Lot 3201	50.83	3.324	168.96
Marion L. Bush	Lot 3203	50.00	3.324	166.20
H. P. Brubaker and Mabel Brubaker	Lot 3205	50.00	3.324	166.20
Glendate Gallie Rawlings and Freda N. Rawlings	Lots 3207 and 3209	100.00	3.324	332.40
Edith Katherine Lintzmeyer Johnson	Lot 3211	50.00	3.324	166.20
Leonard G. Asbury and Wilma L. Asbury	Lot 3213	50.00	3.324	166.20
Clarence M. Schowen	Lot 3215	50.00	3.324	166.20

THIRTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Luigi Lemma	Lot 3202	50.83	3.324	168.96
L. O. Grass	Lot 3204	50.00	3.324	166.20
Ruby Lee Fowler	Lot 3206	50.00	3.324	166.20

Lydia Entzminger Kelly	Lot 3208	50.00	3.324	166.20
Lula Smith	Lot 3212	50.00	3.324	166.20
Jim Smith	Lot 3210	50.00	3.324	166.20
Mrs. Hattie M. Bird	Lot 3214	50.00	3.324	166.20
Cecil Meadows	Lot 3216	<u>50.00</u>	3.324	<u>166.20</u>
TOTALS		801.66		2,664.72

TWENTY-NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
O.O. Harrison, Marguerite Harrison, Edward Marcus Harrison, Robert Lee Harrison and Marguerite Marie Harrison	Lots 2901, 2903	100.83	3.345	337.28
Henry Pauley	Lot 2905	50.00	3.345	167.25
H. H. Gates and Kathleen Gates	Lot 2907	50.00	3.345	167.25
Joseph E. Nelson and Laura C. Nelson	Lot 2909	50.00	3.345	167.25
Sars Ruth Honaker	Lot 2911	50.00	3.345	167.25
Mary A. Davis and Charles J. Davis	Lot 2913	50.00	3.345	167.25
Cecil W. Martin	Lot 2915	50.00	3.345	167.25

TWENTY-NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Floyd Roznowski and Lima Roznowski	Lot 2902	50.83	3.345	170.03
George Witt and Thelma Witt	Lot 2904	50.00	3.345	167.25

Theodore F. Baumgartner and Blanch Baumgartner	Lot 2906	50.00	3.345	167.25
Dolly Lentisha Jones	Lot 2908	50.00	3.345	167.25
William E. Burgess and Thelma Burgess	Lot 2910	50.00	3.345	167.25
Lucy Stover	Lots 2912, and 2914	100.00	3.345	334.50
Elmer S. Gaylor, Jr.	Lot 2916	<u>50.00</u>	3.345	<u>167.25</u>
TOTALS		801.66		2,681.56

TWENTY-EIGHTH STREET
 (FIRST AVENUE TO SECOND AVENUE)
 NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
A.J. Bland and Wanda Bland	Lot 2801	50.83	3.152	160.22
A.J. Bland and Wanda Bland	Lot 2801	50.83	4.864	247.24
A.J. Bland and Wanda Bland	Lot 2801	50.83	3.349	170.23
Garnet Smith	Lot 2803	50.00	3.152	157.60
Carl Smith	Lot 2805	50.00	3.152	157.60
E. Edward/Null	Lot 2807	50.00	3.152	157.60
Ira L. Hedrick	Lot 2809	50.00	3.152	157.60
Harvey A. Sublette and Edith S. Sublette	Lot 2811	50.00	3.152	157.60
Lena Scholz Woody	Lot 2813	50.00	3.152	157.60
Margaret Huffman	Lot 2815	50.00	3.152	157.60

TWENTY-EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lena Scholz Woody	Lots 2802, 2804 and 2806	150.83	3.152	475.42
Fred Hill	Lot 2808	50.00	3.152	157.60
M.C. McLaughlin and Virginia McLaughlin	Lot 2810	50.00	3.152	157.60
Pearl McCallister	Lot 2812	50.00	3.152	157.60
Grace T. West	Lot 2814	50.00	3.152	157.60
W.G. Lamb and Rosalynd Lamb	Lot 2816	<u>50.00</u>	3.152	<u>157.60</u>
TOTALS		903.32		2,944.31

TWENTY-FIRST STREET NORTH
(TWENTY-FIRST STREET TO END OF PRESENT PAVING)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Harrold L. VanNetta and Sybal Cox VanNetta	Part of Lot 41	103.50	2.7226	281.79
W.A.B. Vivian	Lot 36, and Part Lot 41	72.96	2.7226	198.64
J.L. Dunlap, Jr. and Carrie A. Dunlap	Lot 38	60.00	2.7226	163.36
J.R. Ingram and Kathryn Ingram	Lot 40	60.00	2.7226	163.36
Monsanto Chemical Company, a Corp.	Lot 64	74.00	2.7226	201.47
Homer L. Putney and Edith F. Putney	Lot 66	60.00	2.7226	163.36
G.C. Alderson and Elsie C. Alderson	Lot 68	60.00	2.7226	163.36

Food Machinery and Chemical Corp.	Lot 70	55.00	2.7226	149.74
Food Machinery and Chemical Corp.	Lot 70	54.00	4.631	250.07

TWENTY-FIRST STREET NORTH
(TWENTY-FIRST STREET TO END OF PRESENT PAVING)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Food Machinery and Chemical Corp.	Lot 34	128.90	2.7226	350.94
Marion W. Harmon and Gladys Harmon	Lot 35	68.00	2.7226	185.14
Robert H. Cooper and Marville B. Cooper	Lot 37	60.00	2.7226	163.36
Harriett M. Pickens	Lot 39	60.00	2.7226	163.36
G. P. Russell and A. S. Russell	Lot 65	60.00	2.7226	163.36
George L. Magoun and Helen Magoun	Lot 67	61.00	2.7226	166.08
Lucy S. Munkenbeck	Lot 69	60.00	2.7226	163.36
Lucy S. Munkenbeck	Lot 71	60.00	2.7226	163.36
Lucy S. Munkenbeck	Lot 71	<u>45.00</u>	4.631	<u>208.40</u>
TOTALS		1,202.36		3,462.51

THIRTY-FIRST STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Luigi Lemma	Lot 3101	50.83	3.17	161.13
J. W. Scott	Lot 3103	50.00	3.17	158.50
Cordelia C. Selby	Lot 3105	50.00	3.17	158.50
Ray Butler and Florence Butler	Lot 3107	50.00	3.17	158.50

R. S. Evans	Lot 3109	50.00	3.17	158.50
Donald E. Grover and Frances Pierson Grover	Lot 3111	50.00	3.17	158.50
Howard Childers	Lot 3113	50.00	3.17	158.50
W. W. Alexander	Lot 3115	50.00	3.17	158.50

THIRTY-FIRST STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Norma Frances Johnson Jack Edwin Johnson and Dana F. Johnson	Lot 3102	50.83	3.17	161.13
Ancel Martin	Lot 3104	50.00	3.17	158.50
Mumphford Johnson and Flora Johnson	Lot 3106	50.00	3.17	158.50
Elmer M. Knell and Lessa O. Knell	Lot 3108	50.00	3.17	158.50
Robert M. Tormey	Lot 3110	50.00	3.17	158.50
Robert Much, Jr.	Lot 3112	50.00	3.17	158.50
Cecilia M. Tormey	Lot 3114	50.00	3.17	158.50
Trustees for Nitro Church of Christ, Nitro West Virginia	Lot 3116	<u>50.00</u>	3.17	<u>158.50</u>
TOTALS		801.66		2,541.26

THIRTY-FIRST STREET
(SECOND AVENUE TO THIRTY-FIRST STREET BRIDGE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Frank W. Woods	Lot 3119	65.00	8.935	580.78
Omer Rawlings and Icy M. Rawlings	Lots 3121 and 3123	118.00	8.935	1,054.33
Omer Rawlings and Icy M. Rawlings	Lot 3123	17.00	3.168	53.86

THIRTY-FIRST STREET
(SECOND AVENUE TO THIRTY-FIRST STREET BRIDGE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment Assessment</u>
Nola Milam	Lot 3120	50.00	8.935	446.75
J. A. Thacker and Ethel Thacker	Lot 3122	50.00	8.935	446.75
Sylvia M. Phillips	Lot 3124	50.00	8.935	446.75
Edward Withrow	Lot 3126	36.00	8.935	321.66
Edward Withrow	Lot 3126	<u>14.00</u>	3.168	<u>44.35</u>
TOTALS		400.00		3,395.23

BANK STREET
(TWENTY-FIRST STREET TO TWENTIETH STREET)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number Or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G.C.Alderson and G.S.Smith	Lot, Plot 24	230.00	5.62	1,292.60

EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gertie E. Watkins	Lot 801	45.20	7.656	346.05

SOUTH SIDE

Nitro Indust. Corp.	Lot 800	<u>29.70</u>	7.656	<u>227.38</u>
TOTALS		74.90		573.43

THIRD AVENUE
(TWENTY-FIRST STREET TO THIRTY-FIRST STREET BRIDGE)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruth S. Mann	Lot 2101	233.00	2.321	540.79
Olaf K. Walker and Ival K. Walker	Part of Lots 2101 and 2103	67.00	2.321	155.51
Dr. L. I. Moke	Part of Plot 4	148.57	2.321	345.25
E.L. Harris and Sallie Harris	Lot, Part of Plot 4, Area R	137.00	2.321	317.98
M. A. Lawless and Myrtie Lawless	Lot, Part of Plot 4, Area R	114.92	2.321	266.73
James Clay Turley and Peggy Lee Lawless Turley	Lot, Part of Plot 4, Area R Nitro Reservation	70.00	2.321	162.47
Nitro Indust. Vorp.	Lot, Part of Plot 4, Area R	20.00	2.321	46.42
N. L. Rose and Mary M. Rose	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
Robert Jackson Boggs and Thelma Gertrude Boggs	N.1/2 of .37 Acre Lot, Part of Plot 4, Area R	50.37	2.321	116.91
Owen B. Sizemore and Audrie E. Sizemore	S.1/2 of .37 Acre Lot, Part of Plot 4, Area R	50.38	2.321	116.93
Wilma F. Burdette	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
W. J. Waldorf	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
Nitro Indust. Corp.	Area R, Tract Plot 4	520.00	2.321	1,206.92
Edward Withrow and Kathryn N. Withrow	1-1/2 Acre Lot Area S	201.70	2.321	468.15
O. J. Shamblin	2.95 Acre Lot Area S	143.30	2.321	332.60

THIRD AVENUE
(TWENTY-FIRST STREET TO THIRTY-FIRST STREET BRIDGE)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number Or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessments</u>
Thelma H. Comstock	Part of Lot 15, Area R	229.00	2.321	531.51
Nitro Industrial Corporation	Part of Lot 15, Area R	334.73	2.321	776.91
J.W. Higginbotham	Lot 2337	65.00	2.321	150.87
Lillian Trout	Lot 2438	90.50	2.321	210.05
Mary Francel Campbell and Leland Q. Campbell	Lot 2437	90.67	2.321	210.45
Emil Arcuri and Madeline Arcuri	Lot 2538	91.16	2.321	211.58
Delbert Burdette	Lot 2537	92.53	2.321	214.76
Robert H. Waldorf Wendell H. Harrison and Dorothy V. Harrison	Lot 2638	91.30	2.321	211.91
Wellington J. Waldorf and Georgia Reed	Lot 2635	91.15	2.321	211.56
A. Q. Wiley	Lot 2733	93.47	2.321	216.94
Thomas M. Waldorf and Rosalie Ann Waldorf	Lot 2736	93.00	2.321	215.85
S. L. Burdette	Lots 2831, 2834	170.83	2.321	396.50
O.J. Shamblin	Lots 2833, 2835 2929, 2931	195.42	2.321	453.57
James H. Fowler and Kathleen B. Fowler	Lot 3028	65.20	2.321	151.33
James H. Fowler and Kathleen B. Fowler	Lots 3128 and 3027	<u>136.10</u>	2.321	<u>315.89</u>
TOTALS		3,988.73		9,257.83

TWENTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G.C.Alderson and W. L. Wintz	Lot, Area R. 1st Avenue and 22nd Street	72.00	3.9866	287.04
G.C.Alderson and W.L.Wintz	Lot, Plot 23 Area R	127.00	3.9866	506.30
West Virginia Water Service Co., a Corp.	Lot, Area R, Nitro Reservation	130.00	3.9866	518.26
<u>SOUTH SIDE</u>				
J. W. Skaggs and Reba Skaggs	Part of Lot 13, Area R	120.02	3.9866	478.47
Charles H. Kittle	Part of Lot 13, Area R	50.00	3.9866	199.33
Aldo W. Hanes and Rosehelena F. Hanes	Part of Lot 13, Area R	50.00	3.9866	199.33
Trustees of The First Baptist Church of Nitro	Area R. Part of Lot 13	<u>130.00</u>	3.9866	<u>518.26</u>
TOTALS		<u>679.02</u>		<u>2,706.99</u>
GRAND TOTALS FOR PROJECT		<u>2,944.31</u>		<u>41,532.90</u>

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owner of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 10th day of December, 1957, at 8:00 P.M., the owner or owners whose

property is to be assessed as hereinabove designated or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 10th day of December, 1957, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above named assessments may be paid by the owners of said property at any time up to, and including the 10th day of December, 1957, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA

Grace Lewis, Recorder.

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 29th day of November, 1957 and ending with the issue of the 6th day of December, 1957 and was posted at the Court House of Kanawha County.

C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 6th day of December, 1957.

Zelda R. Yates
Notary Public for Kanawha County, West Virginia.
(My commission expires January 21, 1965.)

BK6, after pg. 39

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 29th day of November, 19 57 and ending with the issue of the 6th day of December, 19 and was posted at the Court House of Kanawha County on

, 19

C.R. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 6th day of December, 19 57

Z. R. Yates
Notary Public for Kanawha County, West Virginia.

(My commission expires January 21, 1965).

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON 36TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 35TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 32ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 29TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 28TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 21ST STREET, NORTH, FROM ITS INTERSECTION WITH 21ST STREET TO THE END OF PRESENT PAVING; 31ST STREET FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 31ST STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO 31ST STREET BRIDGE; 22ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; THIRD AVENUE, FROM ITS INTERSECTION WITH 21ST STREET TO ITS INTERSECTION WITH 31ST STREET BRIDGE; 8TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; BANK STREET, FROM ITS INTERSECTION WITH 20TH STREET TO ITS INTERSECTION WITH 21ST STREET, ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 25th day of June, 1957, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8, of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and reference is hereby made to said maps and deeds for more complete descriptions.)

THIRTY-SIXTH STREET
(First Avenue to Second Avenue)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Lloyd M. Chapman	Lots 3601, 3603 and 3605	150.83	\$3.26	\$491.71
James S. Dabney and Leah F. Dabney	Lot 3607	50.00	3.26	163.00
Paul T. Arbuckle and Ona B. Arbuckle	Lot 3609	50.00	3.26	163.00
J. F. Woods and Mildred Woods	Lot 3611	50.00	3.26	163.00
Nitro Indust. Corp.	Lot 3613	50.00	3.26	163.00
H. M. Graves and N. B. Graves	Lot 3615	50.00	3.26	163.00
D. Nallye (deceased) Albert D. Huston, Mrs. Beulah R. Andrews, Jesse (Cesidio) Nalli, Jennie (Giovanna) Clemente, Catherine A. Nalley, Nunziata Nallie and Ralph D. Thomas	Lot 3617	50.00	3.26	163.00
C. W. Cole	Lot 3619	45.00	3.26	146.70

THIRTY-SIXTH STREET
(First Avenue to Second Avenue)

SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Ada T. Jamison	Lot 3602	50.83	\$3.26	\$165.71
William Angel Hager and Jessie Grace Hager	Lot 3604	50.00	3.26	163.00
Carl R. Fowler	Lot 3606	50.00	3.26	163.00
Walter Hedrick	Lot 3608	50.00	3.26	163.00
Walter Hedrick	Lot 3610	50.00	3.26	163.00
C. F. Schowen and Fannie May Schowen	Lot 3612	50.00	3.26	163.00
John Santrock Jr. and Ruth Santrock	Lot 3614	50.00	3.26	163.00
Dr. George W. Hogshead and Eleanor P. Hogshead	Lot 3616	50.00	3.26	163.00
G. S. Smith	Lot 3618	50.00	3.26	163.00
	TOTALS	946.66		\$3,086.12

THIRTY-FIFTH STREET
(First Avenue to Second Avenue)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
G. W. Gibson and Susie P. Gibson	Lot 3501 and Part of Lot 3503	80.83	\$7.7246	\$624.38
Elsie C. Alderson	Lot 3505 and Part of Lot 3503	70.00	7.7246	540.72
C. K. McCallister and Eliza McCallister	Lot 3507	50.00	7.7246	386.23
J. F. McClanahan and Valeida V. McClanahan	Lot 3509	50.00	7.7246	386.23
C. F. Schowen and Fannie May Schowen	Lot 3511	50.00	7.7246	386.23
Carmel E. Davis and Gladys H. Davis	Lot 3513	50.00	7.7246	386.23
James R. Phillips and Dorothea W. Phillips	Lot 3515	50.00	7.7246	386.23
G. S. Smith	Lot 3517	50.00	7.7246	386.23

THIRTY-FIFTH STREET
(First Avenue to Second Avenue)

SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
G. W. Gibson and Susie P. Gibson	Lot 3502	50.83	\$7.7246	\$392.64
Lawrence Leroy Shank and Fannie L. Shank	Lots 3506 and 3504	100.00	7.7246	772.46
C. S. McDaniel and Mary Alice McDaniel	Lot 3508	50.00	7.7246	386.23
Nitro Indust. Corp.	Lot 3510	50.00	7.7246	386.23
C. M. Trevillian and Ruby Trevillian	Lots 3512, 3514, 3516 and 3518	195.00	7.7246	1,506.30
TOTALS		896.66		\$6,926.34

THIRTY-SECOND STREET
(First Avenue to Second Avenue)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Mildred Hill	Lot 3201	50.83	\$3.324	\$168.96
Marion L. Bush	Lot 3203	50.00	3.324	166.20
H. P. Brubaker and Mabel Brubaker	Lot 3205	50.00	3.324	166.20
Glendale Gallie Rawlings and Freda N. Rawlings	Lots 3207 and 3209	100.00	3.324	332.40
Edith Katherine Lintzmeyer Johnson	Lot 3211	50.00	3.324	166.20
Leonard G. Asbury and Wilma L. Asbury	Lot 3213	50.00	3.324	166.20
Clarence M. Schowen	Lot 3215	50.00	3.324	166.20

THIRTY-SECOND STREET
(First Avenue to Second Avenue)
SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Luigi Lemma	Lot 3202	50.83	\$3.324	\$168.96
L. O. Grass	Lot 3204	50.00	3.324	166.20
Ruby Lee Fowler	Lot 3206	50.00	3.324	166.20
Lydia Entzminger Kelly	Lot 3208	50.00	3.324	166.20
Lula Smith	Lot 3212	50.00	3.324	166.20
Jim Smith	Lot 3210	50.00	3.324	166.20
Mrs. Hattie M. Bird	Lot 3214	50.00	3.324	166.20
Cecil Meadows	Lot 3216	50.00	3.324	166.20
	TOTALS	801.66		\$2,664.72

TWENTY-NINTH STREET
(First Avenue to Second Avenue)
NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
O. O. Harrison, Marguerite Harrison, Edward Marcus Harrison, Robert Lee Harrison and Marguerite Marie Harrison	Lots 2901 and 2903	100.83	\$3.345	\$337.28
Henry Pauley	Lot 2905	50.00	3.345	167.25
N. H. Gates and Kathleen Gates	Lot 2907	50.00	3.345	167.25
Joseph E. Nelson and Laura C. Nelson	Lot 2909	50.00	3.345	167.25
Sara Ruth Honaker	Lot 2911	50.00	3.345	167.25
Mary A. Davis and Charles J. Davis	Lot 2913	50.00	3.345	167.25
Cecil W. Martin	Lot 2915	50.00	3.345	167.25

TWENTY-NINTH STREET
(First Avenue to Second Avenue)
SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Floyd Roznowski and Lima Roznowski	Lot 2902	50.83	\$3.345	\$170.03
George Witt and Thelma Witt	Lot 2904	50.00	3.345	167.25
Theodore F. Baumgartner and Blanch Baumgartner	Lot 2906	50.00	3.345	167.25
Dolly Lentisha Jones	Lot 2908	50.00	3.345	167.25
William E. Burgess and Thelma Burgess	Lot 2910	50.00	3.345	167.25
Lucy Stover	Lots 2912 and 2914	100.00	3.345	334.50
Elmer S. Gaylor, Jr.	Lot 2916	50.00	3.345	167.25
	TOTALS	801.66		\$2,681.56

TWENTY-EIGHTH STREET
(First Avenue to Second Avenue)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
A. J. Bland and Wanda Bland	Lot 2801	50.83	\$3.152	\$160.22
A. J. Bland and Wanda Bland	Lot 2801	50.83	4.864	247.24
A. J. Bland and Wanda Bland	Lot 2801	50.83	3.349	170.23
Garnet E. Smith	Lot 2803	50.00	3.152	157.60
Carl Smith	Lot 2805	50.00	3.152	157.60
Edward E. Null	Lot 2807	50.00	3.152	157.60
Ira L. Hedrick	Lot 2809	50.00	3.152	157.60
Harvey A. Sublette and Edith S. Sublette	Lot 2811	50.00	3.152	157.60
Lena Scholz Woody	Lot 2813	50.00	3.152	157.60
Margaret Huffman	Lot 2815	50.00	3.152	157.60

TWENTY-EIGHTH STREET
(First Avenue to Second Avenue)

SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Lena Scholz Woody	Lots 2802, 2804 and 2806	150.83	\$3.152	\$475.42
Fred Hill	Lot 2808	50.00	3.152	157.60

M. C. McLaughlin and Virginia McLaughlin	Lot 2810	50.00	3.152	157.60
Pearl McCallister	Lot 2812	50.00	3.152	157.60
Grace T. West	Lot 2814	50.00	3.152	157.60
W. G. Lamb and Rosalynd Lamb	Lot 2816	50.00	3.152	157.60
TOTALS	903.32		\$2,944.31

TWENTY-FIRST STREET NORTH
(Twenty-First Street to end of Present Paving)

EAST SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Harrold L. VanNetta and Sybal Cox VanNetta	Part of Lot 41	103.50	\$2.7226	\$281.79
W. A. B. Vivian	Lot 36, and Part of Lot 41	72.96	2.7226	198.64
J. L. Dunlap, Jr., and Carrie A. Dunlap	Lot 38	60.00	2.7226	163.36
I. R. Ingram and Kathryn Ingram	Lot 40	60.00	2.7226	163.36
Monsanto Chemical Company, a Corp.	Lot 64	74.00	2.7226	201.47
Homer L. Putney and Edith P. Putney	Lot 66	60.00	2.7226	163.36
G. C. Alderson and Elsie C. Alderson	Lot 68	60.00	2.7226	163.36
Food Machinery and Chemical Corp.	Lot 70	55.00	2.7226	149.74
Food Machinery and Chemical Corp.	Lot 70	54.00	4.631	250.07

TWENTY-FIRST STREET NORTH
(Twenty-First Street to end of Present Paving)

WEST SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Food Machinery and Chemical Corp.	Lot 34	128.90	\$2.7226	\$350.94
Marion W. Harmon and Gladys Harmon	Lot 35	68.00	2.7226	185.14
Robert H. Cooper and Marville D. Cooper	Lot 37	60.00	2.7226	163.36
Harriett M. Pickins	Lot 39	60.00	2.7226	163.36
G. P. Russell and A. S. Russell	Lot 65	60.00	2.7226	163.36
George L. Magoun and Helen Magoun	Lot 67	61.00	2.7226	166.08
Lucy S. Munkenbeck	Lot 69	60.00	2.7226	163.36
Lucy S. Munkenbeck	Lot 71	60.00	2.7226	163.36
Lucy S. Munkenbeck	Lot 71	45.00	4.631	208.40
TOTALS			1,202.36	\$3,462.51

THIRTY-FIRST STREET
(First Avenue to Second Avenue)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Luigi Lemma	Lot 3101	50.83	\$3.17	\$161.13
J. W. Scott	Lot 3103	50.00	3.17	158.50
Cordelia C. Selby	Lot 3105	50.00	3.17	158.50
Ray Butler and Florence Butler	Lot 3107	50.00	3.17	158.50
R. S. Evans	Lot 3109	50.00	3.17	158.50
Donald E. Grover and Frances Pierson Grover	Lot 3111	50.00	3.17	158.50
Howard Childers	Lot 3113	50.00	3.17	158.50
W. W. Alexander	Lot 3115	50.00	3.17	158.50

THIRTY-FIRST STREET
(First Avenue to Second Avenue)

SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Norma Frances Johnson, Jack Edwin Johnson and Dana F. Johnson	Lot 3102	50.83	\$3.17	\$161.13
Ancel Martin	Lot 3104	50.00	3.17	158.50
Mumphford Johnson and Flora Johnson	Lot 3106	50.00	3.17	158.50
Elmer M. Knell and Lessa O. Knell	Lot 3108	50.00	3.17	158.50
Robert M. Tormey	Lot 3110	50.00	3.17	158.50
Robert Muck, Jr.	Lot 3112	50.00	3.17	158.50
Cecilia M. Tormey	Lot 3114	50.00	3.17	158.50
Trustees for Nitro Church of Christ, Nitro, West Virginia	Lot 3116	50.00	3.17	158.50
TOTALS			801.66	\$2,541.26

THIRTY-FIRST STREET
(Second Avenue to Thirty-First Street Bridge)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Frank W. Woods	Lot 3119	65.00	\$8.935	\$580.78
Omer Rawlings and Icy M. Rawlings	Lots 3121 and 3123	118.00	8.935	1,054.33
Omer Rawlings and Icy M. Rawlings	Lot 3123	17.00	3.168	53.86

THIRTY-FIRST STREET
(Second Avenue to Thirty-First Street Bridge)

SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Nola Milam	Lot 3120	50.00	\$8.935	\$446.75
J. A. Thacker and Ethel Thacker	Lot 3122	50.00	8.935	446.75
Sylvia M. Phillips	Lot 3124	50.00	8.935	446.75
Edward Withrow	Lot 3126	36.00	8.935	321.66
Edward Withrow	Lot 3126	14.00	3.168	44.35
TOTALS	400.00			\$3,395.28

BANK STREET
(Twenty-First Street to Twentieth Street)

WEST SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
G. C. Alderson and G. S. Smith	Lot, Plot 24	230.00	\$5.62	\$1,292.60

EIGHTH STREET
(First Avenue to Second Avenue)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Gertie E. Watkins	Lot 801	45.20	\$7.656	\$346.05
SOUTH SIDE				
Nitro Indust. Corp.	Lot 800	29.70	\$7.656	\$227.38
TOTALS	74.90			\$573.43

THIRD AVENUE
(Twenty-First Street to Thirty-First Street Bridge)

EAST SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Ruth S. Mann	Lot 2101	233.00	\$2.321	\$540.79
Olaf K. Walker and Ival K. Walker	Part of Lots 2101 and 2103	67.00	2.321	155.51
Dr. L. I. Hoke	Part of Plot 4	148.57	2.321	345.25
E L. Harris and Sallie Harris	Lot, Part of Plot 4, Area R.	137.00	2.321	317.98
M. A. Lawless and Myrtie Lawless	Lot, Part of Plot 4, Area R.	114.92	2.321	266.73
James Clay Turley and Peggy Lee Lawless Turley	Lot, Part of Plot 4, Area R. Nitro Reser- vation	70.00	2.321	162.47
Nitro Indust. Corp.	Lot, Part of Plot 4, Area R.	20.00	2.321	46.42
N. L. Rose and Mary M. Rose	Lot .37 Acre, Part Plot 4, Area R.	100.75	2.321	233.84
Robert Jackson Boggs and Thelma Gertrude Boggs	N. 1/2 of .37 Acre Lot, Part of Plot 4, Area R.	50.37	2.321	116.91

Owen B. Sizemore and Audrie E. Sizemore	S. ½ of .37 Acre Lot, Part of Plot 4, Area R. 50.38	2.321	116.93
Wilma F. Burdette	Lot .37 Acre, Part Plot 4, Area R. 100.75	2.321	233.84
W. J. Waldorf	Lot .37 Acre Part Plot 4, Area R. 100.75	2.321	233.84
Nitro Indust. Corp.	Area R, Tract, Plot 4, 520.00	2.321	1,206.92
Edward Withrow and Kathryn N. Withrow	1½ Acre Lot, Area S 201.70	2.321	468.15
O. J. Shamblin	2.95 Acre Lot Area S 143.30	2.321	332.60

THIRD AVENUE

(Twenty-First Street to Thirty-First Street Bridge)

WEST SIDE

Name of Owner	Lot Number Or Other Description Frontage	Rate	Total Assessment
Thelma H. Comstock	Part of Lot 15, Area R. 229.00	\$2.321	\$531.51
Nitro Industrial Corporation	Part of Lot 15, Area R. 334.73	2.321	776.91
J. W. Higginbotham	Lot 2337 65.00	2.321	150.87
Lillian Trout	Lot 2438 90.50	2.321	210.05
Mary Frances Campbell and Leland Q. Campbell	Lot 2437 90.67	2.321	210.45
Emil Arcuri and Madeline Arcuri	Lot 2538 91.16	2.321	211.58
Delbert Burdette	Lot 2537 92.53	2.321	214.76
Robert H. Waldorf Wendell H. Harrison and Dorothy V. Harrison	Lot 2638 91.30	2.321	211.
Wellington J. Waldorf and Georgia Reed	Lot 2635 91.15	2.321	211.5
A. Q. Wiley	Lot 2733 93.47	2.321	216.9
Thomas M. Waldorf and Rosalie Ann Waldorf	Lot 2736 93.00	2.321	215.8
S. L. Burdette	Lots 2831, and 2834 170.83	2.321	396.50
O. J. Shamblin	Lots 2833, 2835, 2929 and 2931 195.42	2.321	453.5
James H. Fowler and Kathleen B. Fowler	Lot 3028 65.20	2.321	151.33
James H. Fowler and Kathleen B. Fowler	Lots 3128 and 3027 136.10	2.321	315.89
	TOTALS 3,988.73		\$9,257.83

**TWENTY-SECOND STREET
(First Avenue to Second Avenue)**

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
G. C. Alderson and W. L. Wintz	Lot, Area R., 1st Avenue and 22nd Street	72.00	\$3.9866	287.04
G. C. Alderson and W. L. Wintz	Lot, Plot 23 Area R.	127.00	3.9866	506.30
West Virginia Water Service Co., A Corp.	Lot, Area R, Nitro Reservoir	130.00	3.9866	518.26

SOUTH SIDE

J. W. Skaggs and Reba Skaggs	Part of Lot 13, Area R.	120.02	3.9866	478.47
Charles H. Kittle	Part of Lot 13, Area R.	50.00	3.9866	199.33
Aldo W. Hanes and Rosehelena F. Hanes	Part of Lot 13, Area R.	50.00	3.9866	199.33
Trustees of the First Baptist Church of Nitro	Area R. Part of Lot 13	130.00	3.9866	518.26
TOTALS		679.02		\$2,706.99

GRAND TOTALS FOR PROJECT.....2,944.31 \$41,532.90

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owner of property hereinabove described that at or after a regularly called Special

Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 10th day of December, 1957, at 8:00, P.M., the owner or owners whose property is to be assessed as hereinabove designated or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 10th day of December, 1957, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above named assessments may be paid by the owners of said property at any time up to, and including the 10th day of December, 1957, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

**CITY OF NITRO, WEST VIRGINIA
Grace Lewis, Recorder**



AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, To-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDE-WALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON 30TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO BLAKE'S CREEK; 9TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; MINOR AVENUE, FROM ITS INTERSECTION WITH LOCK STREET EXTENDING EAST TO BACK WATER; DUPONT AVENUE (FORMERLY DUPONT STREET), FROM ITS INTERSECTION WITH BEECH STREET (FORMERLY 2ND AVENUE) TO ITS INTERSECTION WITH DIGWOOD STREET (FORMERLY 4TH AVENUE); 21ST STREET NORTH SIDE FROM KROGER LOT TO BLAKE'S CREEK BRIDGE; 21ST STREET (SOUTH SIDE) FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK BRIDGE IN THE CITY OF NITRO, UNION AND POCA DISTRICTS, KANAWHA COUNTY AND PUTNAM COUNTY, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the City of Nitro, West Virginia, on the 25th day of June, 1957, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and by construction of sidewalks thereon, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8 of

the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and in the Office of the Clerk of the County Court of Putnam County, West Virginia, and reference is hereby made to said maps and deeds for more complete descriptions.)

SIDEWALK IMPROVEMENTS
TWENTY-FIRST ST.
(FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruth S. Mann	2101	60.00	3.978	238.68
Robert E. Dent and May Dent	2103	60.00	3.978	238.68
J. W. Skaggs and Reba Skaggs	2105	52.00	3.978	206.86
Edward Clark Colcord Jr.	2107	60.00	3.978	238.68
Helen J. Knapp	2109	60.00	3.978	238.68
Nitro Industrial Corp. 2	2111	60.00	3.978	238.68
John W. McClain and Virginia McClain	2113	60.00	3.978	238.68

J. E. Temple and Inez Temple	2115	60.00	3.978	238.68
Food Machinery and Chemical Corp.	2117	60.00	3.978	238.68
Emma A. Bender	2119	60.00	3.978	238.68
J. E. Temple and Clara Inez Temple	2121	60.00	3.978	238.68
Agnes Creasy	2123	49.50	3.978	196.91
Kathryn S. Ingram	2125	60.00	3.978	238.68
Daniel Mittman and Laura Lee Mittman	2127	60.00	3.978	238.68
Harry M. Graves	2128	60.00	3.978	238.68
T. A. Dent and Thelma Dent	2129	60.00	3.978	238.68
James Crewdson	2130	52.00	3.978	206.86
Paul Reford Walker and Clara S. Walker	2131	60.00	3.978	238.68
Clara M. Kautz	2132	60.00	3.978	238.68
Nitro Industrial Corp.	2133	60.00	3.978	238.68
Food Machinery and Chemical Corporation	2134	35.50	3.978	141.22

SIDEWALK IMPROVEMENTS
 TWENTY-FIRST STREET
 (FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK BRIDGE
 SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Nitro Industrial Corp.	2112	4.00	3.978	15.91
Nitro Industrial Corp.	2114	60.00	3.978	238.68
Nitro Industrial Corp.	2116	60.00	3.978	238.68

Nitro Industrial Corp.	2118	60.00	3.978	238.68
Paul T. Arbuckle and Ona B. Arbuckle	2120	60.00	3.978	238.68
Nitro Industrial Corp.	2122	60.00	3.978	238.68
Nitro Industrial Corp.	2124	60.00	3.978	238.68
Ella Higginbotham	2126	80.00	3.978	318.24
Food Machinery and Chemical Corp.	2174	<u>5.00</u>	3.978	<u>19.89</u>
TOTALS		1,658.00		6,595.53

THIRTIETH STREET
(SECOND AVENUE TO BLAKE'S CREEK)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Alfred E. Gorby	3019	50.00	12.853	642.65
Howard Martin	3021	50.00	12.853	642.65
Mafalda Earls and Claude G. Earls	3023	50.00	12.853	642.65
W.D. Hartigan and Elaine V. Hartigan	3025	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3027	55.00	12.853	706.92

THIRTIETH STREET
(SECOND AVENUE TO BLAKE'S CREEK)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lawrence A. Hedrick and Delphia Hedrick	3020	50.00	12.853	642.65
Elsie Persinger	3022	50.00	12.853	642.65

Mafalda Earls and Claude G. Earls	3024	50.00	12.853	642.65
Robert H. Tinsley	3026	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3028	<u>55.00</u>	12.853	<u>706.92</u>
TOTALS		510.00		6,555.04

DUPONT AVENUE
(BEECH STREET TO DOGWOOD STREET)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Amount Assessment</u>
Harry O. Prine and Georgia M. Prine	Lots 1,2, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Davis, Alexander Co., and State of West Virginia	Lots 3,4, Block F, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
John Rillins and Opal Rollins	Lots 5,6, Block F, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Roy Reed and Blanche Reed	Lots 7,8, Block F, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04
Meda L. McDonald	Lots 9, 10, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Mrs. T.R. Farley Lillian Robertson and State of West Virginia	Lots 11, 12, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
W.P. Arthur	Lots 1,2, Block G, Northside Development Co. Property, Helena Tract.	40.00	16.751	670.04

Zeta O. Phipps	Lots 4, 5, Block G, Northside Development Co..Property, Helena Tract.	40.00	16.751	670.04
Brown's Chevrolet Co. A Corporation	Lots 3,6,7, Block G, Northside Development Co. Property, Helena Tract	60.00	16.751	1,005.06
Charleston Realty Co.	Lot Number 8, Block G, Northside Development Co. Property, Helena Tract.	20.00	16.751	335.02
Lucy S. Quarrier Elizabeth G.Quarrier Elizabeth G.Quarrier and The Chas. Nat. Bank, Gdn. for Elizabeth May Quarrier	Lot 9, Block G, Northside Development Co. Property, Helena Tract, and Lot 20, Block G, Baker-Myer Subdivision	40.00	16.751	670.04

DUPONT AVENUE
(BEECH STREET TO DOGWOOD STREET)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Jo Ann Hautem	Lots 13, 14, Block G, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Luther W. Martin and Minnie C. Martin	Lots 15,16,17,18,19, Block C, Northside Development Co. Property Helena, Tract	100.00	16.751	1,675.10
Don Biggs and Ruby E. Biggs	Lots 20,21,22, Block C, Northside Development Co. Property, Helena Tract	60.00	16.751	1,005.06
Calvin C. Caldwell	Lots 23, 24, Block C, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Milton Alford	Lots 11, 12, 13, Block D, Northside Development Co. Property, Helena Tract.	60.00	16.751	1,005.06

G. T. Lewis and Louise Lewis	Lots 14,15,16, Block D, Northside Development Co. Property, Helena Tract.	60.00	16.751	1,005.06
Unknown Heirs of C.P. Myer and State of West Virginia	Lot 17, Block D, Northside Development Co. Property, Helena Tract, Lot 13, Block D, Baker- Myer Subdivision of Mohler- Gregory Tract.	40.00	16.751	670.04
N. R. Henderson	Lots 14,15, Block D, Baker-Myer Subdivision of Mohler-Gregory Tract.	40.00	16.751	670.04
TOTALS		880.00		14,740.88

NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Maple L. Wilson	901	52.04	16.971	883.17
Maggie L. Wilson	903	40.00	16.971	678.84
<u>SOUTH SIDE</u>				
Gertie E. Watkins	902	85.50	16.971	1,451.02
TOTALS		177.54		3,013.03

MINOR AVENUE
(LOCK STREET TO BACK WATER)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
J. W. Byrd and Sylvia Byrd	Lot 65, East View Land Co. Addition	46.00	9.587	441.00
Helen M. Saffel	Lot 64, East View Land Co. Addition	46.00	9.587	441.00
Eugene Humphrey	Lots 62, 63, East View Land Co. Adn.	92.00	9.587	882.00

Appalachian Elect. Power Co., A Corp.	Lots 61, 60, East View Land Co. Adn.	85.50	9.587	819.69
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WEST SIDE

A. W. Milhoan	Lots 68, 69, 70, East View Land, Co., Adn.	170.00	9.587	1,629.80
Ernest Ray Wright and Mary Maxine Wright	Lot 71, East View Land., Co. Adn.	31.00	9.587	297.20
Herbert Doss and Dorothy Doss	Lot 72, East View Land Co., Adn.	30.00	9.587	287.61
Edward G. Robertson and Martha L. Robertson	Lot 76, East View Land Co. Adn.	<u>38.50</u>	9.587	<u>369.10</u>
TOTALS		539.00		5,167.40

TOTALS FOR PROJECT		3,764.54		36,071.88
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Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 10th day of December, 1957, at 8:00 P.M. the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 10th day of December, 1957, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 10th day of December, 1957, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, West Virginia
Grace Lewis, Recorder

Was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 29th day of November, 1957 and ending with the issue of the 6th day of December, 1957.

C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 6th day of
December, 1957

Zelda R. Yates

Notary Public for Kanawha County, West Virginia.

(My commission expires January 21, 1965.)

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of
 Kanawha Valley Leader, a Weekly Newspaper of general circula-
 tion, published in the City of Nitro, Kanawha County, West Vir-
 ginia, do solemnly swear that the annexed

NOTICE

was duly published in said paper once a week for 2
 successive weeks, commencing with the issue of the 29 th
 day of November, 19 57 and ending with the
 issue of the 6th day of December, 1957
 and was posted at the Court House of Kanawha County on
19

C.R. Walker
 Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 6th day of
December, 19 57

Z. R. Yates
 Notary Public for Kanawha County, West Virginia.

(My commission expires January 21, 1965).

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING AS-
 SESSMENTS, DRAINING ASSESSMENTS, CURBING ASSES-
 MENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS
 AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF
 THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES,
 WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON 30TH
 STREET, FROM ITS INTERSECTION WITH SECOND AVENUE
 TO BLAKE'S CREEK; 9TH STREET, FROM ITS INTERSECTION
 WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND
 AVENUE; MINOR AVENUE, FROM ITS INTERSECTION WITH
 LOCK STREET EXTENDING EAST TO BACK WATER; DUPONT
 AVENUE (FORMERLY DUPONT STREET), FROM ITS INTER-
 SECTION WITH BEECH STREET (FORMERLY 2ND AVENUE)
 TO ITS INTERSECTION WITH DOGWOOD STREET (FORMER-
 LY 4TH AVENUE); 21ST STREET NORTH SIDE FROM KROGER
 LOT TO BLAKE'S CREEK BRIDGE; 21ST STREET (SOUTH
 SIDE) FROM THIRD AVENUE (OLD COUNTY ROAD) TO
 BLAKE'S CREEK BRIDGE, IN THE CITY OF NITRO, UNION
 AND POCA DISTRICTS, KANAWHA COUNTY AND PUTNAM
 COUNTY, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the
 City of Nitro, West Virginia, on the 25th day of June, 1957, pro-
 viding for the permanent improvement of the above named streets
 and portions thereof, by paving and otherwise permanently im-
 proving, and by construction of sidewalks thereon, and further
 providing for the assessments of the cost thereof against prop-
 erty abutting thereon as provided by Chapter 8, Article 8 of the
 Code as amended, the said improvements on the above named
 streets, or portions thereof, have been completed and the City Engi-
 neer has completed and filed his report showing the owners of the
 lots or parcels of land abutting on said streets so improved; the
 frontage of each of said lots or parcels of land; the proper amount
 to be assessed against the respective abutting lots and parcels of
 land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps
 of the City of Nitro and in deeds for said lots of record in
 the Office of the Clerk of the County Court of Kanawha County,
 West Virginia, and in the Office of the Clerk of the County Court
 of Putnam County, West Virginia, and reference is hereby made
 to said maps and deeds for more complete descriptions.)

**SIDEWALK IMPROVEMENTS
 TWENTY-FIRST ST.**

(From Third Avenue (Old County Road) to Blake's Creek Bridge)
 NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Ruth S. Mann	2101	60.00	\$3.978	\$238.68
Robert E. Dent and May Dent	2103	60.00	3.978	238.68
J. W. Skaggs and Reba Skaggs	2105	52.00	3.978	206.86
Edward Clark Colcord Jr.	2107	60.00	3.978	238.68
Helen J. Knapp	2109	60.00	3.978	238.68
Nitro Industrial Corp.	2111	60.00	3.978	238.68
John W. McClain and Virginia McClain	2113	60.00	3.978	238.68
J. E. Temple and Inez Temple	2115	60.00	3.978	238.68
Food Machinery and Chemical Corp.	2117	60.00	3.978	238.68
Emma A. Bender	2119	60.00	3.978	238.68
J. E. Temple and Clara Inez Temple	2121	60.00	3.978	238.68
Agnes Creasy	2123	49.50	3.978	196.91
Kathryn S. Ingram	2125	60.00	3.978	238.68

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Daniel Mittman and Laura Lee Mittman	2127	60.00	3.978	238.68
Harry M. Graves	2128	60.00	3.978	238.68
T. A. Dent and Thelma Dent	2129	60.00	3.978	238.68
James Crewdson	2130	52.00	3.978	206.86
Paul Reford Walker and Clara S. Walker	2131	60.00	3.978	238.68
Clara M. Kautz	2132	60.00	3.978	238.68
Nitro Industrial Corp.	2133	60.00	3.978	238.68
Food Machinery and Chemical Corporation	2134	35.50	3.978	141.22

SIDEWALK IMPROVEMENTS

TWENTY-FIRST ST.

(From Third Avenue (Old County Road) to Blake's Creek Bridge)

SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Nitro Industrial Corp.	2112	4.00	\$3.978	\$15.91
Nitro Industrial Corp.	2114	60.00	3.978	238.68
Nitro Industrial Corp.	2116	60.00	3.978	238.68
Nitro Industrial Corp.	2118	60.00	3.978	238.68
Paul T. Arbuckle and Ona B. Arbuckle	2120	60.00	3.978	238.68
Nitro Industrial Corp.	2122	60.00	3.978	238.68
Nitro Industrial Corp.	2124	60.00	3.978	238.68
Ella Higginbotham	2126	80.00	3.978	318.24
Food Machinery and Chemical Corp.	2174	5.00	3.978	19.89
TOTALS	1,658.00		\$6,595.53

THIRTIETH STREET

(Second Avenue to Blake's Creek)

NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Alfred E. Gorby	3010	50.00	12.853	642.65
Howard Martin	3021	50.00	12.853	642.65
Mafalda Earls and Claude G. Earls	3023	50.00	12.853	642.65
W. D. Hartigan and Elaine V. Hartigan	3025	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3027	55.00	12.853	706.92

THIRTIETH STREET
(Second Avenue to Blake's Creek)
SOUTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Lawrence A. Hedrick and Dalphia Hedrick	3020	50.00	12.853	642.65
Elsie Persinger	3022	50.00	12.853	642.65
Mafalda Earls and Claude G. Earls	3024	50.00	12.853	642.65
Robert H. Tinsley	3026	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3028	55.00	12.853	706.92
TOTALS		510.00		\$6,555.04

DUPONT AVENUE
(Beech Street to Dogwood Street)
WEST SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Harry O. Prine and Georgia M. Prine	Lots 1, 2, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	\$670.04
Davis, Alexander Co., and State of West Virginia	Lots 3, 4, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
John Rollins and Opal Rollins	Lots 5, 6, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Roy Reed and Blanche Reed	Lots 7, 8, Block F, Northside Development Co. Property Helena Tract	40.00	16.751	670.04
Meda L. McDonald	Lots 9, 10, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Mrs. T. R. Farley Lillian Robertson and State of West Virginia	Lots 11, 12, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
W. P. Arthur	Lots 1, 2, Block G, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Zeta O. Phipps	Lots 4, 5, Block G, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Brown's Chevrolet Co., A Corporation	Lots 3, 6, 7, Block G, Northside Development Co. Property, Helena Tract	60.00	16.751	1,005.06
Charleston Realty Co.	Lot Number 8, Block G, Northside Development Co. Property, Helena Tract	20.00	16.751	335.02
Lucy S. Quarrier, Elizabeth G. Quarrier and The Chas. Nat. Bank. Gdn, for Elizabeth May Quarrier	Lot 9, Block G, Northside Development Co. Property, Helena Tract, and Lot 20, Block G, Baker-Myer Subdivision	40.00	16.751	670.04

DUPONT AVENUE
(Beech Street to Dogwood Street)
EAST SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Jo Ann Hautem	Lots 13, 14, Block C, Northside Development Co. Property, Helena Tract	40.00	\$16.751	\$670.04
Luther W. Martin and Minnie C. Martin	Lots 15, 16, 17, 18, 19, Block C, Northside Development Co. Property, Helena Tract	100.00	16.751	1,675.10
Don Biggs and Ruby E. Biggs	Lots 20, 21, 22, Block C, Northside Development Co. Property, Helena Tract	60.00	16.751	1,005.06
Calvin C. Caldwell	Lots 23, 24, Block C, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Milton Alford	Lots 11, 12, 13, Block D, Northside Development Co. Property, Helena Tract	60.00	16.751	1,005.06
G. T. Lewis and Louise Lewis	Lots 14, 15, 16, Block D, Northside Development Co. Property, Helena Tract	60.00	16.751	1,005.06
Unknown Heirs of C. P. Myer and State of West Virginia	Lot 17, Block D, Northside Development Co. Property, Helena Tract, and Lot 13, Block D, Baker-Myer Subdivision of Mohler-Gregory Tract	40.00	16.751	670.04
N. R. Henderson	Lots 14, 15, Block D, Baker-Myer Subdivision of Mohler-Gregory Tract	40.00	16.751	670.04
TOTALS			880.00	\$14,740.88

NINTH STREET
(First Avenue to Second Avenue)
NORTH SIDE

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
Maple L. Wilson	901	52.04	\$16.971	\$883.17
Maggie L. Wilson	903	40.00	16.971	678.84

SOUTH SIDE

Gertie E. Wilkins	902	85.50	\$16.971	\$1,451.02
TOTALS			177.54	\$3,013.03

MINOR AVENUE**(Lock Street to Back Water)****EAST SIDE**

Name of Owner	Lot Number Or Other Description	Frontage	Rate	Total Assessment
J. W. Byrd and Sylvia Byrd	Lot 65, East View Land Co., Addition	46.00	\$9.587	\$441.00
Helen M. Saffel	Lot 64, East View Land Co., Addition	46.00	9.587	441.00
Eugene Humphrey	Lots 62, 63, East View Land Co., Adn.	92.00	9.587	882.00
Appalachian Elect. Power Co., A Corp.	Lots 61, 60, East View Land Co., Adn.	85.50	9.587	819.69

WEST SIDE

A. W. Milhoan	Lots 68, 69, 70, East View Land Co., Adn.	170.00	\$9.587	\$1,629.80
Ernest Ray Wright and Mary Maxine Wright	Lot 71, East View Land Co., Adn.	31.00	9.587	297.20
Herbert Doss and Dorothy Doss	Lot 72, East View Land Co., Adn.	30.00	9.587	287.61
Edward G. Robertson and Martha L. Robertson	Lot 76, East View Land Co., Adn.	38.50	9.587	369.10
TOTALS		539.00		\$5,167.40
TOTALS FOR PROJECT		3,764.54		\$36,071.88

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 10th day of December, 1957, at 8:00 P.M., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 10th day of December, 1957, the council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above assessments may be paid by the owners of said property at any time up to, and including the 10th day of December, 1957, without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA
Grace Lewis, Recorder



Thereupon the Mayor inquired if there were any persons present who desired to move correction or revision of the proposed assessments and there were none; however, the Mayor and City Engineer informed and explained to Council that the property of Ruth S. Mann abutting on Third Avenue was assessed incorrectly in that she was assessed for five feet too much; whereupon the Mayor proposed to Council that the assessed footage of property belonging to the said Ruth S. Mann be revised to read "Footage 228.00 feet instead of 233.00 feet."

Thereupon Councilman Hogshead, seconded by Councilman Dunlap, moved that the revision as requested by the Mayor be made and that the property of Ruth S. Mann, abutting on Third Avenue be assessed as 228.00 feet. Said Motion being unanimously adopted by Council. So ordered.

Thereupon upon motion of Councilman Dunlap, seconded by Councilman Gandee, and unanimously adopted, it is ordered that the Engineer's Reports as hereinafter set out be accepted and adopted, and further adopted as the Assessment Rolls.

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF 36TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 35th STREET FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 32ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 29TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 28TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 21ST STREET, NORTH, FROM ITS INTERSECTION WITH 21ST STREET TO THE END OF PRESENT PAVING, 31ST STREET FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 31ST STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO 31ST. STREET BRIDGE; 22ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; THIRD AVENUE, FROM ITS INTERSECTION WITH 21ST STREET TO ITS INTERSECTION WITH 31ST STREET BRIDGE; 8TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; BANK STREET,

FROM ITS INTERSECTION WITH 20TH STREET TO ITS INTERSECTION WITH 21ST STREET, ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA. UNION AND POCA DISTRICTS, TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

I hereby certify that the cost of the permanent improvement of 36th Street, from its intersection with First Avenue to its intersection with Second Avenue; 35th Street from its intersection with First Avenue to its intersection with Second Avenue; 32nd Street, from its intersection with First Avenue to its intersection with Second Avenue; 29th Street, from its intersection with First Avenue to its intersection with Second Avenue; 28th Street, from its Intersection with First Avenue to its intersection with Second Avenue; 21st Street, North, from its intersection with 21st Street, to the end of present paving; 31st Street from its intersection with First Avenue to its intersection with Second Avenue; 31st Street, from its intersection with Second Avenue to 31st Street Bridge; 22nd Street, from its intersection with First Avenue to its intersection with Second Avenue; Third Avenue, from its intersection with 21st Street to its intersection with 31st Street Bridge; 8th Street, from its intersection with First Avenue to its intersection with Second Avenue; Bank Street, from its intersection with 20th Street to its intersection with 21st Street, in the City of Nitro, Union and Poca Districts, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$41,521.30.

and that said work was made and completed in accordance with the specifications, and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, and the names of the owners of the lots and lands and the amount assessed against each of said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 25th day of June, 1957. and in accordance with the specifications, plans, bid and contract therefore; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

THIRTY-SIXTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lloyd M. Chapman	Lots 3601, 3603 and 3605	150.83	3.26	491.71
James S. Dabney and Leah F. Dabney	Lot 3607	50.00	3.26	163.00
Paul T. Arbuckle and Ona B. Arbuckle	Lot 3609	50.00	3.26	163.00
J. F. Woods and Mildred Woods	Lot 3611	50.00	3.26	163.00

Nitro Indust. Corp.	Lot 3613	50.00	3.26	163.00
H. M. Graves and N. B. Graves	Lot 3615	50.00	3.26	163.00
D. Nalley (Deceased) Albert D. Huston, Mrs. Beuhal R. Andrews, Jesse (Cesidio) Nalli, Jennie (Giovanna) Clemente, Catherine A. Nalley, Nunziata Nallie and Ralph				
D. Thomas	Lot 3617	50.00	3.26	163.00
C. W. Cole	Lot 3619	45.00	3.26	146.70

THIRTY-SIXTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ada T. Jamison	Lot 3602	50.83	3.26	165.71
William Angel Hager and Jessie Grace Hager	Lot 3604	50.00	3.26	163.00
Carl R. Fowler	Lot 3606	50.00	3.26	163.00
Walter Hedrick	Lot 3608	50.00	3.26	163.00
Walter Hedrick	Lot 3610	50.00	3.26	163.00
C. F. Schowen and Fannie May Schowen	Lot 3612	50.00	3.26	163.00
John Santrock Jr. and Ruth Santrock	Lot 3614	50.00	3.26	163.00
Dr. George W. Hogdhead and Eleanor P. Hogshead	Lot 3616	50.00	3.26	163.00
G. S. Smith	Lot 3618	<u>50.00</u>	3.26	<u>163.00</u>
TOTALS		946.66		3,086.12

THIRTY-FIFTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number of Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. W. Gibson and Susie P. Gibson	Lot 3501 and part of Lot 3503	80.83	7.7246	624.38

Elsie C. Alderson	Lot 3505 and part of Lot 3503	70.00	7.7246	540.72
C.K. McCallister and Aliza McCallister	Lot 3507	50.00	7.7246	386.23
J.F. McClanahan and Valeida V. McClanahan	Lot 3509	50.00	7.7246	386.23
C.F. Schowen and Fannie May Schowen	Lot 3511	50.00	7.7246	386.23
Carmel E. Davis and Gladys H. Davis	Lot 3513	50.00	7.7246	386.23
James R. Phillips and Dorothea W. Phillips	Lot 3515	50.00	7.7246	386.23
G. S. Smith	Lot 3517	50.00	7.7246	386.23

THIRTY-FIFTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G.W. Gibson and Susia P. Gibson	Lot 3502	50.83	7.7246	392.64
Lawrence Leroy Shank and Fannie L. Shank	Lots 3506 and 3504	100.00	7.7246	772.46
C.S. McDaniel and Mary Alice McDaniel	Lot 3508	50.00	7.7246	386.23
Nitro Indust. Corp.	Lot 3510	50.00	7.7246	386.23
C.M. Trevillian and Ruby Trevillian	Lots 3512, 3514, 3516 and 3518	195.00	7.7246	1,506.30
TOTALS		896.66		6,926.34

THIRTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Mildred Hill	Lot 3201	50.83	3.324	168.96
Marion L. Bush	Lot 3203	50.00	3.324	166.20

H. P. Brubaker and Mabel Brubaker	Lot 3205	50.00	3.324	166.20
Glendale Gallie Rawlings and Freda N. Rawlings	Lots 3207 and 3209	100.00	3.324	332.40
Edith Katherine Lintzmeyer Johnson	Lot 3211	50.00	3.324	166.20
Leonard G. Asbury and Wilma L. Asbury	Lot 3213	50.00	3.324	166.20
Clarence M. Schowen	Lot 3215	50.00	3.324	166.20

THIRTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Luigi Lemma	Lot 3202	50.83	3.324	168.96
L. O. Grass	Lot 3204	50.00	3.324	166.20
Ruby Lee Fowler	Lot 3206	50.00	3.324	166.20
Lydia Entzminger Kelly	Lot 3208	50.00	3.324	166.20
Lula Smith	Lot 3212	50.00	3.324	166.20
Jim Smith	Lot 3210	50.00	3.324	166.20
Mrs. Hattie M. Bird	Lot 3214	50.00	3.324	166.20
Cecil Meadows	Lot 3216	<u>50.00</u>	<u>3.324</u>	<u>166.20</u>
TOTALS		801.66		2,664.72

TWENTY-NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
O.O. Harrison, Marguerite Harrison, Edward Marcus Harrison, Robert Lee Harrison and Marguerite Marie Harrison	Lots 2901, 2903	100.83	3.345	337.28

Henry Pauley	Lot 2905	50.00	3.345	167.25
N. H. Gates and Kathleen Gates	Lot 2907	50.00	3.345	167.25
Joseph E. Nelson and Laura C. Nelson	Lot 2909	50.00	3.345	167.25
Sara Ruth Honaker	Lot 2911	50.00	3.345	167.25
Mary A. Davis and Charles J. Davis	Lot 2913	50.00	3.345	167.25
Cecil W. Martin	Lot 2915	50.00	3.345	167.25

TWENTY-NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Floyd Roznowski and Lima Roznowski	Lot 2902	50.83	3.345	170.03
George Witt and Thelma Witt	Lot 2904	50.00	3.345	167.25
Theodore F. Baumgartner and Blanch Baumgartner	Lot 2906	50.00	3.345	167.25
Dolly Lentisha Jones	Lot 2908	50.00	3.345	167.25
William E. Burgess and Thelma Burgess	Lot 2910	50.00	3.345	167.25
Lucy Stover	Lots 2912, 2914	100.00	3.345	334.50
Elmer S. Gaylor, Jr.	Lot 2916	<u>50.00</u>	3.345	<u>167.25</u>
TOTALS		801.66		2,681.56

TWENTY-EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
A. J. Bland and Wanda Bland	Lot 2801	50.83	3.152	160.22
A. J. Bland and Wanda Bland	Lot 2801	50.83	4.864	247.24

A. J. Bland and Wanda Bland	Lot 2801	50.83	3.349	170.23
Garnet E. Smith	Lot 2803	50.00	3.152	157.60
Carl Smith	Lot 2805	50.00	3.152	157.60
Edward E. Null	Lot 2807	50.00	3.152	157.60
Ira L. Hedrick	Lot 2809	50.00	3.152	157.60
Harvey A. Sublette and Edith S. Sublette	Lot 2811	50.00	3.152	157.60
Lena Scholz Woody	Lot 2813	50.00	3.152	157.60
Margaret Huffman	Lot 2815	50.00	3.152	157.60

TWENTY-EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lena Scholz Woody	Lots 2802, 2804 and 2806	150.83	3.152	475.42
Fred Hill	Lot 2808	50.00	3.152	157.60
M.C. McLaughlin and Virginia McLaughlin	Lot 2810	50.00	3.152	157.60
Pearl McCallister	Lot 2812	50.00	3.152	157.60
Grace T. West	Lot 2814	50.00	3.152	157.60
W.G. Lamb and Rosalynd Lamb	Lot 2816	<u>50.00</u>	3.152	<u>157.60</u>
TOTALS		903.32		2,944.31

TWENTY-FIRST STREET NORTH
(TWENTY-FIRST STREET TO END OF PRESENT PAVING)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Harrold L. VanNetta and Sybal Cox VanNetta	Part of Lot 41	103.50	2.7226	281.79
W.A.B. Vivian	Lot 36, and Part Lot 41	72.96	2.7226	198.64

J.L. Dunlap, Jr. and Carrie A. Dunlap	Lot 38	60.00	2.7226	163.36
J. R. Ingram and Kathryn Ingram	Lot 40	60.00	2.7226	163.36
Monsanto Chemical Company, a Corp.	Lot 64	74.00	2.7226	201.47
Homer L. Putney and Edith F. Putney	Lot 66	60.00	2.7226	163.36
G.C. Alderson and Elsie C. Alderson	Lot 68	60.00	2.7226	163.36
Food Machinery and Chemical Corp.	Lot 70	55.00	2.7226	149.74
Food Machinery and Chemical Corp.	Lot 70	54.00	4.631	250.07

TWENTY-FIRST STREET NORTH
(TWENTY-FIRST STREET TO END OF PRESENT PAVING)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Food Machinery and Chemical Corp.	Lot 34	128.90	2.7226	350.94
Marion W. Harmon and Gladys Harmon	Lot 35	68.00	2.7226	185.14
Robert H. Cooper and Marville D. Cooper	Lot 37	60.00	2.7226	163.36
Harriett M. Pickens	Lot 39	60.00	2.7226	163.36
G.P. Russell and A.S. Russell	Lot 65	60.00	2.7226	163.36
George L. Magoun and Helen Magoun	Lot 67	61.00	2.7226	166.08
Lucy S. Munkenberg	Lot 69	60.00	2.7226	163.36
Lucy S. Munkenberg	Lot 71	60.00	2.7226	163.36
Lucy S. Munkenberg	Lot 71	<u>45.00</u>	4.631	<u>208.40</u>
TOTALS		1,202.36		3,462.51

THIRTY-FIRST STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number of Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Luigi Lemma	Lot 3101	50.83	3.17	161.13
J. W. Scott	Lot 3103	50.00	3.17	158.50
Codrelia C. Selby	Lot 3105	50.00	3.17	158.50
Ray Butler and Florence Butler	Lot 3107	50.00	3.17	158.50
R. S. Evans	Lot 3109	50.00	3.17	158.50
Donald E. Grover and Frances Pierson Grover	Lot 3111	50.00	3.17	158.50
Howard Childers	Lot 3113	50.00	3.17	158.50
W.W. Alexander	Lot 3115	50.00	3.17	158.50

THIRTY-FIRST STREET
(FIRST AVENUE TO SECOND AVENUE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Norma Frances Johnson Jack Edwin Johnson and Dana F. Johnson	Lot 3102	50.83	3.17	161.13
Ancel Martin	Lot 3104	50.00	3.17	158.50
Mumphord Johnson and Flora Johnson	Lot 3106	50.00	3.17	158.50
Elmer M. Knell and Lessa O. Knell	Lot 3108	50.00	3.17	158.50
Robert M. Tormey	Lot 3110	50.00	3.17	158.50
Robert Muck, Jr.	Lot 3112	50.00	3.17	158.50
Cecilia M. Tormey	Lot 3114	50.00	3.17	158.50
Trustees for Nitro Church of Christ, Nitro West Virginia	Lot 3116	<u>50.00</u>	3.17	<u>158.50</u>
TOTALS		801.66		2,541.26

THIRTY-FIRST STREET
(SECOND AVENUE TO THIRTY-FIRST STREET BRIDGE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Frank W. Woods	Lot 3119	65.00	8.935	580.78
Omer Rawlings and Icy M. Rawlings	Lots 3121 and 3123	118.00	8.935	1,054.33
Omer Rawlings and Icy M. Rawlings	Lot 3123	17.00	3.168	53.86

THIRTY-FIRST STREET
(SECOND AVENUE TO THIRTY-FIRST STREET BRIDGE)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Nola Milam	Lot 3120	50.00	8.935	446.75
J.A. Thacker and Ether Thacker	Lot 3122	50.00	8.935	446.75
Sylvia M. Phillips	Lot 3124	50.00	8.935	446.75
Edward Withrow	Lot 3126	36.00	8.935	321.66
Edward Withrow	Lot 3126	<u>14.00</u>	3.168	<u>44.35</u>
TOTALS		400.00		3,395.23

BANK STREET
(TWENTY-FIRST STREET TO TWENTIETH STREET)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G.C. Alderson and G.S. Smith	Lot, Plot 24	230.00	5.62	1,292.60

EIGHTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Gertie E. Watkins	Lot 801	45.20	7.656	346.05

SOUTH SIDE

Nitro Indust. Corp.	Lot 800	<u>29.70</u>	7.656	<u>227.38</u>
TOTALS		74.90		573.43

THIRD AVENUE
(TWENTY-FIRST STREET TO THIRTY-FIRST STREET BRIDGE)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruth S. Mann	Lot 2101	228.00	2.321	529.19
Olaf K. Walker and Ival K. Walker	Part of Lots 2101 and 2103	67.00	2.321	155.51
Dr. L. I. Hoke	Part of Plot 4	148.57	2.321	345.25
E. L. Harris and Sallie Harris	Lot, Part of Plot 4, Area R	137.00	2.321	317.98
M. A. Lawless and Myrtie Lawless	Lot, Part of Plot 4, Area R	114.92	2.321	266.73
James Clay Turley and Peggy Lee Lawless Turley	Lot, Part of Plot 4, Area R Nitro Reser- vation	70.00	2.321	162.47
Nitro Indust. Corp.	Lot, Part of Plot 4, Area R	20.00	2.321	46.42
N. L. Rose and Mary M. Rose	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
Robert Jackson Boggs and Thelma Gertrude Boggs	N 1/2 of .37 Acre Lot, Part of Plot 4, Area R	50.37	2.321	116.91
Owen B. Sizemore and Audrie E. Sizemore	S. 1/2 of .37 Acre Lot, Part of Plot 4, Area R	50.38	2.321	116.93
Wilma F. Burdette	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
W. J. Waldorf	Lot .37 Acre, Part Plot 4, Area R	100.75	2.321	233.84
Nitro Indust. Corp.	Area R, Tract, Plot 4,	520.00	2.321	1,206.92

Edward Withrow and Kathryn N. Withrow	1-1/2 Acre Lot, Area S	201.70	2.321	468.15
O. J. Shamblin	2.95 Acre Lot Area S	143.30	2.321	332.60

THIRD AVENUE
(TWENTY-FIRST STREET TO THIRTY-FIRST STREET BRIDGE)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Thelma H. Comstock	Part of Lot 15, Area R.	229.00	2.321	531.51
Nitro Industrial Corporation	Part of Lot 15, Area R	334.73	2.321	776.91
J. W. Higginbotham	Lot 2337	65.00	2.321	150.87
Lillian Trout	Lot 2438	90.50	2.321	210.05
Mary Frances Campbell and Leland W. Campbell	Lot 2437	90.67	2.321	210.45
Emil Arcuri and Madeline Arcuri	Lot 2538	91.16	2.321	211.58
Delbert Burdette	Lot 2537	92.53	2.321	214.76
Robert H. Waldorf Wendell H. Harrison and Dorothy V. Harrison	Lot 2638	91.30	2.321	211.91
Wellington J. Waldorf and Georgia Reed	Lot 2635	91.15	2.321	211.56
A. Q. Wiley	Lot 2733	93.47	2.321	216.94
Thomas M. Waldorf and Rosalie Ann Waldorf	Lot 2736	93.00	2.321	215.85
S. L. Burdette	Lots 2831, 2834	170.83	2.321	396.50
O. J. Shamblin	Lots 2833, 2835 2929, 2931	195.42	2.321	453.57

James H. Fowler and Kathleen B. Fowler	Lot 3028	65.20	2.321	151.33
James H. Fowler and Kathleen B. Fowler	Lots 3128 and 3027	<u>136.10</u>	2.321	<u>315.89</u>
TOTALS		3,983.73		9,246.23

TWENTY-SECOND STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
G. C. Alderson and W. L. Wintz	Lot, Area R. 1st Avenue and 22nd. Street	72.00	3.9866	287.04
G. C. Alderson and W. L. Wintz	Lot, Plot 23 Area R.	127.00	3.9866	506.30
West Virginia Water Service Co. A Corp.	Lot, Area R, Nitro Reservation	130.00	3.9866	518.26

SOUTH SIDE

J. W. Skaggs and Reba Skaggs	Part of Lot 13, Area R	120.00	3.9866	478.47
Charles H. Kittle	Part of Lot 13, Area R	50.00	3.9866	199.33
Aldo W. Hanes and Rosehelena F. Hanes	Part of Lot 13, Area R	50.00	3.9866	199.33
Trustees of The First Baptist Church of Nitro	Area R, Part of Lot 13	<u>130.00</u>	3.9866	<u>518.26</u>
TOTALS		<u>679.02</u>		<u>2,706.99</u>

GRAND TOTALS FOR PROJECT	<u>2,939.30</u>	<u>41,521.30</u>
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Given under my hand this 20 day of November, 1957.

CITY ENGINEER
Municipal Engineering Corp.

By SS: J. A. Spence
J. A. Spence, Engineer

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF 30TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO BLAKE'S CREEK; 9TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; MINOR AVENUE, FROM ITS INTERSECTION WITH LOCK STREET EXTENDING EAST TO BACK WATER; DUPONT AVENUE (FORMERLY DUPONT STREET), FROM ITS INTERSECTION WITH BEECH STREET (FORMERLY 2ND AVENUE) TO ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE; 21ST STREET NORTH SIDE FROM KROGER LOT TO BLAKE'S CREEK BRIDGE; 21ST STREET, (SOUTH SIDE) FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK BRIDGE, IN THE CITY OF NITRO, UNION DISTRICT AND POCA DISTRICT, KANAWHA COUNTY AND PUTNAM COUNTY, WEST VIRGINIA.

TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

I hereby certify and report that the cost of the permanent improvement of 30th Street, from its intersection with Second Avenue to Blake's Creek; 9th Street, from its intersection with First Avenue to its intersection with Second Avenue; Minor Avenue, from its intersection with Lock Street extending East to Back Water; Dupont Avenue (formerly DuPont Street), from its intersection with Beech Street (Formerly 2nd. Avenue) to its intersection with Dogwood Street (formerly 4th Avenue); 21st Street (North Side) from Kroger Lot to Blake's Creek Bridge; 21st Street, (South Side) from Third Avenue (Old County Road) to Blake's Creek Bridge, in the City of Nitro, Putnam and Kanawha Counties, Poca and Union District, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$36,071.88, and that said work was made and completed in accordance with the specifications, and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the

owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanenely improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 25th day of June, 1957, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the common council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

SIDEWALK IMPROVEMENTS
 TWENTY-FIRST STREET
 (FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK)
 NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Ruth S. Mann	2101	60.00	3.978	238.68
Robert E. Dent and May Dent	2103	60.00	3.978	238.68
J. W. Skaggs and Reba Skaggs	2105	52.00	3.978	206.86
Edward Clark Colcord Jr.	2107	60.00	3.978	238.68
Helen J. Knapp	2109	60.00	3.978	238.68

Nitro Industrial Corp.	2111	60.00	3.978	238.68
John W. McClain and Virginia McClain	2113	60.00	3.978	238.68
J. E. Temple and Inez Temple	2115	60.00	3.978	238.68
Food Machinery and Chemical Corp.	2117	60.00	3.978	238.68
Emma A. Bender	2119	60.00	3.978	238.68
J. E. Temple and Clara Inez Temple	2121	60.00	3.978	238.68
Agnes Creasy	2123	49.50	3.978	196.91
Kathryn S. Ingram	2125	60.00	3.978	238.68
Daniel Mittman and Laura Lee Mittman	2127	60.00	3.978	238.68
Harry M. Graves	2128	60.00	3.978	238.68
T. A. Dent and Thelma Dent	2129	60.00	3.978	238.68
James Crewdson	2130	52.00	3.978	206.86
Paul Reford Walker and Clara S. Walker	2131	60.00	3.978	238.68
Clara M. Kautz	2132	60.00	3.978	238.68
Nitro Industrial Corp. 2133	2133	60.00	3.978	238.68
Food Machinery and Chemical Corp.	2134	35.50	3.978	141.22

SIDEWALK IMPROVEMENTS
 TWENTY-FIRST STREET
 (FROM THIRD AVENUE (OLD COUNTY ROAD) TO
 BLAKE'S CREEK BRIDGE)
 SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Nitro Industrial Corp.	2112	4.00	3.978	15.91
Nitro Industrial Corp.	2114	60.00	3.978	238.68
Nitro Industrial Corp.	2116	60.00	3.978	238.68
Nitro Industrial Corp.	2118	60.00	3.978	238.68
Paul T. Arbuckle and Ona B. Arbuckle	2120	60.00	3.978	238.68
Nitro Industrial Corp.	2122	60.00	3.978	238.68
Nitro Industrial Corp.	2124	60.00	3.978	238.68
Ella Higginbotham	2126	80.00	3.978	318.24
Food Machinery and Chemical Corp.	2174	<u>5.00</u>	3.978	<u>19.89</u>
TOTALS		1,658.00		6,595.53

THIRTIETH STREET
 (SECOND AVENUE TO BLAKE'S CREEK)
 NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Alfred E. Gorby	3019	50.00	12.853	642.65
Howard Martin	3021	50.00	12.853	642.65
Mafalda Earls and Claud G. Earls	3023	50.00	12.853	642.65

W. D. Hartigan and Elaine V. Hartigan	3025	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3027	55.00	12.853	706.92

THIRTIETH STREET
(SECOND AVENUE TO BLAKE'S CREEK)
SOUTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Lawrence A. Hedrick and Dalphia Hedrick	3020	50.00	12.853	642.65
Elsie Persinger	3022	50.00	12.853	642.65
Mafalda Earls and Claude G. Earls	3024	50.00	12.853	642.65
Robert H. Tinsley	3026	50.00	12.853	642.65
James H. Fowler and Kathleen B. Fowler	3028	<u>55.00</u>	12.853	<u>706.92</u>
TOTALS		510.00		6,555.04

DUPONT AVENUE
(BEECH STREET TO DOGWOOD STREET)
WEST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Amount Assessment</u>
Harry O. Prine and Georgia M. Prine	Lots 1,2, Block F, Northside Development Co. Property, Helena Tract	40.00	12.751	670.04
Davis, Alexander Co. and State of West Virginia	Lots 3,4, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
John Rollins and Opal Rollins	Lots 5,6, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04
Roy Reed and Blanche Reed	Lots 7,8, Block F, Northside Development Co. Property, Helena Tract	40.00	16.751	670.04

Meda L. McDonald	Lots 9,10, Block F, Northside Development Co. Property, Helena Tract 40.00	16.751	670.04
Mrs. T.R. Farley Lillian Robertson and State of West Virginia	Lots 11,12, Block F, Northside Development Co. Property, Helena Tract 40.00	16.751	670.04
W. P. Arthur	Lots 1,2, Block G, Northside Development Co. Property, Helena Tract 40.00	16.751	670.04
Zeta O. Phipps	Lots 4,5, Block G, Northside Development Co. Property, Helena Tract 40.00	16.751	670.04
Brown's Chevrolet Co. A Corporation	Lots 3,6,7, Block G, Northside Development Co. Property, Helena Tract 60.00	16.751	1,005.06
Charleston Realty Co.	Lot Number 8, Block G, Northside Development Co. Property, Helena Tract 20.00	16.751	335.02
Lucy S. Quarrier Elizabeth G. Quarrier Elizabeth G. Quarrier and The Chas. Nat. Bank, Gdn. for Elizabeth May Quarrier	Lot 9, Block G, Northside Development Co Property, Helena Tract, and Lot 20, Block G, Baker-Myer Subdivision 40.00	16.751	670.04

DUPONT AVENUE
(BEECH STREET TO DOGWOOD STREET)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Jo Ann Hautem	Lots 13,14, Block C, Northside Development Co. Property, Helena Tract 40.00	16.751	670.04	
Luther W. Martin and Minnie C. Martin	Lots 15,16,17,18,19, Block C, Northside Development Co. Property Helena Tract 100.00	16.751	1,675.10	

Don Biggs and Ruby E. Biggs	Lots 20,21,22, Block C, Northside Development Co. Property, Helena Tract 60.00	16.751 1,005.06
Calvin C. Caldwell	Lots 23,24, Block C, Northside Development Co. Property, Helena Tract 40.00	16.751 670.04
Milton Alford	Lots 11,12,13, Block D, Northside Development Co. Property, Helena Tract 60.00	16.751 1,005.06
G.T. Lewis and Louise Lewis	Lots 14,15,16, Block D, Northside Development Co. Property, Helena Tract 60.00	16.751 1,005.06
Unknown Heirs of C.P. Myer and State of West Virginia	Lot 17, Block D, Northside Development Co. Property, Helena Tract, and Lot 13, Block D, Baker- Myer Subdivision of Mohler- Gregory Tract 40.00	16.751 670.04
N. R. Henderson	Lots 14,15, Block D, Baker-Myer Subdivision of Mohler-Gregory Tract 40.00	16.751 <u>670.04</u>
TOTALS	880.00	14,740.88

NINTH STREET
(FIRST AVENUE TO SECOND AVENUE)
NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Maple L. Wilson	901	52.04	16.971	883.17
Maggie L. Wilson	903	40.00	16.971	678.84
<u>SOUTH SIDE</u>				
Gertie E. Watkins	902	<u>85.50</u>	16.971	<u>1,451.02</u>
TOTALS		177.54		3,013.03

MINOR AVENUE
(LOCK STREET TO BACK WATER)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number of Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
J. W. Byrd and Sylvia Byrd	Lot 65, East View Land Co., Addition	46.00	9.587	441.00
Helen M. Saffel	Lot 64, East View Land Co., Addition	46.00	9.587	441.00
Eugene Humphry	Lots 62, 63, East View Land Co., Adn.	92.00	9.587	882.00
Appalachian Elect. Power Co. A Corp.	Lots 61, 60, East View Land Co. Adn.	85.50	9.587	819.69
<u>WEST SIDE</u>				
A. W. Milhoan	Lots 68, 69, 70 East View Land Co. Adn.	170.00	9.587	1,629.80
Ernest Ray Wright and Mary Maxing Wright	Lot 71, East View Land Co. Adn.	31.00	9.587	297.20
Herbert Doss and Dorothy Doss	Lot 72, East View Land Co. Adn.	30.00	9.587	287.61
Edward G. Robertson and Martha L. Robertson	Lot 76, East View Land Co. Adn.	<u>38.50</u>	9.587	<u>369.10</u>
TOTALS		539.00		5,167.40
TOTALS FOR PROJECT		3,764.54		36,071.88

Given under my hand this 20 day of November, 1957.

CITY ENGINEER
Municipal Engineering Corp.

By SS: J. A. Spence
J. A. Spence, Engineer

Thereupon upon motion of Councilman Bush, seconded by Councilman Gewin, presented and moved the adoption of the following Ordinance:

ORDINANCE

AN ORDINANCE ASSESSING ABUTTING PROPERTY AND THE OWNERS THEREOF WITH THE COST OF THE PERMANENT IMPROVEMENT OF 36TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 35TH STREET FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 32ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 29TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 28TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 21ST STREET, NORTH, FROM ITS INTERSECTION WITH 21ST STREET TO THE END OF PRESENT PAVING, 31ST STREET FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; 31ST STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO 31ST STREET BRIDGE; 22ND STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; THIRD AVENUE, FROM ITS INTERSECTION WITH 21ST STREET TO ITS INTERSECTION WITH 31ST STREET BRIDGE; 8TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; BANK STREET, FROM ITS INTERSECTION WITH 20TH STREET TO ITS INTERSECTION WITH 21ST STREET, ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: ACCEPTING THE IMPROVEMENT; APPROVING THE REPORT OF THE ENGINEER; LEVYING THE ASSESSMENT; AUTHORIZING THE ISSUANCE AND DELIVERY OF ASSESSMENT CERTIFICATES; DECLARING THE ASSESSMENTS A LIEN AGAINST ABUTTING PROPERTY; DECLARING THE ABUTTING PROPERTY BENEFITED; AND AUTHORIZING THE FILING OF A CERTIFIED COPY OF THE REPORT OF THE ENGINEER AND COUNCIL ACTION IN THE OFFICE OF THE CLERK OF THE COUNTY COURT OF KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

WHEREAS, The Council of the City of Nitro on the 25th day of June, 1957, adopted an ordinance for the permanent improvement of 36th Street, from its intersection with First Avenue to its intersection with Second Avenue; 35th Street from its intersection with First Avenue to its intersection with Second Avenue; 32nd. Street, from its intersection with First Avenue to its intersection with Second Avenue; 29th Street, from its intersection with First Avenue to its intersection with Second Avenue; 28th Street, from its intersection with First

Avenue to its intersection with Second Avenue; 21st Street, North, from its intersection with 21st Street to the end of present paving, 31st Street from its intersection with First Avenue to its intersection with Second Avenue; 31st Street, from its intersection with Second Avenue to 31st Street Bridge; 22nd Street, from its intersection with First Avenue to its intersection with Second Avenue; Third Avenue, from its intersection with 21st Street to its intersection with 31st Street Bridge; 8th Street, from its intersection with First Avenue to its intersection with Second Avenue; Bank Street, from its intersection with 20th Street to its intersection with 21st Street, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same and further providing for the assessment of the abutting property and the owners thereof for the total cost of such improvement; and

WHEREAS, the report of the City Engineer to the Council reporting and certifying the cost of said improvement and showing the respective amounts apportioned, calculated and charged against each lot abutting, bounding and fronting on said streets and portions of streets and the respective owners thereof was read to the Council at its meeting on November 21, 1957, and fully set out in its minutes; and

WHEREAS, it appears to the Council, independently of said Engineer's Report, that the permanent improvement has been completed in accordance with the ordinances heretofore adopted and has specially benefited each lot or

parcel of land abutting thereon to an extent greater than the respective part of the cost apportioned, calculated and charged against said respective lot or parcel, and that said report and improvement should be accepted; and

WHEREAS, notice was caused to be published in the Kanawha Valley Leader, a weekly newspaper of general circulation in the City of Nitro, and Kanawha and Putnam Counties, West Virginia, showing the names of the owners of each lot abutting on said improved streets and portions of streets and the amount assessed thereof, respectively, and giving notice to said owners or those who may be owners thereof and other interested persons that they might appear before Council in session on December 10th, 1957, at 8:00 o'clock, P.M., to move the revision or correction of such proposed assessments, and on or after said date Council might proceed finally to lay said assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO:

First: That the said report of the City Engineer, heretofore filed and read, is hereby ordered set out in full in the minutes of the Council, and the said Engineer's Report as revised and corrected is hereby accepted, approved and adopted by the Council after independent examination and investigation thereof, and is hereby expressly made a part of this ordinance as fully as if set forth herein, and is hereby adopted as the Assessment Rolls.

Second: That the permanent improvement as set forth and shown in said report is the same as hereby declared to be completed and is hereby accepted.

Third: That the amounts set forth in the aforesaid report as the proportionate share of the net cost assessable to each of the various properties and the owners thereof as the same appear in said report are hereby assessed against each of the said properties and the owners thereof as their proportionate share of the cost of the improvement; that the aforesaid amounts are hereby declared to be liens upon each of the several lots abutting upon the said streets and portions of streets as shown in the said report; that paving assessment certificates shall forthwith be issued and signed by the Mayor and City Recorder in the respective amounts assessed against each lot and parcel of land and the owners thereof, each said assessment certificate shall be issued and made payable in ten equal installments certificates, the first of which said installments certificates shall be due and payable in thirty days from the date of the assessment; thereof, and the remaining nine of said installments certificates shall be due and payable on or before one year and thirty days, two years and thirty days, three years and thirty days, four years and thirty days, five years and thirty days, six years and thirty days, seven years and thirty days, eight years and thirty days, and nine years and thirty days, from the date of the assessment, respectively all of which said installment certificates shall bear interest at the rate of six per cent (6%) per annum from the date of assessment, with the provision that if default be made in the payment of any of the said installment certificates when due and payable, then the whole amount of the said assessment remaining unpaid shall become

forthwith due and payable and the holder of the certificate may proceed to collect the whole amount unpaid; that the respective certificates covering the amount of the respective assessments shall be paid by the respective owners of the land, lots or fractional parts thereof so assessed for the cost, and the respective amounts specified in the certificates upon the land, lots or parts of lots so assessed and also debts against the respective owners of the said real estate, and shall be liens ahead in priority of other liens against the said property except for taxes due the state, county and city; and the said certificates may be issued, sold and delivered by the Mayor to the contractor doing the paving and other improvements on said streets or portions of streets in payment of the cost thereof.

Fourth: The Mayor and the City Recorder are hereby authorized to issue, sign and deliver the assessment lien certificates against the several lots in accordance with the provisions of paragraph "Third" hereinabove.

Fifth: The City Recorder is hereby directed to cause to be prepared a certificate, report and notice showing and certifying a copy of the said Engineer's Report, so adopted by the Council, and when so certified to by the City Recorder the same shall be delivered to the Clerk of the County Court of Kanawha County, and Putnam County, and recorded in the Clerk's Office in a trust deed book, and shall be continuing tax liens upon the lots or lands against which the assessments are made until the certificates as aforesaid are paid, and the said County Clerk shall index the same in the names of each lot or land owner mentioned therein.

Thereupon upon a vote being taken said Ordinance is unanimously adopted, and so ordered.

Thereupon upon motion of Councilman Dunlap, seconded by Councilman Grover, presented and moved the adoption of the following Ordinance:

O R D I N A N C E

AN ORDINANCE ASSESSING ABUTTING PROPERTY AND THE OWNERS THEREOF WITH THE COST OF THE PERMANENT IMPROVEMENT OF 30TH STREET, FROM ITS INTERSECTION WITH SECOND AVENUE TO BLAKE'S CREEK; 9TH STREET, FROM ITS INTERSECTION WITH FIRST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; MINOR AVENUE, FROM ITS INTERSECTION WITH LOCK STREET EXTENDING EAST TO BACK WATER; DUPONT AVENUE (FORMERLY DUPONT STREET), FROM ITS INTERSECTION WITH BEECH STREET (FORMERLY 2ND AVENUE) TO ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE); 21ST STREET NORTH SIDE FROM KROGER LOT TO BLAKE'S CREEK BRIDGE; 21ST STREET SOUTH SIDE, FROM THIRD AVENUE (OLD COUNTY ROAD) TO BLAKE'S CREEK BRIDGE; ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA; ACCEPTING THE IMPROVEMENT; APPROVING THE REPORT OF THE ENGINEER; LEVYING THE ASSESSMENTS; AUTHORIZING THE ISSUANCE AND DELIVERY OF ASSESSMENT CERTIFICATES; DECLARING THE ASSESSMENTS A LIEN AGAINST ABUTTING PROPERTY; DECLARING THE ABUTTING PROPERTY BENEFITED; AND AUTHORIZING THE FILING OF A CERTIFIED COPY OF THE REPORT OF THE ENGINEER AND COUNCIL ACTION IN THE OFFICE OF THE CLERK OF THE COUNTY COURT OF KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

WHEREAS, the Council of the City of Nitro on the 25th day of June, 1957, adopted an ordinance for the permanent improvement of 30th Street, from its intersection with Second Avenue to Blake's Creek; 9th Street, from its intersection with First Avenue to its intersection with Second Avenue; Minor Avenue, from its intersection with Lock Street extending East to Back Water; DuPont Avenue (formerly DuPont Street), from its intersection with Dogwood Street (formerly 4th Avenue) to its intersection with Beech Street (formerly 2nd Avenue); 21st Street (North Side) from Kroger Lot to Blake's Creek Bridge; 21st Street (South Side)

from Third Avenue (Old County Road) to Blake's Creek Bridge by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same and further providing for the assessment of the abutting property and the owners thereof for the total cost of such improvement; and

WHEREAS, the report of the City Engineer to the Council reporting and certifying the cost of said improvement and showing the respective amounts apportioned, calculated and charged against each lot abutting, bounding and fronting on said streets and portions of streets and the respective owners thereof was read to the Council at its meeting on November 21, 1957, and fully set out in its minutes; and

WHEREAS, it appears to the Council, independently of said Engineer's Report, that the permanent improvement has been completed in accordance with the ordinances heretofore adopted and has specially benefited each lot or parcel of land abutting thereon to an extent greater than the respective part of the cost apportioned, calculated and charged against said respective lot or parcel, and that said report and improvement should be accepted; and

WHEREAS, notice was caused to be published in the Kanawha Valley Leader, a weekly newspaper of general circulation in the City of Nitro and Kanawha and Putnam Counties, West Virginia, showing the names of the owners of each lot abutting on said improved streets and portions of streets and the amount assessed thereof, respectively, and giving notice to said owners or those who may be owners thereof and interested persons that they might appear before Council in session on December 10th,

1957, at 8:00 o'clock, P.M., to move the revision or correction of such proposed assessments, and on or after said date Council might proceed finally to lay said assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO:

First: That the said report of the City Engineer, heretofore filed and read, is hereby ordered set out in full in the minutes of the Council, and said Engineer's Report as revised and corrected is hereby accepted, approved and adopted by the Council after independent examination and investigation thereof, and is hereby expressly made a part of this ordinance as fully as if set forth herein, and is hereby adopted as the Assessment Rolls.

Second: That the permanent improvement as set forth and shown in said report is the same as hereby declared to be completed and is hereby accepted.

Third: That the amounts set forth in the aforesaid report as the proportionate shares of the net cost assessable to each of the various properties and the owners thereof as the same appear in said report are hereby assessed against each of the said properties and the owners thereof as their proportionate share of the cost of the improvement; that the aforesaid amounts are hereby declared to be liens upon each of the several lots abutting upon the said streets and portions of streets as shown in the said report; that paving assessment certificates shall forthwith be issued and signed by the Mayor and City Recorder in the respective amounts assessed against each lot and parcel of land and the owners thereof, each said assessment certificate shall be issued and made

payable in ten equal installments certificates, the first of which said installment certificates shall be due and payable in thirty days from the date of the assessment; thereof, and the remaining nine of said installments certificates shall be due and payable on or before one year and thirty days, two years and thirty days, three years and thirty days, four years and thirty days, five years and thirty days, six years and thirty days, seven years and thirty days, eight years and thirty days, and nine years and thirty days, from the date of the assessment, respectively, all of which said installment certificates shall bear interest at the rate of six per cent (6%) per annum from date of assessment, with the provision that if default be made in the payment of any of the said installment certificates when due and payable, then the whole amount of the said assessment remaining unpaid shall become forthwith due and payable and the holder of the certificate may proceed to collect the whole amount unpaid; that the respective certificates covering the amount of the respective assessments shall be paid by the respective owners of the land, lots or fractional parts thereof so assessed for the cost, and the respective amounts specified in the certificates upon the land, lots or parts of lots so assessed and also debts against the respective owners of the said real estate, and shall be liens ahead in priority of other liens against the said property except for taxes due the State, County and City; and the said certificates may be issued, sold and delivered by the Mayor to the contractor doing the paving and other improvements on said streets or portions of streets in payment of the cost thereof.

Fourth: The Mayor and the City Recorder are hereby authorized to issue, sign and deliver the assessment lien certificates against the several lots in accordance with the provisions of paragraph "Third" hereinabove.

Fifth: The City Recorder is hereby directed to cause to be prepared a certificate, report and notice showing and certifying a copy of the said Engineer's Report, so adopted by the Council, and when so certified to by the City Recorder the same shall be delivered to the Clerk of the County Court of Kanawha County and Putnam County, and recorded in the Clerk's office in a trust deed book, and shall be continuing tax liens upon the lots or lands against which the assessments are made until the certificates as aforesaid are paid, and the said County Clerk shall index the same in the names of each lot or land owner mentioned therein.

Upon a vote being taken said Ordinance is unanimously adopted, and so ordered.

Councilman Bush , seconded by Councilman Hogshead, moved the regular meeting of December 17th be postponed until regular session in January, 1958. Motion carried.

Councilman Dunlap, seconded by Councilman Hogshead, moved the financial statement for the month of November be approved. Motion carried.

Councilman Bush reported that traffic committee had called on Mr. Childers of the Childers Chevrolet Company and Mr. Holman of the Holman Motor Sales, with regard to complaints of company cars being

parked and creating a hazard. Councilman Bush reported further that both men had agreed to cooperate in trying to eliminate this situation.

The Council discussed the Methodist Church sign at 20th Street and 1st Avenue and recommended that the sign should be moved back or raised.

The Council recommended that the curb on 11th Street, West be painted 15 feet from each property line of the Lemma and Sharp properties.

Councilman Bush moved, seconded by Councilman Gande, that parking on right hand side of 21st Street, above the bridge, be eliminated. Motion carried unanimously.

Councilman Bush moved that the city purchase canvass covers for number 2 and 3 fire trucks, two dry powder extinguishers and two intertubes. Motion seconded by Councilman Grover. Motion carried unanimously.

The Mayor and Council entered into a discussion of the parkway along 1st Avenue, particularly between 22nd Street and 24th Street, as to the possibility of the city acquiring the parkway for parking purposes. Thereupon Councilman Dunlap moved that the City Attorney check into the matter of the City acquiring strip of property, by prescriptive rights or by condemnation, property located on both sides of Route 25, from North corner of 22nd Street to South corner of 24th Street, for parking purposes and the elimination of unsanitary and unhealthy conditions. Motion seconded by Councilman Grover. Motion carried unanimously.

There being no further business to come before the Council at this time, a motion by Councilman Grover, seconded by Councilman Dunlap, for adjournment carried.

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

January 21, 1958

The City Council met in regular session Tuesday,
January 21, 1958.

There were present: W. W. Alexander, Mayor, Grace
Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., H. M. Gandee,
F. E. Grover, and George W. Hogshead, M. D. members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Gandee moved, seconded by Councilman Dunlap,
the minutes for meeting held December 10, 1957 be approved. Motion
carried.

Councilman Dunlap moved, seconded by Councilman Hogshead,
the financial statement for the month of December be accepted. Motion
carried.

Councilman Bush moved the City enter order for 47 porcelain
street signs at the quoted price of \$10.48 each, fifteen year guarantee.
Motion seconded by Councilman Grover. Motion carried unanimously.

Councilman Bush, seconded by Councilman Gandee, moved the
approval of "No Parking Signs" erected on the west side of Minor Avenue.
Motion carried unanimously.

Councilman Grover reported that he had had a complaint from
Mr. Raynes on Third Avenue above 11th Street of the bad condition of Third
Avenue caused by mud washing down from road to the Boy Scout Camp located
on the hill. Mayor said he would have the street crew check this situation.

Councilman Dunlap asked if the city could sell street right
of way that was not being used for street purposes, explaining further

that Mr. Gibson and Mr. Hilton were interested in buying forty foot street right of way for building purposes. The attorney explained that the city could not pass a deed for such a sale.

Councilman Hogshead reported a bad place in pavement on West 11th Street caused by tunneling underneath pavement by the Fuel Company and Councilman Gandee reported that black top was deteriorating on West 11th Street at the railroad crossing. Mayor will have the Engineer check these situations.

Councilman Gandee moved, seconded by Councilman Dunlap, the humane officer's salary be increased \$5.00 per month, effective January 1st. Motion carried unanimously.

On the question of the condemnation of the parkway situated along 1st Avenue, the attorney explained that in checking on condemnation proceedings he had found that the city would be agreeing to ownership of the parkway by the Nitro Industrial Corporation and that he felt that condemnation proceedings should not be followed through and that he was checking other procedures on this matter.

The Attorney reported on the meeting with the State Water Commission, explaining that the situation on the sewers was the same, that the commission seemed to be rather disgusted with the city on their failure to take any action to obtain the sewers, that the commission had directed the Executive Secretary to proceed with any legal action which was necessary against the City of Nitro or the Nitro Sewer Company or both to see that pollution of the river was stopped.

In discussion by the members of the council with regard to the sewers, it was explained that the suit against the Nitro Sewer Company, filed in Circuit Court by the State Water Commission, is on continued docket, that the opinion of the members of the council attending the meeting of the Water Commission was that the Commission was going to put pressure on the city to eliminate the pollution problem and commission asked the City for progress report before next meeting in June. Committee reported that the commission feels the responsibility of this problem belongs to the city. The council discussed the possibility of the city loosing the Federal Grant since the grants was baised on the city's activity in combating stream pollution. The Council also discussed to some extent the possibility of the Nitro Sewer Company, owners of the Nitro Sewers, forming a Public Utility and the possibility of the sewer rates being higher in such an event.

There being no further business to come before the council, a motion by Councilman Dunlap, seconded by Councilman Bush, for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

February 18, 1958

The City Council met in regular session Tuesday, February 18, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., M. A. Flowers, H. M. Gandee, B. E. Gewin and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Hogshead, seconded by Councilman Gandee, moved the minutes for meeting held January 21st be approved. Motion carried.

Councilman Gewin moved the financial statement for the month of January be accepted. Motion seconded by Councilman Gandee. Motion carried.

Mayor Alexander informed the Council that the United Fuel Gas Company would take care of 11th Street West paving as soon as the weather permitted.

The Mayor and Council discussed letter from the State Water Commission in regard to final revised plans of sewers and treatment plant being submitted to the State Health Department and Division of Sanitary Engineering for approval. The Mayor advised that the Engineers had been requested to complete plans and have them available for council action at next meeting.

Mayor and Council entered into a discussion of the proposed rate increase requested by the United Fuel Gas Company and thereupon, Councilman Gewin moved, seconded by Councilman Dunlap, that the City file an official protest, with the Public Service Commission, protesting the proposed rate increase of the United Fuel Gas Company. Motion carried unanimously.

Thereupon, Councilman Dunlap, seconded by Councilman Bush,

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moved that the city offer legal services and financial aid, not to exceed \$250.00 in the efforts of combating the proposed rate increase made by the United Fuel Gas Company. Motion carried unanimously.

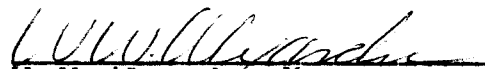
A letter from the city manager of Morgantown with regard to Day Light Saving Time was read to the council.

After considerable discussion on this subject, Councilman Dunlap, entered motion that the city remain on Eastern Standard Time this summer. Motion seconded by Councilman Hogshead. Upon a vote being taken those voting in favor of motion were: Councilmen Dunlap, and Hogshead, Grace Lewis, Recorder and Mayor Alexander. Those voting against the motion were: Councilmen Bush, Gandee and Gewin. Mayor Alexander declared the motion carried.

Councilman Flowers informed Mayor and Council that he was moving out of the city limits and that he was compelled to resign as Councilman of Ward Three, effective February 24, 1958.

Councilman Dunlap, seconded by Councilman Bush, moved the resignation of M. A. Flowers as Councilman of Ward Three be accepted, effective as of February 24th. Motion carried.

There being no further business to come before the Council, a motion for adjournment by Councilman Flowers, seconded by Councilman Bush, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

March 4, 1958

The Nitro City Council met in a special call meeting Tuesday, March 4, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., H. M. Gandee, B. E. Gewin, and George W. Hogshead, M. D. members of the Council. Councilman F. E. Grover being absent.

Mayor Alexander called the meeting to order and presented the call for the meeting, which said call is attached and made a part of the minutes of this meeting.

The Recorder read minutes for regular session held February 18th. Councilman Dunlap moved, seconded by Councilman Gewin, the minutes be approved. Motion carried.

The Mayor presented to the Council a emergency oxygen tank for use at the fire department in cases of an emergency, explaining that the cost of the tanks were \$55.00 each. The Council examined the oxygen tank and discussed the possible need. Thereupon Councilman Hogshead, seconded by Councilman Bush, moved the city purchase two emergency oxygen tanks for the fire department. Motion carried unanimously.

Mayor Alexander then explained call Number two - permanent improving of 26th Street, First Avenue sidewalk by resurfacing same, explaining that a bad condition existed on the sidewalk in that water stands on the sidewalk and that the

condition was partially caused by the recent resurfacing of Route 25 and that the Engineer had inspected said situation, and had called in an Engineer from Andersons' Inc., who gave the City a bid for \$315.00 for installing approximately 60 feet of asphaltic concrete with an average depth of three inches.

Thereupon Councilman Bush moved, seconded by Councilman Gewin, the City have the said sidewalk repaired by Andersons' Inc. at the quoted bid. Motion carried unanimously.

The Mayor then announced the Third call of appointing a Councilman for Ward Three to replace M. A. Flowers resigned.

Thereupon Councilman Bush moved that Grenfall Estep be appointed as Councilman for Ward Three. Motion was seconded by Councilman Gewin. Motion carried unanimously.

The Mayor announced the Fourth call - abolish the existing Sewer and Sanitary Boards and create a new Sewer and Sanitary Board. The Mayor informed Council that in order for the City to receive a public grant from the Federal Government that it was necessary to recind all ordinances and resolutions pertaining to Sewers and Sanitary Boards that were passed prior to July 1, 1956, and also explained that it was necessary to recreate new boards.

Thereupon Councilman Dunlap moved, seconded by Councilman Hogshead, that all ordinances and resolutions pertaining to Sewer and Sanitary Boards be recinded. Upon vote motion carried unanimously.

Councilman Dunlap moved, seconded by Councilman Hogshead, the following ordinance be adopted. Upon a vote being taken motion carried unanimously.

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

M. L. BUSH, DR. J. L. DUNLAP, JR., H. M. GANDEE, B. E.

GEWIN, F. E. GROVER AND GEORGE W. HOGSHEAD, M. D.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on March 4, 1958, at 8:00 o'clock P. M. for the purpose of considering the following:

1. The purchasing of Oxygen Tanks for the Fire and Police Departments.
2. The permanent improving of 26th Street, First Avenue sidewalk by resurfacing same.
3. The appointment of a new councilman for Ward Three to take the place of M. A. Flowers who resigned.
4. To abolish the existing Sewer and Sanitary Boards and create a new Sewer and Sanitary Board.
5. To enter into a new contract with Attorney and Engineers in respect to the rendering of professional services for the Water and Sewer projects.
6. To consider complying with State Water Commission's request and directive in respect to the pollution problem.
7. To make application for Federal Aid to the City of Nitro for construction of a Sewage Disposal System, which will conform to Federal Law.

And to consider any other matters that may properly come before the Council.

Respectfully yours,

W. W. Alexander
W. W. Alexander, Mayor

CITY OF NITRO

The foregoing notice is hereby accepted as being both sufficient and timely:

F. E. Gewin
Dr. J. L. Dunlap Jr.
H. M. Gande

George W. Hogshead, M.D.
Marion L. Bush

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

M. L. BUSH, DR. J. L. DUNLAP, JR., H. M. GANDEE, B. E.

GEWIN, F. E. GROVER AND GEORGE W. HOGSHEAD, M. D.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on March 4, 1958, at 8:00 o'clock P. M. for the purpose of considering the following:

1. The purchasing of Oxygen Tanks for the Fire and Police Departments.
2. The permanent improving of 26th Street, First Avenue sidewalk by resurfacing same.
3. The appointment of a new councilman for Ward Three to take the place of M. A. Flowers who resigned.
4. To abolish the existing Sewer and Sanitary Boards and create a new Sewer and Sanitary Board.
5. To enter into a new contract with Attorney and Engineers ~~in respect to the rendering of professional services for the Water and~~ Sewer projects.
6. To consider complying with State Water Commission's request and directive in respect to the pollution problem.
7. To make application for Federal Aid to the City of Nitro for construction of a Sewage Disposal System, which will conform to Federal Law.

And to consider any other matters that may properly come before the Council.

Respectfully yours,

W. W. Alexander
W. W. Alexander, Mayor

CITY OF NITRO

The foregoing notice is hereby accepted as being both sufficient and timely:

F. E. Gewin
Dr. J. L. Dunlap Jr.
H. M. Gandee

George W. Hogshead, M.D.
Marion L. Bush

AN ORDINANCE CREATING AND APPOINTING A SANITARY BOARD TO ACQUIRE, CONSTRUCT, EQUIP, ADMINISTER, OPERATE AND MAINTAIN A SEWAGE COLLECTION, PURIFICATION, TREATMENT AND DISPOSAL SYSTEM OR SYSTEMS WITHIN AND WITHOUT THE CITY OF NITRO, TO INVEST IN SUCH BOARD THE CUSTODY, ADMINISTRATION, OPERATION, MAINTENANCE, SUPERVISION AND CONTROL OF SUCH SYSTEM OR SYSTEMS, AND TO FINANCE THE COST OF THE ACQUISITION, CONSTRUCTION AND EXTENSION OF ALL SUCH WORKS BY THE ISSUANCE OF REVENUE BONDS, AS PROVIDED BY ARTICLE 13 OF CHAPTER 16 OF THE CODE OF WEST VIRGINIA; PROVIDING THE METHOD OF APPOINTMENT, TERM OF OFFICE AND COMPENSATION OF MEMBERS OF SAID BOARDS; PROVIDING FOR BOND; AND PROVIDING FOR POWER TO THE BOARD TO MAKE ITS OWN RULES AND REGULATIONS.

WHEREAS, it is the desire of the City of Nitro to own, acquire, construct, equip, operate and maintain a sewage collection system or systems, sewage treatment and /Or purification plant or plants, intercepting sewers, outfall sewers, force mains, pumping stations, ejector stations and all other appurtenances necessary or useful and convenient for the collection, treatment, purification and disposal, in a sanitary manner, of the liquid and solid waste, sight soil and industrial waste of the City of Nitro and/or of the sanitary district which may be created, and to finance the acquisition, construction and extensions of such system or systems, works and appurtenances by the issuance of revenue bonds, and to provide for the establishment and collection of rates for the use of such works and the service rendered thereby; all as provided by Article 13, Chapter 16 of the Code of West Virginia, as amended;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NITRO:

Section 1. There is hereby created and appointed The

Sanitary Board of the City of Nitro consisting of the Mayor of the City of Nitro, who shall act as Chairman of said Board, Elvin L. Coe, a resident of the City of Nitro, who shall serve for a term of three years, and Mearlin Sims, a registered professional engineer, who shall serve for a term of two years, neither of said members having been an officer or employee of the City of Nitro within a period of one year prior to the date of the introduction of this ordinance.

Section 2. Upon the expiration of each of the terms of said appointees, other than the Mayor, and of each succeeding term, a successor shall be appointed by the council for a full term of three years, but during the construction period of the works constructed under the supervision and direction of said Board one member thereof shall be a registered professional engineer. The chairman of the Board shall always be the then Mayor of the City of Nitro and vacancies to fill unexpired terms shall be filled by the Council.

Section 3. The Board shall elect a vice-chairman from its members and shall designate a secretary and treasurer (who may be one and the same person) who need not be members of the Board and who shall hold office at the will of the Board.

Each member of the Board, other than the Mayor, shall receive a salary of Twenty-five (\$25.00) Dollars per month, and shall be entitled to payment for his reasonable expenses incurred in the performance of his duties.

The secretary and treasurer shall be paid such reasonable compensation for services as from time to time may be fixed by the council and the treasurer shall give bond, with qualified corporate surety, in the amount of Five Thousand (\$5,000.00) Dollars conditioned for the proper application of all moneys received by him as such for the faithful performance of the duties of his office.

All compensation, and all expenses, incurred by said Board, its officers and employees, shall be paid solely from funds authorized to be collected and received by the Board as provided by said Article 13 of Chapter 16 of the Code of West Virginia.

Section 4. The construction, acquisition, improvements, equipment, custody, operation, maintenance and administration of all works for the collection, treatment or disposal of sewage within the City of Nitro and in the sanitary district which shall be acquired, constructed, operated or maintained by said Board, the employment of all engineers, architects, inspectors, superintendents, managers, collectors, attorneys and other employees in the judgement of the Board necessary to the execution of its powers and duties, and the collection of all revenues from the works acquired, constructed, operated or maintained by it, shall be under the supervision and control of the Board.

Section 5. In addition to the authority and powers enumerated herein, the Board created by this ordinance shall be invested with all other powers and authorities provided for such Board by said Article 13 of Chapter 16 of the Code of West Virginia, as amended, or as the same may be amended.

Section 6. The Sanitary Board shall have the power to establish the by-laws, rules and regulations governing its members, employees, meetings and the conduct of its business.

The Mayor then announced call Number Five - To enter into new contract with Attorney and Engineers in respect to the rendering of professional services for the Water and Sewer projects.

Councilman Gewin moved, seconded by Councilman Bush, the City enter into new contracts, for the proposed Sewer and Water projects, with Winston C. Brown, Attorney and J. A. Spence, of Municipal Engineering Corporation and Robert Anderson of Settle Engineers, Inc. Upon a vote being taken motion carried unanimously.

Councilman Bush moved, seconded by Councilman Hogshead, the adopting of the following contract with Robert Anderson of Settle Engineers, Inc. and J. A. Spence of Municipal Engineering Corporation.

THIS AGREEMENT, Made this _____ day of _____, 1958, by and between THE CITY OF NITRO, WEST VIRGINIA, A municipal corporation, party of the first part and sometimes hereinafter referred to as "City", and ROBERT ANDERSON, PRESIDENT OF SETTLE ENGINEERS, INC., and MUNICIPAL ENGINEERING CORPORATION, West Virginia corporation, parties of the second part, hereinafter sometimes called the "Engineer";

WHEREAS, The Council of The City of Nitro has deemed it necessary and expedient and in the public interest for the protection of the health and welfare of the citizens of Nitro to cause the acquisition of the water distribution system and/or said water distribution system together with the water treatment plant which

serve The City of Nitro and surrounding areas, which said project is sometimes hereinafter referred to as the "Water Project"; and,

WHEREAS, the Council of the City of Nitro has deemed it necessary and expedient because of the necessity to protect the health and welfare of the citizens of Nitro and because of the apparent fact that the City will eventually be compelled by the West Virginia Water Commission to take such action to cause and abate its pollution of the Great Kanawha River, to cause the acquisition, expansion and improvement of the existing sewage system in The City of Nitro and its surrounding areas together with the construction of a sewage treatment and disposal plant; which said project is sometimes hereinafter referred to as the "Sewer Project"; and,

WHEREAS, The City is in need of a Consulting Engineer with reference to the acquisition of said water distribution system and/or said water distribution system together with said water treatment plant, and with reference to the acquisition of said sewage system, its expansion and improvement and the construction of a sewage treatment and disposal plant and sewage collection and interceptor system, and desire to employ and retain Robert Anderson, President of Settle Engineers, Inc. and Municipal Engineering Corporation, corporation as its Consulting Engineers; and said Robert Anderson, President of Settle Engineers, Inc. and Municipal Engineering Corporation are willing to accept such employment;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

That for and in consideration of the premises and of the covenants and agreements hereinafter set forth and contained the parties hereto ~~covenant~~ and agree as follows:

FIRST: It is the primary purpose of the City under this contract to retain the personal services of Robert Anderson, President of Settle Engineers, Inc. in connection with the acquisition of said water distribution system and/or said water distribution system together with said water treatment plant, and the acquisition of said sewer system and the design and construction of the proposed improvements, additions and extensions thereto and the construction of the sewage treatment and disposal plant, and this and all other undertakings with Robert Anderson, President of Settle Engineers, Inc. relating to said subject, it will be understood that the agreement of Robert Anderson to furnish such personal service on behalf of Robert Anderson, President of Settle Engineers, Inc. of which Robert Anderson is the president and principal owner, is a basic inducement to the entering into of such undertaking by the City.

SECOND: Neither Robert Anderson, President of the Settle Engineers, Inc., nor Municipal Engineering Corporation, will make any claim for services heretofore or hereinafter rendered by Robert Anderson President of Settle Engineers, Inc. or by Municipal Engineering Corporation in connection with said sewer system except as specifically provided in this agreement.

THIRD: The City does hereby designate and employ Robert Anderson President of Settle Engineers, Inc. and Municipal Engineering Corporation as its Consulting Engineers in connection with the acquisition of said water distribution system and/or said water distribution system together with said water treatment plant and in connection with the acquisition, construction, extension and repair of said sewer system and sewage treatment and disposal plant, said Engineer to perform the duties and to receive compensation therefor as hereinafter stipulated.

FOURTH: Engineer will perform the following services:

(1) Prepare and furnish to the City a written financial survey and report on said water distribution system and said water treatment plant including information relative to the sale of water from said treatment plant to the cities of Dunbar, South Charleston, Charleston and smaller communities now served by water from said plant; said report to be in form and content of the type ordinarily necessary to be furnished to prospective purchasers of water revenue bonds; and furnish such other and further engineering services to the City in connection with said water project as may from time to time be required by the City.

(2) Furnish complete engineering service to the City for the design and preparation of plans and specifications for said primary sewage treatment and disposal plant, intercepting sewer and such sanitary sewers to serve the City of Nitro and adjoining areas as will be designated by the Council and as required or recommended by the State Water Commission and the State Health Department, and designated as the Sewer Project.

(3) Render the following items of work for successful prosecution of the Sewer Project to the contract letting stage:

- (a) Preliminary investigation
- (b) Preliminary surveys
- (c) Preliminary and final report fixing extent of sewer project
- (d) Customer analysis of water accounts in Nitro if available.
- (e) Preparation of data for P. S. C.
- (f) Appearances before Public Service Commission
- (g) Topographical surveys of proposed construction sites for plant and accessories
- (h) Detail design of treatment plant and lift stations, including specifications and contract documents covering entire sewer projects
- (i) Design of interceptor sewer or force mains and lift stations
- (j) Design of sewage collection system where designated by Council or required by the project
- (k) Estimate of quantities and costs, including rights of way
- (l) Assistance in securing bids
- (m) Analysis of bids
- (n) Conferring with legal body on award of contracts
- (o) Special engineering assistance as may be necessary in the acquisition of the existing sewer system in said City and surrounding areas.

4. Render such instructive and advisory assistance as it may be able to render in setting up a sanitary board or such other operating agency, commission or authority as the City may designate for the control of said Sewer Project and in organizing procedures for the efficient collection of the revenues necessary for said purposes.

5. Perform all necessary engineering services of every kind required in connection with the investigations, studies, designs and preparation of drawings and specifications, but said service shall not include borings, test pits or labor of uncovering existing lines or opening manholes to determine their location or elevation.

6. Furnish at its own expense and cost all the engineering services, equipment and materials necessary to prepare twelve (12) sets of plans, lay-out map, and standard and special specifications of Robert Anderson, President of Settle Engineers, Inc., for the construction and installation of the facilities, equipment and structures comprising said Sewer Project and furnish like service in connection with minor modifications or extensions of said project. Plans and specifications furnished by Engineer aforesaid shall be sufficiently complete in detail to fully inform prospective bidders of the character of the work to be performed and to fully guide builders in performance of such work. The City will furnish all blue-printing, and printing required for advertising and making copies of plans and specifications, pay all costs of advertising, either legal or for publicity in construction magazines, on the Sewer Project or sections thereof, the purpose

being to encourage bidders. There will be no charge to bidders for plans and specifications as a deposit will be required for their return.

7. Render to the City such advisory and consultative assistance as it may be able to render during the period of the construction program covering the plans for said sewer projects and any modifications thereof.

8. Perform customary lay-out work and provide all engineer service and data necessary for the guidance of the contractors and builders not provided in specifications, and furnish engineering supervision of the work, supervise inspectors paid by City from construction funds, core drilling and testing materials, including but not limited to concrete cylinders, foundations, structures and equipment, but the services for such inspectors, core drilling and testing shall be paid by the City.

9. Furnish and keep available during construction an Engineer capable by experience of rendering any consulting service which the work may require and lay-out Engineer capable of laying-out the work for the contractors or other builders. Part-time resident Engineer will be furnished on all contracts less than \$300,000.00 as required. Additional resident engineering services where size of contract warrants or orderly progress of work requires.

Any extensions made by City outside the original Sewer Project based on assessment of property will be made by City

Engineer.

10. Furnish adequate engineering supervision and direction to guide the City's employees in connection with the construction and operation of said sewer system, and supervision of all inspections of work in progress and preparation at consumers' records and surveys, but the personnel for inspecting sewers, for detailing daily inspection of construction and for field and office consumer record surveys shall be employed by the City to operate under the direction and control of said Engineer.

11. Determine and prepare all measurements and estimates, current and final, for the compensation of contractors,

12. Perform all duties required of the Consulting Engineer by the laws of the State of West Virginia such as the State Board of Health and State Water Commission, and the ordinances of The City of Nitro relating to such construction; and also perform the duties of such Consulting Engineer as may be required by any construction trust fund agreement which may be entered into between the City of Nitro and any trustee for its construction funds.

13. Furnish maps, drawings and data, suitable for permanent record, of all construction and improvements performed under its supervision. The cost of making copies or reproductions of such documents shall be borne by the City.

14. Preserve, as far as possible, all original working drawings, tracings, field notes and records, to be turned over to

the City, upon completion of the work to which they pertain, but Engineer may make and retain such copies of said documents as it may desire for its files.

FIFTH: The City of Nitro will:

1. Compensate the Engineer, solely from the proceeds of the sale of revenue bonds to finance the said Water Project, for all the engineering services in connection with the making of said financial survey and report on said water distribution system and water treatment plant, in an amount agreed to by both Engineer and City as being fair and reasonable taking into account the time expended by Engineering in preparing said report; and on the same basis in regard to additional services rendered by said Engineer at the request of the City in connection with said Water Project.

2. Compensate the Engineer, solely out of and from the proceeds of the sale of revenue bonds to finance the said Sewer Project, and in no part from general revenues or other funds of said City, for all the engineering services required by this agreement in the amount and manner as follows:

- (a) Engineer to be paid four and one-fourth (4 1/4%) per cent of the estimated construction cost of said Sewer Project according to the report of the said Engineer if and when approved by the Council of said City, Water Commission and State Health Department. Said report to contain cost estimate to be used as a basis for deciding on the amount of construction to be done and determine size and extent of said Sewer Project, and for the determining of the amount of revenue bonds required to finance the said Sewer Project, or to determine the amount of combined

sewer and water bonds if the City should determine to construct said Sewer Project as part of a joint Sewer and Water Project and issue combined water and sewer revenue bonds; and proposed rates to be charged, said four and one-fourth ($4\frac{1}{4}\%$) percent to be paid at time of issuance, sale and delivery of said revenue bonds.

(b) The remainder of the said fee based on total construction cost shall be paid each month at rate of four and one-fourth ($4\frac{1}{4}\%$) percent of contractors' estimate, not including retained percentage. Estimate on retained percentage shall be retained until final settlement with Engineer which said amount shall be retained until completion of project, or upon acceptance of each contract by the City.

3. Payments under Section 1, 2 (a) and 2 (b), Article Fifth above, are to be made to either Robert Anderson, President of Settle Engineers, Inc., or Municipal Engineering Corporation, as may be requested, from time to time, by requisition signed jointly by both Robert Anderson, President of Settle Engineers, Inc., and Municipal Engineering Corporation, directing the City as to the division of said payments as between the said firms; and upon the approval of said requisition or requisitions and the payments thereof in the manner directed by said requisition the City is relieved as to all claims of said firms in regard to the amounts so paid, and further the City shall not be required to look to the application of said proceeds as between the two (2) engineering firms upon such payment as aforesaid.

4. Compensate the Engineer, solely from the funds aforesaid on a per diem basis for authorized travel outside of the State of West Virginia and for attendance at court proceedings not arising from any fault of the Engineer, its officers, agents or employees not to exceed the rate of One Hundred (100.00) Dollars per day plus travel expenses.

5. Allow the Engineer one-half (1/2) of any recovery by the City for liquidated damages for over-run of any contract period by the contractor, it being understood that Engineer shall cooperate with and give full aid to the City in the enforcement of any such recovery deemed legitimate by said Engineer, and that such allowances shall be the full compensation of Engineer therefor.

6. At its own expense procure the necessary surveying of rights-of-way and sites for sewer facilities. The cost of such rights of way and sites and the surveying thereof will not be included in the cost of construction upon which the compensation of engineer is computed.

7. At its own expense hire qualified inspectors necessary to inspect the operation of said sewer system and the work of contractors as the same progresses, who will be under the direction and subject to orders of the Engineer.

8. Perform the various obligations assumed by it in said construction trust fund agreement which may be entered into as aforesaid.

SIXTH: All the obligations of the City hereunder are expressly subject to the sale of revenue bonds necessary for the acquisition of said water distribution system and/or said distribution system together with said water treatment plant and the acquisition, construction and improvement of said sewer system and project, as well as the ability of the City to market such bonds.

SEVENTH: In regard to said Sewer Project and subject to the foregoing provisions hereof, employment of Engineer by the City shall continue during the construction program contemplated herein, but nothing in this agreement shall impair or limit the right of the City to discontinue the service of the Engineer, in the event the personal services of the said Robert Anderson for any reason should no longer be available. Upon such discontinuance of service of said Engineer, said Engineer will be entitled to reasonable compensation for services rendered to such time; and in such event all original tracings, maps, plans, drawings and data prepared by Engineer relating to the said Sewer Project, shall become the property of the City, subject to the right of the Engineer to make and retain copies thereof as hereinbefore provided.

This agreement as it relates to the aforesaid Sewer Project is limited to the Sewer Project when approval of Engineer's Report is made by the City Council, West Virginia Water Commission and West Virginia Health Department. No detailed plans and specifications will be made until ordinances are passed by the City Council

authorizing the issuance of revenue bonds for financing the total cost of the Sewer Project.

After said Engineer's sewer report is filed with the City Council, said report shall be subject to approval of the City Council and will designate the Sewer Project, and City will authorize the Engineer to proceed with said detailed plans and specifications subject to the aforesaid paragraph, or any subsequent agreements made with the Engineer and City for the proceeding with detail plans and specifications.

Said detail plans and specifications must be approved by the State Water Commission and Engineering Division of the State Board of Health and other applicable public bodies, prior to presentation to the City for its final approval, and prior to advertising for bids.

The Engineer is to forthwith proceed hereunder, and shall perform the duties herein assumed as may be required from time to time by the City to expedite, assist or be necessary or convenient to the sale of the revenue bonds.

EIGHTH: It is further understood and agreed by and between the parties hereto that the obligations created by this agreement are to be binding upon any board, commission, agency or authority which The City of Nitro may create by ordinance to control and direct the accomplishment of said Water Project or said Sewer Project and that any said board, commission, agency or authority shall be bound to the Engineer in the same manner as the City is

bound herein, and the Engineer shall be bound to the said board, commission, agency or authority in the same manner as is bound to the City hereunder.

IN WITNESS WHEREOF, The City of Nitro, West Virginia, a municipal corporation, has caused its name to be assigned hereunto by W. W. Alexander, its Mayor and its official seal to be hereunder affixed by its Recorder, Grace Lewis, thereunto duly authorized by the Council of the City of Nitro a resolution duly passed on the _____ day of _____, 19____, and the signature and seal of Robert Anderson, President of Settle Engineers, Inc., and the signature and seal of _____ for Municipal Engineering Corporation, in duplicate counterparts, on the day and year first above written.

THE CITY OF NITRO,
A Municipal Corporation

By _____ Its Mayor
W. W. Alexander

By _____ Its Recorder
Grace Lewis

Robert Anderson, President of
SETTLE ENGINEERS, INC.

By _____ President

MUNICIPAL ENGINEERING CORPORATION
a West Virginia Corporation

By _____ Its President

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, TO-WIT:

I, _____, a Notary Public of said County, do certify that W. W. ALEXANDER, who has signed the writing above, bearing date the _____ day of _____, 19____, for The City of Nitro, West Virginia, a municipal corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this _____ day of _____, 19____.

My commission expires _____.

Notary Public in and for Kanawha
County, West Virginia

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, TO-WIT:

I, _____, a Notary Public of said County, do certify that Robert Anderson, President of Settle Engineers, Inc., who has signed the writing above, and hereto annexed, bearing date the _____ day of _____, 19____ has this day acknowledged the same before me in my said county, and acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this _____ day of _____, 19____.

My commission expires on the _____ day of _____, 19____.

Notary Public in and for Kanawha
County, West Virginia.

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, TO-WIT:

I, _____, a Notary Public of said County, do certify that _____ who has signed the writing above, and hereto annexed, bearing date the _____ day of _____, 19____, for Municipal Engineering Corporation, a West Virginia Corporation, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said corporation.

Given under my hand this _____ day of _____, 19____.

My commission expires _____.

Notary Public in and for Kanawha
County, West Virginia

Those voting in favor of motion were Councilmen Gewin, Bush, Hogshead, Grace Lewis, Recorder and Mayor Alexander. Councilmen Dunlap and Gandee did not vote. Mayor Alexander declared the motion carried.

Councilman Bush, moved seconded by Councilman Gewin, the adopting of the following contract with Winston C. Brown, Attorney.

THIS AGREEMENT, Made this 4th day of March, 1958, by and between THE CITY OF NITRO, a municipal corporation, West Virginia, party of the first part, and WINSTON C. BROWN, Attorney, party of the second part:

WHEREAS, The City of Nitro contemplates and desires to acquire the water distribution system and/or said water distribution system together with the water treatment plant which serves the City and its adjacent communities; which project is herein-after referred to as "Water Project"; and to finance the cost and expense thereof by the issuance and sale of revenue bonds, and,

WHEREAS, The City of Nitro has also contemplated for sometime to acquire the sewer system in said City and its outlying areas and to improve and expand the same including the construction of a sewer disposal and treatment plant, which is hereinafter generally referred to as the "Sewer Project", and to finance the cost thereof by the issuance and sale of revenue bonds; and,

WHEREAS, it has been considered and deemed by the Council of the City of Nitro to the best interest of the citizens of said City and to the communities and areas adjacent thereto, to proceed with each of said projects, whether the same be done as separate projects and at the same time or otherwise, or as a combined water and sewer projects, as the law and circumstances will permit; and,

WHEREAS, The City of Nitro has not yet established the statutory commission, board or authority to handle said projects as it is authorized by law, but contemplates doing so at an appropriate time or times; and,

WHEREAS, The City needs and desires to employ and

retain special Counsel to represent the City in all of the matters aforesaid, and to compensate said Counsel upon a contingent fee basis, the City being without available funds to defray said expense otherwise; and,

WHEREAS, The said WINSTON C. BROWN has conferred with City officials and has heretofore rendered substantial legal services in connection with said projects and said Attorney is willing to accept employment upon a contingent fee basis.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

That for and in consideration of the premises and in consideration of the professional services rendered and to be rendered by the party of the second part and of the covenants and agreements hereinafter set forth and contained, the parties hereto covenant and agree as follows:

PART 1 ----- SEWER PROJECT

1

The City of Nitro, West Virginia, party of the first part does hereby employ and retain WINSTON C. BROWN, Attorney at Law, party of the second part, as its Attorney and Chief Counsel to render and perform such legal services as may be necessary to protect and promote the interest of the City of Nitro in connection with the acquisition of the sewer system, the expansion and improvement thereof and the construction of a disposal and sewage treatment plant and the issuance and sale of revenue bonds to finance the cost of said project.

2

That the said WINSTON C. BROWN, Attorney at Law, party of the second part, does hereby accept said employment and agrees to render and perform the above-described legal service in connection with said sewer project.

3

That, in consideration of the foregoing, The City of Nitro, party of the first part, agrees that it will pay to the said WINSTON C. BROWN, Attorney, solely and only from and out of the proceeds of the sale of the sewer revenue bonds which will be issued to defray the total cost of said sewer project, a sum and amount of money equivalent to three (3) percent of the total amount of said sewer revenue bonds issued, said fee to be paid as follows:

- (a) Eighty (80%) percent of said fee shall be paid immediately upon the sale of said sewer revenue bonds; and
- (b) The unpaid balance of said fee shall be paid at such time as said project shall be completed and ready for operation.

PART II ----- WATER PROJECT

1

The City of Nitro, West Virginia, party of the first part does hereby employ and retain WINSTON C. BROWN, Attorney at Law, party of the second part, as its Attorney and Chief Counsel to render and perform such legal services as may be necessary to protect and promote the interest of The City of Nitro in connection with the acquisition of the water distribution system and/or said

distribution system together with the water treatment plant located in said City and its adjacent communities and areas out of the issuance and sale of revenue bonds to finance the cost of said project.

2

That the said WINSTON C. BROWN, Attorney party of the second part does hereby accept said employment and agrees to render and perform the above described legal services in connection with said water project.

That in consideration of the foregoing, The City of Nitro, party of the first part, agrees that it will pay to the said WINSTON C. BROWN Attorney, solely and only from and out of the proceeds of the sum of the water revenue bonds issued to defray the total cost of said water project, a sum and amount of money equivalent to three (3%) percent of the total amount of said water revenue bonds issued, said fee to be paid as follows:

- (a) Eighty (80%) percent of said fee shall be paid immediately upon the sale of said water revenue bonds; and
- (b) The unpaid balance of said fee shall be paid at such time as said project shall be completed and ready for operations.

PART III ----- COMBINED SEWER AND WATER PROJECT

In the event the said City shall determine to accomplish the said sewer project and said water project as a combined water and sewer project with the issuance and sale of a combined revenue

bond issue to finance said combined project, then and in such event the provisions of this said Part III shall supersede and take the place of the provisions of Part I and Part II above, but if said water project and sewer project are financed separately the provisions of this said Part III, shall not be operative.

1

The City of Nitro, West Virginia, party of the first part does hereby employ and retain WINSTON C. BROWN, Attorney at Law, party of the second part, as its Attorney and Chief Counsel to render and perform such legal services as may be necessary to protect and promote the interest of The City of Nitro in connection with the acquisition and completion of the combined water and sewer project in said City and its adjacent communities and areas and of the issuance and sale of revenue bonds to finance the cost of said projects.

2

That the said WINSTON C. BROWN Attorney at Law, party of the second part, does hereby accept said employment and agrees to render and perform the above described legal service in connection with the said combined project.

3.

That, in consideration of the foregoing The City of Nitro, party of the first part, agrees that it will pay to the said WINSTON C. BROWN, Attorney, solely and only from the total cost of the revenue bonds issued for the combined water and sewer project, a sum and amount of money equivalent to three

(3%) percent of the total amount of said combined sewer and water project revenue bonds issued, said fee to be paid as follows:

- (a) Eighty (80%) percent of said fee upon the sale of bonds; and,
- (b) One-half (1/2) of the unpaid balance of said fee shall be paid upon the completion of the sewer and disposal part of said combined project and the other half of the unpaid balance of said fee shall be paid upon the acquisition of title by the City of the water distribution system and/or the water distribution system together with the water treatment plant.

PART IV ----- FURTHER PROVISIONS

1. The City agrees to reimburse the said Attorney for all expenses necessarily incurred by them in and about the performance of their duties in connection with their employment hereunder.
2. The City agrees to pay all court costs and all witness fees in connection with said projects as aforesaid.
3. The party of the second part agrees that the City of Nitro and its general tax revenues shall not in any way be obliged, responsible or liable for the payment of the Attorney fees provided in Parts I, II and III above; but said fee shall be wholly paid out of the proceeds of the sale of said revenue bonds.
4. The City covenants and agrees that this contract of employment shall be binding upon any agencies, board, commission or authority which is ~~may~~ subsequently create by ordinance or otherwise, to handle any of the projects described herein.

IN WITNESS WHEREOF, The City of Nitro, West Virginia,
 a municipal corporation, has caused its name to be assigned
 hereunto by W. W. Alexander, its Mayor, and its official seal to
 be hereunto affixed by its Recorder, Grace Lewis, thereunto duly
 authorized by the Council of The City of Nitro by a resolution
 duly passed on the _____ day of _____, 19____, and the
 signature and seal of WINSTON C. BROWN, ATTORNEY, in triplicate
 counterparts, on the day and year first above written.

THE CITY OF NITRO,
 a municipal corporation

By _____ Its Mayor
 W. W. Alexander

_____ Its Recorder
 Grace Lewis

PARTY OF THE FIRST PART

 (SEAL)

PARTY OF THE SECOND PART

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, TO-WIT:

I, _____, a Notary Public
 of said County and State, do certify that W. W. Alexander, Mayor,
 who has signed the writing above, and hereto annexed, bearing date
 the _____ day of _____, 19____, for the City of Nitro,
 West Virginia, a municipal corporation, has this day in my said
 County, before me, acknowledged the said writing to be the act
 and deed of said corporation.

Given under my hand this _____ day of _____, 19____.

My commission expires _____.

Notary Public in and for Kanawha
County, West Virginia.

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, TO-WIT:

I, _____, a Notary

Public of said County and State, do certify that _____

whose name is signed to the writing above, and hereto annexed, bearing

date on the _____ day of _____, 19____, has this day

acknowledged the same before me in my said County.

Given under my hand this _____ day of _____, 19____.

My commission expires _____.

Notary Public in and for Kanawha
County, West Virginia

CERTIFICATE OF COUNCIL ACTION

THIS IS TO CERTIFY, That the Council of the City of Nitro, a municipal corporation, West Virginia, in a session thereof duly held on the 4th day of March, 1958, in the Council Chambers in the City Hall of said City, by a resolution duly made, second, passed and adopted, approved and authorized the execution of the foregoing and attached contract of employment dated the 4th day of March, 1958, wherein The City of Nitro, a municipal corporation, party of the first part, employed and retained Winston C. Brown, Attorney, party of the second part; said resolution authorized and directed the Mayor of said City to execute said contract on

behalf of said City, and authorized the Recorder of said City to affix the official seal of said City to said contract and to attest the same, all in the name of The City of Nitro; and further, said resolution authorized the undersigned Mayor and Recorder to execute this Certificate and to attach the same to said contract of employment.

THIS IS TO FURTHER CERTIFY that said meeting of the Council of said City of Nitro was duly held, and that a quorum was present and acting throughout the entire session and particularly at the time of the introduction and passage of said resolution.

THIS IS TO FURTHER CERTIFY that the undersigned W. W. Alexander is a duly elected and serving Mayor of said City and that the undersigned Grace Lewis is a duly elected and serving Recorder of said City.

IN WITNESS WHEREOF, the undersigned officials of The City of Nitro, do hereby affix their signatures and official seals of said City, this _____ day of _____, 19____.

W. W. Alexander, Mayor of The
City of Nitro, a municipal
Corporation, West Virginia.

ATTEST:

Grace Lewis, Recorder of the City of
Nitro, a municipal corporation, West
Virginia.

Upon a vote being taken, those voting in favor of motion were Councilmen Bush, Gewin, Hogshead, Grace Lewis, Recorder, Mayor Alexander. Against motion Councilman Dunlap, Councilman Gandee did not vote. Motion was declared carried.

The Mayor then announced the last two items on the call- To consider complying with State Water Commission's request and directive in respect to the pollution problem and to make application for Federal Aid to the City of Nitro for construction of a sewage disposal system, which will conform to Federal Law. The Mayor and Council then discussed the sewage problem and it was pointed out that the opinion of the State Water Commission and the Attorney General's Office was that this problem is the responsibility of the City Government. The Mayor then requested the Recorder to read the following Resolution:

WHEREAS,

The City of Nitro, West Virginia has been cited by the State Water Commission of the State of West Virginia as an offender in the pollution of the Great Kanawha River, and,

WHEREAS,

The Water Commission of the State of West Virginia has ordered the City of Nitro to cease and desist from further pollution of the said Great Kanawha River and to proceed immediately to collect and treat the sewage from the said City, and

WHEREAS,

The Attorney General's office has been ordered to proceed

against the City of Nitro, and

WHEREAS,

The City of Nitro is one of the very few remaining towns or cities not proceeding in compliance with the State Water Commission's orders, and

WHEREAS,

There is a possibility of obtaining a government grant to aid in the construction of the said sewage collection and treatment system, and

WHEREAS,

The State Water Commission understands that there is a possibility of the construction of the treatment plant by the owners of the Nitro Sewer System, which would result in much higher rates for the citizens of Nitro than would result from municipal construction, and

WHEREAS,

The City of Nitro recognizes the necessity for immediate compliance with the Water Commission's orders, and recognizing that such action is necessary for the health, welfare and well being of the citizens,

NOW THEREFORE BE IT RESOLVED:

That the City Council of the City of Nitro proceed promptly to reapply to the Department of Health, Education and Welfare, Public Health Service of the United States Government for a federal grant of money for financing construction of a sewage treatment system; and in the event such grant should be approved,


to proceed with plans for construction of a sewage collection and treatment system as required by law.

Thereupon Councilman Gewin, seconded by Councilman Hogsehad, moved the adoption of the foregoing Resolution. And upon a vote being taken the motion carried unanimously.

Mayor Alexander then appointed a committee to meet with Sewer Company officials for the purpose of negotiating for the sewer system - the committee as follows: Councilman Gewin, Chairman, Councilmen Hogshead and Dunlap. The Mayor and Attorney will also meet with the Committee.

There being no further business to come Before the council at this time a motion for adjournment by Councilman Bush, seconded by Councilman Gewin, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

March 18, 1958

The City Council met in regular session Tuesday, March 18, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, B. E. Gewin members of the Council.

Mayor Alexander called the meeting to order.

The minutes for meeting held March 4th were read. Councilman Bush moved, seconded by Councilman Estep, the minutes be approved. Motion carried.

Councilman Dunlap, seconded by Councilman Gewin, moved the financial statement for the month of February be accepted. Motion carried.

The Recorder read letter from the State Water Commission requesting the City of Nitro to appear before the Water Commission at 3:00 P. M. on April 1, 1958 to present a progress report on the stream pollution abatement project.

The Recorder also read letter from the Attorney General said letter setting out three different legal proceedings available to enforce the orders of the State Water Commission as follows:

1. Proceedings to perpetually enjoin the flow of untreated sewage into Kanawha River from the system by the City.
2. Criminal prosecution against each member of the governing body of the City of Nitro.

3. Proceedings to collect the statutory penalty of one hundred dollars for each day that has passed since the City was placed under the cease and desist order.

The letter also stated that the Attorney General's recommendation must be made to the State Water Commission at their April meeting and stating further that if the Attorney General's office receives information from the City that the City is going to take positive and affirmative action in the sewer matter, then the Attorney General's report to the Commission will be based on such information.

Councilman Gewin informed the Council that he had made an appointment for the committee from the City Council to meet with Mr. John Ray of the Nitro Sewer Company, Thursday, March 20th at 8:30 A. M.

The Mayor announced that he had requested the Engineers to furnish Mr. Ray and the Council Committee with maps of the necessary land and road right of ways needed for the proposed sewer program.

The Recorder read a report submitted by the Fire Chief for the year 1957. Question was raised regarding fire hydrant near Roberts Chemical Company being taken out, this will be checked.

Councilman Bush reported a bad place in Third Avenue road below 31st Street Bridge, also report of some bad spots

on paving on 13th Street.

Councilman Estep mentioned a bad traffice condition on Main Avenue at intersection of Lock Street. The traffic committee will take this matter under advisement.

Mayor Alexander appointed Councilman Estep as member of the following committees: Sewage Works, Recreation, Street Signs and Safety, Garbage and Street Numbering.

Mayor Alexander appointed Councilman Estep as member of the Board of Park Commissioners to replace M. A. Flowers.

Councilman Dunlap, seconded by Councilman Bush, moved the appointment of Councilman Estep to the Board of Park Commissioners be approved. Motion carried unanimously.

The Mayor and Council discussed the order to the Appalachian Electric Power Company for Street lights along 1st Avenue and the Mayor said he would check with the Power Company on the delay on installation.

There being no further business to come before the Council, a motion for adjournment by Councilman Bush, seconded by Councilman Gewin, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

M. L. BUSH, DR. J. L. DUNLAP, JR., GRENFALL L. ESTEP,
HOWARD M. GANDEE, B. E. GEWIN, FRANK E. GROVER AND
GEORGE W. HOGSHEAD, M. D.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber of the City Hall of said City on March 31, 1958, at 8:00 o'clock, P. M. for the purpose of considering the following:

1. Plans and estimates of the Engineers in regard to the proposed Sewer Project and also consideration of the negotiations with the Nitro Sewer Company.

2. To consider the holding of a Special Levy Election for additional Levy including expenditures for the purpose of (a) Street Maintenance and Repairs; (b) Parks and Recreation; (c) Additional Firemen's Wages; and (d) Additional Street Lighting in Business Area.

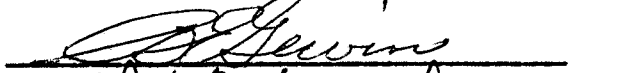
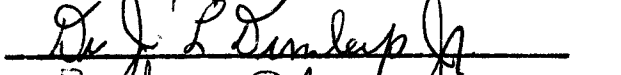
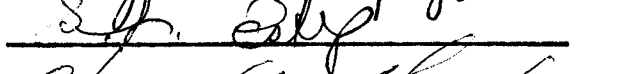
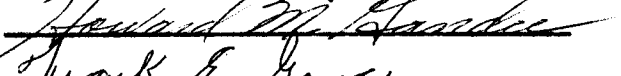
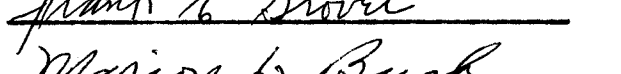
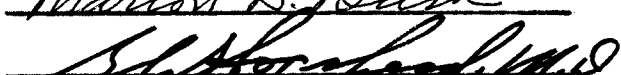

3. To consider any other matters that may properly come before the Council.

Respectfully yours,



W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being both sufficient and timely:

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

100

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

M. L. BUSH, DR. J. L. DUNLAP, JR., GRENFALL L. ESTEP,
HOWARD M. GANDER, B. E. GEWIN, FRANK E. GROVER AND
GEORGE W. HOGSHEAD, M. D.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber of the City Hall of said City on March 31, 1958, at 8:00 o'clock, P. M. for the purpose of considering the following:

1. Plans and estimates of the Engineers in regard to the proposed Sewer Project and also consideration of the negotiations with the Nitro Sewer Company.
2. To consider the holding of a Special Levy Election for additional Levy including expenditures for the purpose of (a) Street Maintenance and Repairs; (b) Parks and Recreation; (c) Additional Firemen's Wages; and (d) Additional Street Lighting in Business Area.
3. To consider any other matters that may properly come before the Council.

Respectfully yours,

W. W. Alexander
W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being both sufficient and timely:

B. E. Gevin
Dr. J. L. Dunlap Jr.
S. J. Eby
Howard M. Gander
Frank E. Grover
Marion L. Bush
George W. Hogshead, M.D.

March 31, 1958.

The City Council met in a Special Call meeting Monday,
March 31, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis,
Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep,
H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D.
MEMBERS OF THE COUNCIL.

Mayor Alexander called the meeting to order and presented
call for said meeting.

The Mayor and Council then proceeded to study the plans
and estimates of the Engineers in regard to the proposed Sewer
Project. Question was raised of the \$79,350.00 allocated as
extensions Nitro Heights, Mayor Alexander explained that this
allocation could be used for extensions on 18th Street Hill Area
or Areas designated by the Council. Question was also discussed
of the extension of Sewer treatment service for the Sattes Area
included in the Engineer's Estimate of costs. The Mayor explained
that the Engineers had figured it out that by including the Sattes
Area in the project that the cost per user would be lowered by
about 30 or 40 cents.

The Mayor requested the Recorder to read notice under
date of March 26, 1958 from the State Water Commission setting
out the date of May 15, 1958 as the cut-off date for receipt

of Municipal applicants requesting a grant-in-aid from the 1958-59 State Allotment under Public Law 660.

The Mayor explained that Robert Anderson, Engineer had all plans and estimates ready to present to the West Virginia Water Commission on Tuesday, April 1, 1958 and the Mayor also informed Council that application for Federal Grant must be submitted within 10 days of above mentioned meeting of the West Virginia Water Commission.

Thereupon the Mayor requested the Recorder to read a Resolution authorizing the Mayor to make application in name of the City for Federal Aid, explaining to the Council that said Resolution should be enacted, if the Council is in agreement on purchase of the sewers, also pointing out that a letter should be written to the Nitro Industrial Corporation and Nitro Sewer Company to the effect that Council is ready to accept the offer made by John Ray, acting for both the Nitro Industrial Corporation and Nitro Sewer Company, with regard to the sewers, land and necessary right of ways. The Mayor stated further that this action would strengthen the City's case before the West Virginia Water Commission, explaining further that such action by Council would not be binding on the City unless Revenue Bonds were sold, but that such action by the Council would assure the Water Commission that the City was ready to proceed.

R E S O L U T I O N

WHEREAS, By previous action of this Council approval has been given to submit plans for construction and extensions of Nitro Sanitary Sewage System and for construction of a Sewage Treatment Plant to the West Virginia Water Commission,

WHEREAS, Congress of the United States of America enacted Public Law No. 660 in the year 1956 providing for Federal Grants of money to aid States, Municipalities and other Political Subdivisions in the prevention and control of water pollution,

NOW, THEREFORE be it resolved that the Mayor be and he hereby is authorized to make application to the appropriate agency or agencies of the State of West Virginia and the Federal Government of the United States for grants of money to aid the City of Nitro in construction and extension of the present Sanitary Sewage System and the construction of a Sewage Treatment Plant.

This is to certify that the above Resolution was adopted by Nitro City Council in Special Session March 31st, 1958.

W. W. Alexander, Mayor

CITY OF NITRO, WEST VIRGINIA

Attest:

Grace Lewis, Recorder

Thereupon Councilman Bush, seconded by Councilman Gewin, moved the foregoing Resolution be adopted and resubmitted to the West Virginia Water Commission under date of March 31, 1958. Upon a vote by the members of the Council, motion carried unanimously.

Thereupon Councilman Gewin, seconded by Councilman Hogshead, moved that a letter be written to the Nitro Sewer Company and Nitro Industrial Corporation, informing the companies that the City Council is desirous of purchasing for the amount of \$86,500.00 the Sewer System, necessary land and right of ways, as set out on map prepared by City Engineers, contingent on the sale of revenue bonds. Upon a vote being taken, all members of the Council voted for the motion and motion carried unanimously.

Councilman Bush moved, seconded by Councilman Estep, that a copy of the afore mentioned letter be sent to the West Virginia Water Commission. Upon a voting being taken, motion carried unanimously.

The Council then proceeded to discuss the holding of a Special Levy Election for additional Levy including expenditures for the purposes of Street Maintenance and Repairs, Park and Recreation, Additional Firemen's Wages and Additional Street Lighting in Business Area.

The Council discussed increasing the amount allocated to Parks and Recreation and it was decided that such amount should be increased to \$4,000.

Thereupon Councilman Bush, seconded by Councilman Grover, moved the adopting of the following Resolution calling a Special Election on May 2, 1958.

NOTICE OF SPECIAL ELECTION
FOR
ADDITIONAL MUNICIPAL LEVY

TO THE VOTERS OF NITRO, WEST VIRGINIA

TAKE NOTICE

That at a Special meeting of the Council of the City of Nitro, State of West Virginia, held on the 31st day of March, 1958, the following order was made and entered of record. TO-WIT:

The Council of the City of Nitro being of the opinion that the maximum levies for current expenses authorized by Article 8, Chapter 11 of the Code of West Virginia, as last amended, will not provide sufficient funds for the payment of the current expenses of the City of Nitro, including expenditures for the purposes hereinafter set forth, and that an election should be held to increase such levies, it is hereby ordered:

1. That the purpose for which additional funds are needed is as follows:

Street Maintenance and Repairs.

Parks and Recreation.

Additional Firemen's Wages.

Additional Street Lighting in Business Area.

2. That the amount for each purpose is as follows:

Street Maintenance and Repairs, \$3,000. for each fiscal year for a period of three years.

Parks and Recreation, \$4,000. for each fiscal year for a period of three years.

Additional Firemen's Wages, \$3,500. for each fiscal year for a period of three years.

Additional Street Lighting in Business Area \$500. for each fiscal year for a period of three years.

3. That the total amount for said purpose or purposes is \$11,000. for each fiscal year for a period of three years.

4. That the separate and aggregate assessed valuation of each class of taxable property within the Municipality of Nitro, is as follows:

Class I, \$1,132,955.; Class II, \$1,810,520.; Class IV, \$3,385,000.; Aggregate, \$6,328,475.

5. That the proposed additional rate of levy in cents on each class of property is as follows: Class I, 6.25¢; Class II, 12.5¢; Class IV, 25¢.

6. That the proposed years to which the additional levy shall apply are the fiscal years beginning July 1, 1958, July 1, 1959, and July 1, 1960.

7. That the question of such additional levy shall be submitted to a vote at a Special Election, to be held on the 2nd day of May, 1958.

8. That notice calling such election shall be given by publication of this order at least once each week for two

successive weeks before said election in the Kanawha Valley Leader, a newspaper of general circulation in said Municipality and the only newspaper published therein and of general circulation in Kanawha and Putnam Counties, West Virginia in which the City of Nitro is situate. Printed copies of this order shall also be posted at each place of voting at least ten days before said election. All the provisions of the laws concerning general election shall apply as far as practicable, except that a separate ballot shall be used at such election when held in connection with any other election.

9. That the ballot to be used at such election shall be in form as follows:

"Special election to authorize additional levies for the years 1958-59, 1959-60, 1960-61, and for the purpose of Street Maintenance and Repairs, Parks and Recreation, Additional Firemen's Wages, and Additional Street Lighting in Business Area, according to the order of the Council entered on the 31st day of March, 1958."

Additional levy shall be on Class I property, 6.25 cents; on Class II property, 12.5 cents; Class IV property, 25 cents."

() For the Levies

() Against the Levies

Instructions: Those favoring the additional levies,
place (X) in the square before "For the Levies"; those against
such levies, place (X) in the square before "Against the Levies."

Council of the City of Nitro

By W. W. Alexander, Mayor

Attest:

Grace Lewis,
Recorder

Upon a vote being taken, said motion carried unanimously.

Councilman Dunlap moved, seconded by Councilman Hogshead,
that the following named persons be selected and appointed to
conduct Special Levy Election on May 2, 1958. Upon a vote,
motion carried unanimously.

Precinct Number 305	Kanawha County
Mrs. Mable Duffy	Receiving Clerk
Mrs. Mildred Selby	Receiving Clerk
Ray Dudding	Receiving Commissioner
Edward Knight	Receiving Commissioner
Howard Wilson	Receiving Commissioner
Mrs. E. W. Dye	Counting Clerk
Mrs. Mary Moore	Counting Clerk
Mrs. Lucille Callihan	Counting Commissioner
Mrs. Norma Harrison	Counting Commissioner
Mrs. T. A. Donehue	Counting Commissioner

Precinct Number 282

Mrs. Lew M. Eskew

Mrs. Eunice Higginbotham

Mrs. Mildred Conaway

Mrs. Sadie Wright

Mrs. Goldie Thornton

Mrs. Kathleen Townsend

Mrs. Bessie Boggess

Miss Dorothy Maruish

Mrs. Marietta Wears

Mrs. Golda N. Roark

Kanawha County

Receiving Clerk

Receiving Clerk

Receiving Commissioner

Receiving Commissioner

Receiving Commissioner

Counting Clerk

Counting Clerk

Counting Commissioner

Counting Commissioner

Counting Commissioner

Precinct Number 260

Mrs. Ernestine Evans

Mrs. Naomi Willard

Philip Arthur

Mrs. Georgia Brothers

Mrs. Vida Bailey

Mrs. Dorothy N. Wilson

Mrs. Garnet P. Dougherty

Mrs. Una Willard

Mrs. E. E. Curfman

Mrs. Marjorie Sublette

Kanawha County

Receiving Clerk

Receiving Clerk

Receiving Commissioner

Receiving Commissioner

Receiving Commissioner

Counting Clerk

Counting Clerk

Counting Commissioner

Counting Commissioner

Counting Commissioner

Precinct Number 261

Mrs. Treva Sayre

W. L. Wintz

L. F. Hartranft

Mrs. Lena Cook

Mrs. Mary King

Mrs. Mary Sampson

Mrs. Velma Kinder

Mrs. Bell Doddrell

Mrs. Viola Ragle

Mrs. Ruby Wallace

Kanawha County

Receiving Clerk

Receiving Clerk

Receiving Commissioner

Receiving Commissioner

Receiving Commissioner

Counting Clerk

Counting Clerk

Counting Commissioner

Counting Commissioner

Counting Commissioner

Precinct Number 283

Mrs. Cora Jarvis

Mrs. Grace L. Peck

Sam Montague

Mrs. Juanita Wintz

O. R. Southerland

Mrs. Helen Colcord

Mrs. Virginia Hunter

M. W. Harman

Luke W. Michael

John Stiff

Kanawha County

Receiving Clerk

Receiving Clerk

Receiving Commissioner

Receiving Commissioner

Receiving Commissioner

Counting Clerk

Counting Clerk

Counting Commissioner

Counting Commissioner

Counting Commissioner

Precinct Number 22	Putnam County
Mrs. Marie Smith	Receiving Clerk
Mrs. Thelma McDaniel	Receiving Clerk
Mrs. Hazel Townsend	Receiving Commissioner
Mrs. Eugenia Dorsey	Receiving Commissioner
Mrs. Marie Hedrick	Receiving Commissioner
Mrs. Audra Cogar	Counting Clerk
Mrs. Edna Scully	Counting Clerk
Mrs. Wallace Hinkle	Counting Commissioner
Mrs. Mary Michael	Counting Commissioner
C. K. McCallister	Counting Commissioner

Councilman Dunlap, seconded by Councilman Grover, moved that voting precincts be held at same locations as used in previous election. Motion carried unanimously.

There being no further business to come before the Council at this time, a motion for adjournment by Councilman Bush, seconded by Councilman Gewin, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

April 15, 1958

The City Council met in regular session Tuesday, April 15, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

The Recorder read the minutes for meetings held March 18th and March 31st. Councilman Dunlap, moved, seconded by Councilman Estep, the said minutes be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Bush, the financial statement for the month of March be accepted. Motion carried.

A letter from the American Viscose Corporation was read, stating that for several years the American Viscose had kept the cinder road from First Avenue to the entrance of the plant property in fairly good condition, but that since so many other plants are using this particular road that the cost of maintaining has increased and that the Viscose will have to discontinue any maintenance on this road beyond the point where the Nitro Park road intersects. That the Viscose will continue to maintain that section of the road from the Viscose plant entrance to the intersection of the Park Road on an interim basis.

Councilman Gandee informed the Council that he had had complaints of the basement dug by Mr. Hively on 12th Street and that folks in that area felt that the place was dangerous. The Council discussed this matter and it was decided to have the building inspector contact Mr. Hively and request him to take care of this situation within 30 days.

Complaint was registered of an old car that had been parked on 17th Street, between Second Avenue and Third Avenue for over a year. The Mayor said the owner was Guy Young and that he would make an effort to get him to move the car.

Councilman Bush informed council that he was having complaints again on Childers Chevrolet and Holman Motor Sales for parking cars on the streets. The Council discussed this situation and the Mayor said he would contact both car dealers regarding this matter.

Councilman Bush reported complaints of merchants displaying merchandise on the city sidewalks. The Attorney was requested to prepare ordinance on this matter.

The Mayor informed the council that the Judge had ruled against the city in the case of book selling in town and asked the council if it was their wish to recind the ordinance or carry case to higher court. The council discussed this matter to some extent.

Councilman Gewin moved, seconded by Councilman Bush, the Mayor and Attorney check with the Judge on the ruling and if

in their opinion the case may be won by carrying it on to higher court, that the Mayor call special meeting of the council. Upon vote those voting in favor of motion were Councilmen Gewin, Bush, and Estep. Motion didnot carry.

The Council then discussed rewriting said ordinance.

Thereupon Councilman Dunlap, seconded by Councilman Gandee, moved the ordinance be written, excluding religious organizations from being licensed. Upon a vote those voting in favor of motion were Councilmen Dunlap, Gandee, Estep and Hogshead. Motion was declared carried.

There being no further business a motion for adjournment by Councilman Bush carried.

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

May 6, 1958.

The City Council met in a special meeting May 6, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order and informed the Council that the purpose of the meeting was to appoint a new member of the Board of Park Commissioners to replace R. O. Zerbe, whose term has expired.

Mayor Alexander informed the Council that the Park Board had recommended Robert Woods to be appointed to replace Mr. Zerbe.

Thereupon Councilman Bush, moved seconded by Councilman Hogshead, Robert Woods be appointed, for a term of six years, to the Board of Park Commissioners, motion carried unanimously.

There being no further business to come before the Council, a motion for adjournment by Councilman Bush, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

May 8, 1958

The City Council met Thursday, May 8, 1958, at 1:30 o'clock P. M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Grenfall L. Estep, H. M. Gandee, B. E. Gewin and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Gandee, resolving the Council into a Board of Canvassers to canvass the Special Levy Election held May 8, 1958. Motion carried unanimously.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct 22, Putnam County. The Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	741 as ascertained from tally sheet.
Number of ballots voted	59
The Recorder read the certificate of results as follows:	
For the Levies	56
Against the Levies	3

Said ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificate of results for Precinct 283, Kanawha County. The Board proceeded to canvass said returns by counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	474 as ascertained from tally sheet
Number of ballots voted	51

The Recorder read the certificate of results as follows:

For the Levies	51
Against the Levies	None

The ballots were then again sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheet and certificate of results for Precinct 261, Kanawha County. The Board proceeded to canvass said ballots by counting ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	506 as ascertained from tally sheet.
Number of ballots voted	44

The Recorder read the certificate of results as follows:

For the Levies	40
Against the Levies	4

The ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificate of results for Precinct 260, Kanawha County. The Board proceeded to canvass said ballots by counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	456 as ascertained from tally sheet.
Number of ballots voted	44

The Recorder read the certificate of results as follows:

For the Levies	37
Against the Levies	7

The Ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct 282, Kanawha County. The Board proceeded to canvass said ballots by counting the ballots without unfolding same, and tabulated as follows:

Number of ballots destroyed	None
Number of Ballots remaining not voted	610 as ascertained from tally sheet.

Number of ballots voted	41
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The Recorder read the certificate of results as follows:

For the Levies	37
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Against the Levies	4
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The ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct 305, Kanawha County. The Board proceeded to canvass said ballots by counting the ballots voted without unfolding same, and tabulated as follows:

Number of ballots destroyed	None
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Number of ballots remaining not voted	488 as ascertained from tally sheet
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Number of ballots voted	33
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The Recorder read the certificate of results as follows:

For the Levies	31
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Against the Levies	2
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The ballots were then sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

Thereupon the Recorder read the total votes for the Levies and the total votes against the Levies:

For the Levies	252
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Against the Levies	20
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Thereupon Councilman Gandee moved, seconded by Councilman Estep, that Council sitting as a Board of Canvassers certify the results as follows:

For the Levies	252
Against the Levies	20

Motion carried unanimously.


Councilman Gandee, seconded by Councilman Estep, moved the Treasurer be authorized to pay all necessary expenses of the Special Levy Election. Motion carried unanimously.

Councilman Gewin, seconded by Councilman Estep, moved the canvassing Board be dissolved. Motion carried unanimously.

There being no further business to come before the Council at this time a motion for adjournment carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

June 3, 1958

The City Council met in a special session Tuesday, June 3, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Recommendations contained in the report which the Sub Committee on Surface Transportation of the Senate Committee on Interstate and Foreign Commerce made to the full Senate Committee were read to the Council. The Recorder also read the following resolution:

RESOLUTION

WHEREAS, the City of Nitro considers the railroad industry to be a major factor in the economic well-being of the City by providing employment for many hundreds of its citizens and in the payment of thousands of dollars in taxes annually, and

WHEREAS, the railroads serving the City of Nitro are of vital importance to industry and to the citizens generally in the movement of goods and people; and

WHEREAS, conditions which adversely affect the railroad industry in like manner affect the economic conditions of this great city, such as decreases in employment and volume of business; and

WHEREAS, the railroad industry has indicated in hearings conducted the the Subcommittee on Surface Transportation of the

Senate Interstate and Foreign Commerce Committee that legislative relief must be supplied by Congress so that the railroads can again assume their proper place in the economy of our City, State and Nation; and

WHEREAS, legislation has been introduced as a result of these hearings in the form of S 3778, in addition to other legislation already pending, designed to remove some of the regulatory obstacles now standing in the way of economic recovery by the railroads, and to strengthen and improve our national transportation system.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nitro, West Va., that it declares itself in favor of presently proposed and future legislation which will assist in the rapid recovery of the railroads, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senators William Chapman and John D. Hoblitzell, Jr., and to Representative Robert C. Byrd immediately upon the adoption of this resolution.

Adopted June 3, 1958

Approved June 3, 1958

Attest: Grace Lewis
Recorder

W. W. Alexander
Mayor

M. L. Bush

G. L. Estep

H. M. Gandee

J. L. Dunlap, Jr.

G. W. Hogshead, M. D.

Councilman Dunlap moved, seconded by Councilman Hogshead, the foregoing resolution be adopted. Motion carried unanimously.

The Mayor presented plans and drawings for a garage building for equipment, proposed to be erected on the rear of the lot between the fire station and the city building, the Mayor explained that the garage was needed badly and explained further that the engineer's estimate was \$4,930. and that he felt that the financial condition of the city would be such that this amount could be expended for the garage building. The Mayor and council discussed the proposed garage and the council was of the opinion that the plans should be changed to bring the building forward ten feet.

Councilman Estep moved, seconded by Councilman Bush, that the Mayor be authorized to proceed with building the garage, setting the building forward ten feet, and also providing that the Mayor and City Treasurer felt that the funds are available. Motion carried unanimously.

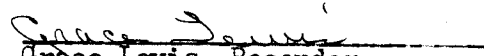
Mayor Alexander explained to council that he had worked out a plan with officials of the Viscose Management Club, residents of Blake's Creek Road and officials of the Nitro Land Company, to build two bridges, patch existing road and kill foliage existing on present road in old golf course area, owned by the Nitro Land Company, in that funds were to be furnished for major part of work by the Nitro Land Company and to be handled through the City

Treasury, and the remainder to be paid by Viscose managment Club.
The Mayor asked council's approval of the City handling the funds
for Nitro Land Company to pay for said work.

Thereupon Councilman Dunlap, seconded by Councilman
Bush, moved approval of the City handling funds for the Nitro
Land Company in doing the aforementioned work in the old golf
course area. Motion carried unanimously.

There being no further business to come before the
council at this time a motion for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

June 17, 1958

The City Council met in regular session Tuesday, June 17, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover, and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Dunlap, moved seconded by Councilman Gandee, the minutes for meetings held April 15th, May 6th, May 8th and June 3rd be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Grover, the financial statement for April and May be accepted. Motion carried.

The Recorder read letter from John Ray, attorney for Nitro Sewer Company, said letter setting out the property the City desires to acquire. The Mayor and Council discussed the letter and council asked that item (a) of letter with regard to Nitro Industrial Corporation reserving a right of way over (40') foot strip running from the "Dump Road" to the 6 -1/2 acre lot, for ingress, egress, utilities, etc, be checked.

Councilman Bush moved, seconded by Councilman Estep, the following ordinance be adopted:

AN ORDINANCE OF THE CITY OF NITRO PROHIBITING THE OBSTRUCTION OF SIDEWALK RIGHT OF WAY AND STREET RIGHT OF WAY OF SAID CITY BY MERCHANTS, BUSINESSES, FIRMS OR CORPORATION; AND PRESCRIBING PENALTIES FOR VIOLATION OF THE TERMS THEREOF.

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

1. No merchant, business, firm or corporation doing business in the City of Nitro shall display or place on any sidewalk right of way or street right of way in said City any merchandise, goods, wares or their objects which obstructs the full and complete use of said sidewalk or public walkway by pedestrians.

2. PENALTIES ---- Any person, firm or corporation, or the manager of any firm or corporation, shall violate any of the terms of this ordinance shall be deemed guilty of a misdemeanor, and upon a conviction thereof, shall be fined not less than Ten Dollars (\$10.00), nor more than Twenty Five Dollars (\$25.00), or by imprisonment for not more than Thirty (30) days or by both such fine and imprisonment. The conduct of any such obstruction shall be deemed a continuing violation and each day's obstruction of a sidewalk shall constitute a separate offense.

Motion carried unanimously.

Request from Dallas T. Osborne and Gilbert Cook was read, requesting that the drainage from the road, which runs through their ~~year~~^{yard} be changed to the center of gullie, and granting city permission to make the drainage change.

Councilman Grover moved, seconded by Councilman Bush, the drainage line be changed as per request by Mr. Osborne and Mr. Cook. Motion carried unanimously.

Councilman Hogshead asked if there were plans to widen Park Avenue, the Mayor and Council discussed this matter to some extent, as to the additional width needed on Park Avenue.

Councilman Gewin moved the Mayor and Engineer be authorized to check on securing an additional 15 feet on the East side of Park Avenue, from West 11th Street to West 15th Street, for the purpose of widening Park Avenue and installing sidewalk. Motion carried unanimously.

Paving petitions for the 400 Block of Dupont Avenue, East 39th Street, from Bailes Drive to City limit line, were presented, requesting that said street be paved.

Councilman Dunlap moved, seconded by Councilman Gewin, that East 39th Street, from Bailes Drive to City limit line be paved. Motion carried unanimously.

Councilman Estep moved, seconded by Councilman Bush, that the 400 Block of Dupont Avenue, extending from Dogwood Street to Elm Street, from the end of present paving in 500 Block of Dupont Avenue, extending south to Gum Street and connecting with present paving be paved. Upon a vote those voting in favor were: Councilmen Bush, Estep, Gewin, Gandee, Grover and Hogshead, Grace Lewis, Recorder and Mayor Alexander. Motion was declared carried.

Councilman Estep moved, seconded by Councilman Gewin, that Ash Street, from Main Avenue to Kanawha Avenue, and Washington Avenue, from Ash Street North to back water be paved. Upon a vote those voting in favor of motion were: Councilmen Bush, Estep, Gandee, Gewin, Grover and Hogshead, Grace Lewis, Recorder, and Mayor Alexander. Motion was declared carried.

Councilman Estep, seconded by Councilman Bush, moved that George A. Saul be appointed as member of the Board of Park Commissioners for a term of six years. Motion carried unanimously.

Councilman Estep, seconded by Councilman Bush, moved that Mayor be authorized to have handbills printed and circulated over town, notifying residents of the trash pick-up the first week of each month. Motion carried.

There being no further business a motion for adjournment by Councilman Bush carried.

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

July 15, 1958

The City Council met in regular session Tuesday, July 15, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, B. E. Gewin and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gewin moved, seconded by Councilman Estep, the minutes for meeting held June 17th be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Gewin, the financial statement for the month of June be accepted. Motion carried.

Councilman Gewin moved the adoption of the following ordinance. Motion seconded by Councilman Bush. Motion carried unanimously.

AN ORDINANCE OF THE CITY OF NITRO REGULATING THE EXHIBIT OF ANY CARNIVAL OR CIRCUS IN THE CITY OF NITRO; AND PRESCRIBING PENALTIES FOR VIOLATION OF THE TERMS THEREOF.

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

1. No person, firm or corporation shall exhibit within the City of Nitro any carnival or circus for personal gain.
2. Any person, firm or corporation who shall violate any of the terms of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than Twenty-five Dollars (\$25.00), nor more than Five Hundred Dollars (\$500.00), or confined in the City jail not more than Sixty days (60), or both fined and imprisoned.
3. The provisions of this ordinance shall not apply to

any local educational, literary, dramatic, musical, or benevolent, civic, society, not conducted for private profit.

4. Each day's violation of this ordinance shall constitute a separate offense.

The resignation of Elvin L. Coe as member of the Sanitary Board was read.

Councilman Bush moved, seconded by Councilman Dunlap, the resignation of Elvin L. Coe be accepted. Motion carried **unanimously**.

Councilman Bush moved, seconded by Councilman Dunlap, William H. Heater be appointed as member of the Sanitary Board for a term of three years. Upon a vote be council motion carried **unanimously**.

Thereupon Council proceeded to consider and discuss the requests, proposals, and petitions of the abutting property owners for the grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, and guttering, and otherwise permanently improving the following named streets: Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly 1st Avenue), extending North to the Back Water; Ash Street (formerly 1st Avenue), from its intersection with First Avenue (Old West Virginia Route No. 25), (formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street East, from Bailes Drive, East to the City Limit Line; Dupont Avenue (formerly Dupont Street)

from its intersection with Dogwood Street (formerly 4th Avenue), to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from present paving in 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue).

Thereupon Councilman Gewin moved that Council accept above named petitions and that it accept the proposals of interested persons and of Council for the said improvements of said above named streets, and that the City proceed to make said improvements under and pursuant to the procedure set forth and provided in Article 8, Chapter 8, of the Code of West Virginia, as amended, and further moved that the Council do fix August 12, 1958, at 8:00 o'clock P. M. in its Council Chambers in the City Hall of said City as the time and place of a public meeting of Council for the hearing of protests and objections of property owners or other interested persons, and for any adjournment thereof; and further that the City Recorder be authorized and directed to publish the following notice once a week for three successive weeks in the Kanawha Valley Leader, the only newspaper published within the City of Nitro and having general circulation therein, said notice being as follows:

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: WASHINGTON AVENUE

(FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET, (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE):

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and Public Ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curb-ing, guttering, and otherwise permanently improving said streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways.

The proposals to make such improvements and the plans, specifications, profiles, and estimates will considered by the Common Council of the City of Nitro at a public meeting to be held on the 12th day of August, 1958, at 8:00 o'clock P. M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Said motion was duly seconded by Councilman Bush and upon a vote being taken, the Council voted unanimously in favor of said motion and the Mayor declared that said motion having received an affirmative vote was so ordered.

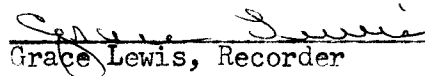
Councilman Bush informed Council that he and his committee had made a survey of the Snorkle Mail Box situated at 23rd Street and First Avenue and stated further that it was the opinion of the committee that the mail box should be moved from said location and placed in the first parking space on the east side of 23rd Street.

Thereupon Councilman Gewin moved, seconded by Councilman Dunlap, that the postal officials be notified to move the said mail box from present location to the first parking space on the east side of 23rd Street and moved further that city prohibit parking in said parking space. Motion carried unanimously.

Councilman Bush, seconded by Councilman Gewin, moved the meeting recessed until July 22, 1958, at 8:00 o'clock P. M. Motion carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

July 22, 1958 Recessed Session

The City Council met in a recessed session of meeting held July 15, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Nogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

The following ordinance, placing the custody, operation, maintenance, supervision and control of the Sewer System in the Sanitary Board was read to Council.

AN ORDINANCE PLACING THE CUSTODY, OPERATION, MAINTENANCE, SUPERVISION AND CONTROL OF THE SEWER SYSTEM OF THE CITY OF NITRO, AND ALL BETTERMENTS THEREOF AND EXTENSIONS THERETO, IN THE SANITARY BOARD OF THE CITY OF NITRO; AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF CENTRAL ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO SAID SYSTEM: ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 25 OF THE ACTS OF THE LEGISLATURE OF WEST VIRGINIA, EXTRAORDINARY SESSION OF 1933 AS AMENDED.

BE IT ENACTED BY THE COUNCIL
OF THE CITY OF NITRO:

SECTION 1. CONTROL OF SEWER SYSTEM IN SANITARY BOARD.

On and after the 22nd day of July, 1958, the custody, administration, operation and maintenance of all sewers constituting the sewer system of the City of Nitro, both within and without the corporate limits thereof, the acquisition and construction of all new or additional works, the improvement, equipment, custody, operation and maintenance of all such works, and the collection

and expenditure of all revenues for the use of such system and the service rendered thereby, shall be under the supervision and control of the Sanitary Board of the City of Nitro, until such time, not later than July 22, 1960, unless extended by the Council, as the revenues from the rates and charges for the use of said sewer system hereinafter authorized and provided shall be sufficient for the purpose, the reasonable expense of operation, maintenance and repair of said sewer system shall be paid from other funds, of the City of Nitro, to the extent that such funds are legally available for such purposes.

SECTION 2. CONSTRUCTION OF WORKS ORDERED.

In order to provide a sewer system for the City of Nitro, and certain nearby areas, adequate to collect and dispose of the sewage and other wastes of said areas in a sanitary manner and by such provisions to prevent the pollution of Kanawha River, in the City and in said nearby areas, the Board shall proceed at once with the construction and acquisition of intercepting and sanitary sewers, reconstruction of existing sewers, for the first units of the sewer system shown under "Time Schedule" in the said "Preliminary Report of Robert Anderson and Municipal Engineering, Consulting Engineers", as amended or as may be hereafter amended, and the facilities and appurtenances incident thereto.

SECTION 3

This ordinance shall take effect at the time and in the manner provided by Chapter 25 of the Acts of the Legislature of West Virginia, Extraordinary Session 1933, as amended.

The Ordinance was discussed by the Mayor, Attorney and Council.

Thereupon Councilman Dunlap, seconded by Councilman Estep, moved the adoption of the foregoing ordinance and upon a vote the motion carried unanimously.

Councilman Bush presented break-down of expenses of the up-keep of plant road 19th Street, West, stating that the City would probably be asked to pay their proportionate part of the cost, stating further that the total bill was \$183.89 for two months. The Council discussed paying a part of the bill.

Thereupon Councilman Gewin moved, seconded by Councilman Estep, the City offer to pay \$10.00 per month or 10% of total cost, which ever is the least, for a period of 12 months retroactive to May 1, 1958. Motion carried unanimously.

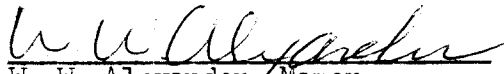
Bill Spaulding appeared before the council and informed council that surface drainage from road leading to Boy Scout Camp, owned by the Nitro Church of God, situated above Third Avenue at 11th Street was causing considerable damage to his property on 11th Street, that he had talked with the Church leaders about the situation and that the leaders were in sympathy with him and had promised to try to remedy the situation, however, the situation had not been remedied. The Mayor informed the Council that the Engineer, had made a study of situation and recommended that drainage trough, equipped with grating top be installed on the road coming from hill.

Thereupon Councilman Hogshead moved that city direct a letter to Board of Trustees of the Nitro Church of God explaining that city is receiving complaints on said drainage problem and set out the Engineer's recommendations for said drainage problem. Motion seconded by Councilman Bush. Motion carried.

Councilman Gandee informed council of Payne Avenue flooding during heavy rains. It was decided to have the drainage lines washed out with fire hose.

Councilman Estep moved that street lights be installed on lower Payne Avenue, Main Avenue and Middle of Broadway Avenue. Motion seconded by Councilman Grover. Motion carried.

There being no further business to come before the Council a motion for adjournment by Councilman Bush carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

August 5, 1958

The City Council met in a regular session Tuesday,
August 5, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order and explained that meeting had been called for the purpose of studying and passing the Levy Estimate for the current year, and to discuss and consider any other business that may come before the council.

The Mayor presented petitions from the Police Department and Fire Department requesting \$25.00 increase per month, per man and explained to the council that in allocating the amount for said departments that a \$10.00 per month, per man had been included in allocations.

The Mayor and council discussed pay increase for the city employees. Thereupon Councilman Bush moved \$10.00 per month, per man of the Police Department, Fire Department and Desk Sargent pay increase and a Ten Cent per hour increase for City truck driver and labor for Street Department be granted, effective August 1, 1958. Motion seconded by Councilman Estep. Motion carried unanimously.

Councilman Bush, seconded by Councilman Hogshead, moved the proposed Levy Estimate be adopted. Motion carried and all members of council present proceeded to sign the Levy Estimate as follows:

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM,
MUNICIPALITY OF NITRO, To-Wit:

At a regular session of the Council of the municipality of Nitro held in the council chambers thereof, in the city building on Tuesday, the 5th day of August, 1958, there were present:
W. W. Alexander, Mayor, Grace Lewis, Recording Officer and Marion L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, George W. Hogshead, M. D. members of the council of said municipality.

In accordance with Section 14, Article 8, Chapter 67, Acts 1933, Second Extraordinary Session, the Council proceeded to make an estimate of the amounts necessary to be raised by levy of taxes for the current fiscal year, and doth determine and estimate the several amounts to be as follows:

CURRENT REGULAR MUNICIPAL PURPOSES
ESTIMATE

(1) The amount due and the amount that will become due and collectible from every source during the fiscal year, EXCEPT FROM THE LEVY OF TAXES to be made for the year.

Balance in hands of city treasurer	\$ 11,404.96
Balance in hands of sheriff	1,243.00
Police fines and costs	10,000.00
Permits-building, street, sewer and other	500.00
Paving and sewer assessments (advanced from general fund)	100.00
Civic Benefits Association	23,700.00
Taxes: Gross sales	25,846.04
Capitation and Dog	2,250.00
Franchise	100.00
Consumers' Sales (Liquor)	10,000.00
Amusement	300.00
Recreation	100.00
Fees: Creamatory and garbage	12,000.00
License:	
Electricians and plumbers	200.00
General	1,500.00
Miscellaneous	1,500.00
TOTAL	\$ 100,744.00

ESTIMATED CURRENT EXPENDITURES:

1.	Salary of Mayor	\$	3,600.00
2.	Salary of Recorder		4,200.00
3.	Salary of Treasurer		1.00
4.	Trial Fees		2,000.00
5.	Salary of City Attorney		500.00
7.	Salaries of Councilmen		840.00
8.	Salaries of Assistants and Clerks		300.00
9.	Salaries of Chief and 4 Police		23,300.00
10.	New Equipment Police Department		1,200.00
11.	General Expenses Police Department		3,000.00
13.	Salaries and expenses of Jailor and feeding prisoners ...		2,500.00
14.	Salaries Chief and 5 Firemen		25,750.00
15.	New Equipment Fire Department		1,500.00
16.	General Expenses Fire Department		2,600.00
21.	Salaries Crematory and Garbage Employees		1,200.00
23.	General expenses Crematory and Garbage Department		3,000.00
24.	Janitors' Salaries and supplies		300.00
25.	Repairs to Jail and City Building		200.00
26.	Furniture, Fixture and office machines		300.00
27.	Stationery, office supplies and equipment		500.00
28.	Postage		125.00
29.	Water - fire protection, streets and sewers.		6,850.00
30.	Water - City Building and other purposes		100.00
31.	Light for street lighting		5,200.00
32.	Light - City Building, traffic lights, etc.		575.00
33.	Repairs street and traffic lights		100.00
34.	Fuel, heating City Building		700.00
35.	Telephone and Telegraph (all Departments)		675.00
37.	Legal Publications		700.00
38.	Insurance on City Buildings and other property		875.00
39.	Premiums, Policemen's and official bonds		175.00
40.	Election expenses		1,200.00
41.	Attorney's fees, court costs and damages		1,750.00
42.	Salaries, Engineering Department		1,000.00
43.	General expenses, Engineering Department		1,000.00
44.	Salaries, and wages all street employees		7,500.00
45.	New Equipment, Street Department		700.00
46.	Materials, supplies and expenses, Street Department		3,500.00
47.	Maintenance of Sewers, salaries and supplies		1,750.00
48.	Construction of new streets, sidewalks and sewers		1,000.00
49.	Workmen's Compensation premiums		600.00
50.	Audit by Tax Commissioner		200.00
51.	Refunding erroneous payments		50.00
52.	Municipal Dues		35.00
53.	Parks and playgrounds salaries, supplies and expenses ...		4,000.00
55.	Traveling and car expenses of city officials		100.00
56.	City Garage Building		5,400.00
59.	Treasurer's fees		115.00
60.	Social Security		1,700.00
61.	Contingent expenses (Mandatory only)		600.00

62. Dog Pound Expenses	1,000.00
Total Current Expenses	\$ 126,066.00
Total Estimated disbursements	126,066.00
Less estimated receipts	100,744.00
Net amount to be raised by levy	\$ 25,322.00

And the council doth determine and estimate that it will be necessary to raise by a levy of taxes for the current fiscal year for current regular municipal purposes the amount of \$25,322.00 and to provide for said amount the following levies are proposed to be laid on each one hundred dollars valuation of each class of property, viz:

Thirteen & Three Quarters cents (13.75¢) on Class No. I property,

Twenty seven & one half cents (27.5 ¢) on Class No. II, property, and,

Fifty-five cents (55 ¢) on Class IV property,

for the purposes aforesaid, based upon the last assessment therein as follows:

CLASS	Assessed Valuation	Authorized Rates		Proposed Rates	Taxes Levied (Whole Dollars)
Number I					
Personal Property	\$ 423,625.	7.5 ¢	6.25 ¢	13.75¢	\$ 582.
Public Utility Property	<u>729,600.</u>	7.5 ¢	6.25 ¢	13.75¢	<u>1,003.</u>
Total Class I	1,153,225.				1,585.
Number II					
Real Estate	2,010,730.	15 ¢	12.5 ¢	27.5 ¢	5,530.
Number IV					
Real Estate	961,070.	30 ¢	25 ¢	55 ¢	5,286.
Personal Property	1,293,720.	30 ¢	25 ¢	55 ¢	7,115.
Public Utility Property	<u>1,567,300.</u>	30 ¢	25 ¢	55 ¢	<u>8,620.</u>
Total Class No. IV	3,822,090.				21,021.
TOTAL LEVY	6,986,045.				28,136.
Less Delinquent Taxes and Exonerations Estimated at 10%					2,814.
Net Amount to be raised by Levy					25,322.

MUNICIPAL BOND PURPOSES - INTEREST AND SINKING FUND
ESTIMATE

The council proceeded to make an estimate of the amount necessary to be raised by a levy of taxes for the current fiscal year for interest, sinking fund and amortization requirements of bonded indebtedness, legally incurred by a vote of the people as provided by law, since the adoption of the tax limitation amendment, owing by said municipality as follows:

BOND ISSUES AUTHORIZED SINCE NOVEMBER 8, 1958

Date of Vote Authorizing Issue	Original Amount of Issue	Amount of Bonds Outstanding	Amount Required for		
			Sinking Fund	Interest	Total
10-20-38	\$ 16,000.	\$ 4,300.	\$ 800.	\$ 118.	\$ 918.
7- 1-53	50,000.	40,500.	2,000.	1,215.	3,215.
5- 5-55	95,000.	88,000.	3,000.	2,420.	5,420.
TOTALS	161,000.	132,800.	5,800.	3,753.	9,553.

Delinquent Taxes and Exonerations Estimated at 10% 955.

Total Amount to be Raised by a Levy of Taxes 10,508.
and to provide for said amount the following levies are proposed to be laid
on each one hundred dollars valuation of each class of property, viz:

AUTHORIZED RATES

Five cents (5 ¢) on Class No. I property,

Ten cents (10 ¢) on Class No. II property, and,

Twenty cents (20 ¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment therein as
follows:

CLASS	Assessed Valuation	Proposed Rates	Taxes Levied (Whole Dollars)
Number I			
Personal Property	\$ 423,625.	5 ¢	\$ 212.
Public Utility Property	<u>729,600.</u>	5 ¢	<u>365.</u>
Total Class No. I	1,153,225.		577.
Number II			
Real Estate	2,010,730.	10 ¢	2,011.
Number IV			
Real Estate	961,070.	20 ¢	1,922.
Personal Property	1,293,720.	20 ¢	2,587.
Public Utility Property	<u>1,567,300.</u>	20 ¢ ¢	<u>3,135.</u>
Total Class No. IV	3,822,090.		7,644.
TOTAL LEVY	6,986,045.		10,232.

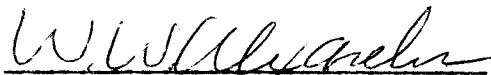
The Mayor and Council then proceeded to discuss damage done to property along Third Avenue by the heavy flow of surface water from the hill and it was determined that the only solution to this problem was a separate drainage line installed along Third Avenue to Blake's Creek and that this project should be financed by a Bond Issue and that sidewalks along First Avenue to 20th Street should be included in Bond Issue.

Councilman Bush moved, seconded by Councilman Hogshead, the City Engineer prepare estimates for drainage along Third Avenue, from 10th Street to Blake's Creek, also including cost estimate on drainage for the South side of 21st Street and cost estimates for sidewalks for First Avenue from 7th Street to 21st Street, and re-

placing damaged areas of sidewalks on First Avenue from 20th Street to North City limit line. Motion carried.

The Mayor appointed Councilmen Bush, Dunlap and Estep as a Committee to study situation on drainage and sidewalks with the City Engineer.

There being no further business to come before the Council at this time a motion by Councilman Bush, seconded by Councilman Estep for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

August 12, 1958

The Council of the City of Nitro met in a Special Session in the Council Chambers in the City Hall of Nitro, West Virginia, on the 12th day of August, 1958, pursuant to an order duly made on July 15, 1958, by said Council and pursuant to a call by the Mayor.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the council.

Thereupon the Mayor announced that this was a duly called and advertised public meeting held for the purpose set forth in the legal notice for the hearing of objections and protests from property owners and other interested persons relative to the permanent improvement of the Streets and portions of streets set out in the notice, copy of which was presented to Council and which is hereinafter set out as a part of these minutes; and for which improvements the plans, specifications, profiles and estimates were on file and available for inspection by any interested persons.

Thereupon the Recorder advised council that the notice to abutting property owners of the proposed permanent improvements had been duly published for three successive weeks in the Kanawha Valley Leader as directed by Council in an order duly made at its regular meeting on July 15, 1958.

Thereupon Councilman Gewin, seconded by Councilman Grover, moved that the Publisher's Affidavit and Certificate of Publication of said notice, by Cecil Walker, publisher of said paper, be made

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF NITRO:

M. L. BUSH, DR. J. L. DUNLAP, JR., GRENFALL L.
ESTEP, H. M. GANDEE, B. E. GEWIN, F. E. GROVER,
AND GEORGE W. HOGSHEAD, M. D.

You, and each of you will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on August 12, 1958, at 8:00 o'clock P. M. for the purpose of conducting a public meeting to hear protest or objections of the owners of property on WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET, EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE) all in the City of Nitro, for grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, and otherwise improving said streets or public ways and for the purpose of considering any matters relating to said proposed permanent improvements, and any other matters that may properly come before the Council.

Respectfully yours,


W. W. Alexander, Mayor

City of Nitro

The foregoing notice is hereby accepted as being both
sufficient and timely.

W. J. L. Tinsley

Edward M. Tinsley

Frank E. Groves

Samuel L. Edge

Marion L. Bush

Edmund L. Bush

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Man
Kanawha Valley Leader, a Weekly Newspaper of general
lation, published in the City of Nitro, Kanawha County, We
ginia, do solemnly swear that the annexed

PUBLICATION

was duly published in said paper once a week for 3
successive weeks, commencing with the issue of the 25th
day of July, 1958 and ending with
issue of the 8th day of August, 1958
and was posted at the Court House of Kanawha County

, 19
C. P. Waeken
Manager,

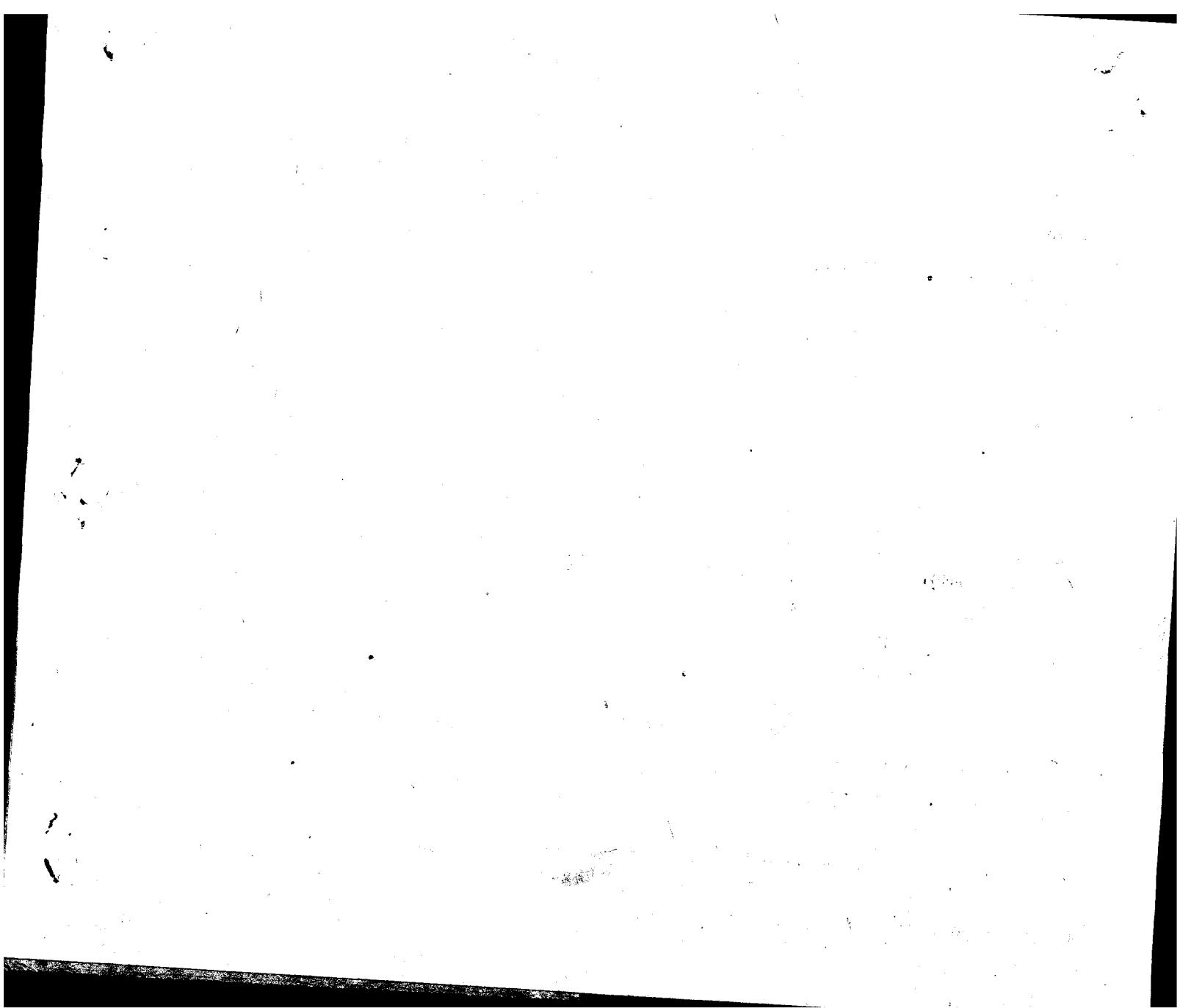
Kanawha Valley Leads

Subscribed and sworn to before me this 8th
August, 1958

Notary Public for Kanawha County, West W

(My commission expires 1-21-65).

[illegible]



a part of the minutes of this meeting by being set out herein.

Upon a vote being taken, the Council voted unanimously in favor of said motion and the Mayor directed the same passed and so ordered.

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, TO-wit:

I, Cecil R. Walker, Manager of the Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed publication:

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE) EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY SUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE).

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, and otherwise permanently improving said streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of The City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways.

The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held

on the 12th day of August, 1958, at 8:00 o'clock P. M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of the City of Nitro on the 15th day of July, 1958.

CITY OF NITRO
GRACE LEWIS
CITY RECORDER

was duly published in said paper once a week for 3 successive weeks, commencing with the issue of the 25th day of July, 1958 and ending with issue of the 8th day of August, 1958.

ss C. R. Walker
Manager

Kanawha Valley Leader

Subscribed and sworn to before me this 8th day August, 1958.

ss Zelda R. Yates
Notary Public for Kanawha County, West Virginia

(My commission expires 1-21-65).

Thereupon Council proceeded to consider the permanent improvement of Washington Avenue (formerly Washington Street) from its intersection with Ash Street (formerly 1st Avenue) extending North to the Back Water. There was presented a petition signed by property owners of approximately 716 foot frontage of said avenue, said petition protesting the improvement of said Washington Avenue. There was present property owners, who own approximately 300 foot frontage of said Washington Avenue, who were in favor of paving said avenue. The Council discussed the improvement of Washington Avenue and it was pointed out that a large portion of the property of said street was rental property.

Thereupon Councilman Bush moved that improvement of Washington Avenue (formerly Washington Street), from its intersection with Ash Street, (formerly 1st Avenue) extending North to the Back Water, be ordered. Motion seconded by Councilman Hogshead. Upon a vote by Council, those voting in favor of motion were Councilmen Bush, Dunlan, Estep, Gandee, Hogshead, Grace Lewis, Recorder, and Mayor Alexander. Councilman Grover voted against said motion. The Mayor announced that Council having voted and more than three-fourths of the members of Council having voted in the affirmative, said motion was duly passed and so ordered.

Council then proceeded to consider the permanent improvement of Ash Street (formerly 1st Avenue) from its intersection with First Avenue (Old West Virginia Route No. 25) (formerly Main Avenue) to its intersection with Kanawha Avenue (formerly Kanawha Street).

There was presented a petition signed by property owners of approximately 725 foot frontage of said Ash Street, said petition protesting the improvement of Ash Street. The Council and those present discussed the improvement of said street to some extent.

Thereupon Councilman Hogshead moved that permanent improvement of Ash Street (formerly 1st Avenue) from its intersection with First Avenue (Old West Virginia Route No. 25) (formerly Main Avenue) to its intersection with Kanawha Avenue (formerly Kanawha Street) be ordered. Councilman Estep seconded the motion. Upon a vote by Council, those voting in favor of motion were Councilmen Bush, Dunlap, Estep, Gewin, Hogshead, Grace Lewis, Recorder and W. W. Alexander, Mayor. Those voting against motion were Councilmen Gandee and Grover. The Mayor announced that council having voted and three-fourths of the members of council having voted in the affirmative, said motion was duly passed and so ordered.

Council then proceeded to consider the permanent improvement of Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue) to its intersection with Elm Street (formerly 5th Avenue), Dupont Avenue (formerly Dupont Street) from present paving in 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue). There was presented a petition signed by property owners of approximately 1,095 foot frontage of said Avenue, said petition protesting the improvement of said Dupont Avenue. There was also presented a petition signed by property owners of approximately 210 foot frontage of 400 Block of

Dupont Avenue, said petition requesting the improvement of said portion of Dupont Avenue. The Council and those present discussed the permanent improvement of Dupont Avenue to some extent.

Thereupon Councilman Estep moved that permanent improvement of Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue), to its intersection with Elm Street (formerly 5th Avenue), Dupont Avenue (formerly Dupont Street) from present paving in 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue), be ordered and upon a vote being taken Council voted unanimously in favor of said motion and was so ordered.

Council then proceeded to consider the permanent improvement of 39th Street, East, from Bailes Drive, East to City Limit Line.

Thereupon, there being no protest, Councilman Bush, seconded by Councilman Dunlap, moved that permanent improvement of said Street be ordered and upon a vote being taken council unanimously voted in favor of said motion and was so ordered.

Thereupon the following ordinance was introduced to council:

RESOLUTION OF THE COUNCIL OF THE CITY OF NITRO DECLARING THE NECESSITY AND CONVENIENCE OF PERMANENTLY IMPROVING CERTAIN DESIGNATED STREETS OR PORTIONS THEREOF IN THE CITY OF NITRO, WEST VIRGINIA; PROVIDING FOR THE PERMANENT IMPROVEMENT OF SAID STREETS OR PORTIONS THEREOF; APPROVING PLANS AND SPECIFICATIONS; PROVIDING FOR COMPETITIVE BIDS; CONTRACT AND SUPERVISION; PROVIDING FOR PAYMENT BY ASSESSING THE TOTAL COST ON ABUTTING PROPERTY AND THE ISSUANCE OF ASSESSMENT CERTIFICATES; ALL AS PROVIDED BY ARTICLE 8, CHAPTER 8 OF THE CODE OF WEST VIRGINIA, AS AMENDED BY THE ACTS OF THE LEGISLATURE OF 1949.

WHEREAS, the Council of the City of Nitro has caused notice to be given to abutting property owners as provided in Section 3, Article 8, Chapter 8 of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, by publication in the Kanawha Valley Leader, the only newspaper of general circulation in said City, once a week for three successive weeks, commencing on the 25th day of July, 1958, and ending on the 8th day of August, 1958, that a public meeting would be held at the Municipal Building in said city on the 12th day of August, 1958, for the purpose of considering a resolution of ordinance declaring the necessity or convenience of the permanent improvement of certain streets or portions thereof in said city, and giving an opportunity to abutting owners and other interested persons to protest and be heard concerning the adoption or rejection of same, which streets and portions thereof are described as follows:

WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE);

WHEREAS, prior to said public meeting there have been prepared plans, specifications and estimates of the proposed improvements by Municipal Engineering, for said City of Nitro, show-

ing the proposed grade and sufficient data for any owner of abutting property to calculate approximately what proportionate part of the estimated cost thereof might be assessed against his property, and said plans, specifications and estimates have been on file with the Recorder of said city and open to the inspection of all interested persons; and

WHEREAS, a hearing was duly held pursuant to said notice, at which all abutting owners and interested persons were given an opportunity to protest and be heard concerning the adoption or rejection of said resolution or ordinance; and

WHEREAS, acting under the authority of the last paragraph of Section 2 of Article 8 of Chapter 8 of the Code of West Virginia as amended in 1949, and regardless of the validity or invalidity of any petitions which may have heretofore been submitted to the council, the council, by vote of more than three-fourths of its members, deems it advisable, necessary and convenient to provide for such improvements and to assess the entire cost thereof upon abutting property and the owners thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

SECTION 1. That the certificate of publication of the notice of said meeting by the Kanawha Valley Leader, the only newspaper of general circulation in said City of Nitro, and a copy of said notice be, and the same are hereby made a part of the minutes of the Council and the Recorder is hereby ordered to spread the

same upon the record of said meeting.

SECTION 2. That following its own independent investigation and upon its own authority as provided by law, the Council, by the affirmative vote of more than three-fourths of its members, hereby declares it to be necessary and convenient to permanently improve by grading, re-grading, paving and re-paving, surfacing and re-surfacing, with base and drainage and making other incidental permanent improvements in accordance with the plans, specifications and profiles heretofore filed, as modified and amended, the following described streets and portions thereof in the City of Nitro as provided by said plans, specifications and profiles:

WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILLES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE); AND;

which said plans, specifications profiles and estimates are on file with the City Recorder and are referred to in the recitals to this resolution; and the said plans, specifications, profiles and estimates are hereby approved and adopted for the permanent improvement of said streets and portions thereof, and said improvements are hereby authorized and shall be made under the

supervision and direction of Municipal Engineering for said City.

SECTION 3. The grades of said streets or portions thereof shall be the same as shown on said plans.

SECTION 4. After independent investigation by the Council, each respective lot or parcel of real estate abutting on any part of any portion of said streets and public ways above described is hereby found and declared to be specially benefited by the proposed improvements abutting such lot or parcel of real estate to an extent substantially greater than the costs to be assessed against such abutting lot or parcel of land.

SECTION 5. The total cost of the improvements, including the cost of improvements at and within intersections, and including all items of costs mentioned in Section 5, Article 8, Chapter 8 of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, shall be apportioned to and assessed against and borne by the lots or parcels of land and other properties abutting upon the respective portions of streets or other public ways hereby authorized to be improved, and upon which said improvements shall have been made. Each lot or parcel of land so abutting said portions of streets or other public ways shall be assessed with that portion of the total cost of the improvements on the entire portion of any street or public way herein authorized to be improved, which is represented by the proportion which the abutting frontage in feet of said lot or parcel of land bears to the total abutting frontage in feet of all the assessable lots or parcels of land abutting on any respective portion of a street or public way

herein authorized to be improved as provided by Chapter 8, Article 8 of said Code, as amended in 1949.

SECTION 6. The cost so apportioned shall be assessed against the respective abutting lots or parcels of land and shall be paid in ten (10) equal annual installments, the first to be and become due thirty(30) days after levying of the assessment for the improvements, and the other nine (9) installments to be and become due one (1) each year for nine (9) years thereafter, all at the rate of six per centum (6%) per annum from the date of the assessments, provided that on failure of the owner of the property assessed to pay any installment as and when due, and such default continuing for sixty (60) days, then at the option of the holder of the certificate evidencing any such assessment the entire balance thereof may be declared immediately due and payable, and the holder of the certificates may forthwith proceed to enforce the collection thereof.

SECTION 7. Certificates shall be issued evidencing said assessments and each installment of principal and interest payable. Said certificates shall be payable to the bearer and be signed by the Mayor and Recorder and shall refer to the ordinance or resolution laying the assessments, and shall each show the amount and date of the assessment and describe the property against which the assessment is laid, describing the same as to ownership, amount, frontage and briefly as to location. The property abutting the portion of the street, alley, easement or public

way improved shall be subject to a lien, from the date of the ordinance or resolution laying the assessment, for the payment of the costs of the improvements assessed against said property, and said assessments shall be and constitute liens in the hands of the holders of said certificates upon the respective lots and lands assessed and shall have priority over all other liens except those for land taxes due the State, County and Municipality and except liens for pre-existing special assessments; and the said assessments shall be levied and paid, with interest thereon, and said certificates shall be issued, enforceable and otherwise, in all respects, subject to the provisions of said Chapter 8, Article 8, of the Code of West Virginia, as amended by Acts of 1949. Each installment of said assessment on each certificate shall be evidenced by a coupon attached to the principal certificate, which coupon shall evidence such installment, shall refer to the date of the resolution levying said assessment and the time when said installment is due, and shall be signed in the name of the City of Nitro, by the facsimile signature of the Mayor, attested by the facsimile signature of the Recorder.

SECTION 8. The Recorder shall forthwith advertise for bids for said improvements to be made in accordance with said plans and specifications therefor. Such advertisement shall be made by publication at least once a week for two successive weeks

in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, but not necessarily published therein. The contract shall be let to the lowest responsible bidder, but the advertisement for bids shall reserve to the City of Nitro the right to reject any and all bids therefor. The work done under such contract, when let, shall be paid for by delivering to the contractor assessment certificates as above provided in lieu of cash.

SECTION 9. Upon the completion of the improvements, the City Engineer is hereby directed to prepare and submit to the Council his report showing the cost of such permanent improvements, the numbers and descriptions of the lots and parcels of land abutting same, the names of the owners of such lots and parcels, and such other matters as may be necessary in order to levy an assessment against said abutting property in accordance with the provisions of Chapter 8, Article 8, of the Code of West Virginia, as amended by the Legislature of West Virginia, Regular session 1949. Upon the filing of said Engineer's Report with the Recorder, the Recorder is hereby directed to give notice in the name of the City to the owners of the property to be assessed according to said Engineer's Report that on or after date named in said notice as assessment may be laid against the property so improved as embodied in said Engineer's Report. Said notice shall state that the owner or owners whose property is to be assessed, or other interested party, may on said date appear before the Council to move the revision or correction of such proposed assessment. Such notice shall be by publication once a week for two successive weeks

in a newspaper of general circulation in the county and shall show the total cost of the improvement, the several frontages abutting thereon and the respective amounts to be assessed against the abutting property, with a description of the respective abutting lots and lands as to ownership, frontage and location.

SECTION 10. The attorney for the City is hereby directed to prepare and submit to the Council thereof, such notices; ordinances and information as may be required by the Council for the aforesaid.

Thereupon Councilman Bush, seconded by Councilman Estep, moved the adoption of the foregoing ordinance and upon a vote by Council the Council voted unanimously in favor of said motion and was so ordered.

Councilman Gandee, seconded by Councilman Grover, moved that any excess dirt in the paving program be moved on the north end of Washington Avenue as fill. Upon a vote motion carried unanimously.

There being no further business to come before the council at this time a motion by Councilman Bush, seconded by Councilman Grover, for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

August 19, 1958

The City Council met in a regular session Tuesday, August 19, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and F. E. Grover members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dunlap, seconded by Councilman Estep, moved the minutes for meetings held July 15th, July 22nd, August 5th and August 12th be approved. Motion carried.

Councilman Gandee, seconded by Councilman Grover, moved the financial statement for month of July be accepted. Motion carried.

The Recorder presented a letter to Council from the State Tax Commissioner approving the Levy Estimate as submitted and the Recorder then presented the Levy Order forms, Councilman Dunlap, seconded by Councilman Estep, moved that the Levy Order be approved as follows. Motion carried unanimously.

STATE OF WEST VIRGINIA,
COUNTIES OF KANAWHA AND PUTNAM,
MUNICIPALITY OF NITRO, TO-WIT:

At a regular session of the council of the Municipality of Nitro, West Virginia, held in the council chamber thereof on Tuesday, the 19th day of August, 1958, Present W. W. Alexander, Mayor, Recording Officer Grace Lewis and Marion L. Bush, Dr. J. L.

Dunlap, Jr., Grenfall L. Estep, Howard M. Gandee, B. E. Gewin,
F. E. Grover members of the council of said municipality.

CURRENT REGULAR MUNICIPAL
LEVY ORDER

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year for regular municipal purposes will be \$28,136.00, according to the estimate made and entered of record on the 5th day of August, 1958, and said estimate having been published as required by law, and no one appearing to oppose the same or to take exception thereto, and the Tax Commissioner having approved the same in writing, it is therefore ordered that said estimate and the rates of levy proposed therein, be approved and that the following levies be laid on each one hundred dollars valuation of each class of property, viz:

Thirteen & Three-Quarters cents (13.75¢) on Class No. I property,
Twenty-seven & one Half cents (27.5 ¢) on Class No. II property, and
Fifty-five cents (55 ¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment theretin, as follows:

CLASS	ASSESSED VALUATION	TOTAL RATE OF LEVY	TAXES LEVIED (WHOLE DOLLARS)
Number I			
Personal Property	\$ 423,625.00	13.75¢	\$ 582.00
Public Utility Property	<u>729,600.00</u>	13.75¢	<u>1,003.00</u>
Total Class No. I	1,153,225.00		1,585.00
Number II			
Real Estate	2,010,730.00	27.5 ¢	5,530.00

Number IV

Real Estate	961,070.00	55 ¢	5,286.00
Personal Property	1,293,720.00	55 ¢	7,115.00
Public Utility Property	<u>1,567,300.00</u>	55 ¢¢	<u>8,620.00</u>
Total Class No. IV	3,822,090.00		21,021.00
TOTAL LEVY	6,986,045.00		28,136.00

MUNICIPAL BOND PURPOSES - INTEREST AND SINKING FUND

ORDER

BOND ISSUES AUTHORIZED SINCE NOVEMBER 8, 1932

The council having ascertained that the amount necessary to be raised by a levy of taxes for the current fiscal year to pay the interest on and provide a sinking fund for the discharge of the principal of a bond issue of \$161,000.00 will be \$10,232.00 according to the estimate made and entered of record on the 5th day of August, 1958 and said estimate having been published as required by law and no one appearing to oppose the same or take exception thereto and the Tax Commissioner having approved the same in writing, it is therefore ordered that said estimate and the rate of levies proposed therein be approved and the the following levies be laid on each one hundred dollars valuation of each class of property, viz:

AUTHORIZED RATES

Five cents (5 ¢) on Class No. I property,
 Ten cents (10 ¢) on Class No. II property, and
 Twenty cents (20 ¢) on Class No. IV property,

for the purposes aforesaid, based upon the last assessment therein, as follows:

CLASS	ASSESSED VALUATION	TOTAL RATE OF LEVY	TAXES LEVIED (WHOLE DOLLARS)
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Number I

Personal Property	\$ 423,625.00	5 ¢	\$ 212.00
Public Utility Property	<u>729,600.00</u>	5 ¢	<u>365.00</u>
Total Class No. I	1,153,225.00		577.00

Number II

Real Estate	2,010,730.00	10 ¢	2,011.00
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Number IV

Real Estate	961,070.00	20 ¢	1,922.00
Personal Property	1,293,720.00	20 ¢	2,587.00
Public Utility Property	<u>1,567,300.00</u>	20 ¢	<u>3,135.00</u>
Total Class No. IV	3,822,090.00		7,644.00
TOTAL LEVY	6,986,045.00		10,232.00

Councilman Gewin moved, seconded by Councilman Grover, that bids be asked on the proposed improvements on Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly First Avenue) extending North to Back Water; Ash Street (formerly First Avenue) from its intersection with First Avenue (Old West Virginia Route No. 25) (formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street, East, from Bailes Drive, east to City Limit Line; Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue) to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from present paving to 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue) and that bids be received from contractors until 5:00 o'clock, P. M. on September 2, 1958, and that the contractors be re

quired to deposit with his bid a certified check or bidders bond in the amount of five per centum of total contract, and that the bids be considered by Council at a Special meeting to be held at 8:00 o'clock P. M. on September 2, 1958 in the Chamber of Council in the City Hall of the City of Nitro and at any adjournment or recess thereof. Motion carried unanimously.

Councilman Grover moved, seconded by Councilman Dunlap, that first parking space be restored on the East side of 23rd Street. Motion carried unanimously.

Councilman Grover mentioned that 4th Street was in bad condition and should be graded. The Mayor said that he did not know if the City could secure a grader to take care of grading of unpaved streets, but that an effort would be made to secure one.

The Mayor and Council discussed employing an additional desk sargent to be on duty after midnight. The Mayor is to check to see if the budget will be sufficient for additional desk sargent.

Councilman Bush moved, seconded by Councilman Gewin, that parking be eliminated on the north said of Hickory Street, from Main Avenue to Dupont Avenue. Motion carried unanimously.

There being no further business to come before the Council a motion by Councilman Bush, seconded by Councilman Grover, for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

M. L. BUSH, DR. J. L. DUNLAP, JR., GRENFALL L. ESTEP,
H. M. GANDEE, B. E. GEWIN, F. E. GROVER AND GEORGE W.
HOGSHEAD, M. D.

You, and each of you will please take notice that a special meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber of the City Hall of said City on September 2, 1958, at 8:00 o'clock P. M., for the purpose of opening, reading, tabulating and considering the bids received for grading, draining, curbing, guttering, paving, resurfacing and otherwise permanently improving of Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly 1st Avenue) extending North to the Back Water ; Ash Street, (formerly 1st Avenue) from its intersection with First Avenue (Old West Virginia Route No. 25) (formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street East, from Bailes Drive, East to the City Limit Line; Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue) to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from present paving in 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue), all in the said City of Nitro, and for the purpose of considering any matters relating to said proposed permanent improvements, and other matters that may properly come before the Council.

Respectfully yours,

W. W. Alexander

W. W. Alexander, Mayor
CITY OF NITRO

The foregoing notice is hereby accepted as being both sufficient and timely.

Marion L. Bush
Dr. J. L. Dunlap Jr
Grenfall L. Estep

B. E. Gewin
F. E. Grover

September 2, 1958

The City Council met in a Special Session in the Council Chambers in the City Hall of Nitro, West Virginia on the 2nd day of September, 1958, at 8:00 o'clock P. M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, B. E. Gewin and F. E. Grover members of the Council. Councilmen H. M. Gandee and George W. Hogshead, M. D. being absent.

The meeting was called and held pursuant to Ordinance adopted by the Council on the 12th day of August, 1958 and order adopted by the Council on the 19th day of August, 1958, and also pursuant to advertisement for bids for permanent improvement of certain streets named in said advertisement which was duly published in the Kanawha Valley Leader, and by notice given to members of Council.

The meeting was called to order by Mayor Alexander.

Thereupon the City Recorder reported that she had complied with direction of Council by Ordinance heretofore adopted and had duly advertised for bids on the permanent improvement of Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly First Avenue) extending North to Back Water; Ash Street (formerly First Avenue) from its intersection with First Avenue (Old West Virginia Route No. 25) (formerly Main Street), to

its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street, East, from Bailes Drive, east to City Limit Line, Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue) to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from present paving to 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue); in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, for two successive weeks as required by said ordinance, and tendered Publisher's Affidavit of said publication.

Councilman Bush, seconded by Councilman Gewin, moved that notice to contractors, notice asking for bids on said proposed improvement, together with publisher's affidavit of due publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein. All Councilmen, the Mayor and Recorder voted for this motion.

The Mayor announced the Council having voted in the affirmative, motion was declared carried and so ordered.

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, To-Wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

LEGAL NOTICE

The City of Nitro will receive sealed proposals for the paving, re-paving, widening, surfacing, re-surfacing, grading, draining, curbing and guttering, and otherwise permanently improving same, upon and along Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly 1st Avenue), extending North to the Back Water; Ash Street (formerly 1st Avenue), from its intersection with First Avenue (Old West Virginia Route No. 25) (formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street, East, from Bailes Drive, East to the City Limit Line; Dupont Avenue (formerly Dupont Street), from its intersection with Dogwood Street (formerly 4th Avenue), to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from present paving in 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue) and otherwise improving said streets, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates in file with Grace Lewis, City Recorder. Payment for said work will be made by certificates in the manner set out in the bid proposal forms. The contractor shall deposit a certified check or bidder's bond in the amount of 5 percent of the bid price and furnish

letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder, on or before 5 o'clock, P. M. EST., September 2, 1958. Bids will be opened and publicly read at the City Hall, in the Council Chambers at a meeting of Council to be held on the 2nd day of September, 1958 at 8:00 o'clock, P. M. EST. The City reserves the right to reject any or all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the office of Grace Lewis, City Recorder.

Grace Lewis,
City Recorder
City of Nitro

was duly published in said paper once a week for two successive weeks, commencing with the issue of the 22nd day of August, 1958 and ending with the issue of the 29th day of August, 1958.

SS C. R. Walker
Manager
Kanawha Valley Leader.

Subscribed and sworn to before me this 29th day of August, 1958.

SS Zelda R. Yates

Notary Public for Kanawha County, West Virginia.

(My commission expires January 21, 1965).

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

LEGAL NOTICE

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 22nd day of August, 19 58 and ending with the issue of the 29th day of August, 1958 and was posted at the Court House of Kanawha County on

, 19

C. R. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 29th day of

August, 19 58.

James P. Yates
Notary Public for Kanawha County, West Virginia.

(My commission expires Jan. 21, 1965).

LEGAL NOTICE

THE CITY OF NITRO will receive sealed proposals for the paving, re-paving, widening, surfacing, re-surfacing, grading, draining, curbing and guttering, and otherwise permanently improving same, upon and along Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly 1st Avenue), extending North to the Back Water; Ash Street (formerly 1st Avenue), from its intersection with First Avenue (Old West Virginia Route No. 25) formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street East, from Bailes Drive, East to the City Limit Line; Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue), to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from present paving in 500 Block South to its intersection with present paving at Gum Street (formerly 7th Avenue) and otherwise improving said streets, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with the City Recorder.

1958. Bids will be opened and publicly read at the City Hall in the Council Chambers at a meeting of Council to be held on the 2nd day of Sept. 1958 at 8:00 o'clock P. M. EST. The City reserves the right to reject any or all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the office of Grace Lewis, City Recorder.

Grace Lewis
City Recorder
City of Nitro

8222tc

The Mayor announced that this was the meeting at which bids on the proposed improvements to streets and public ways in said City were to be opened and publicly read, and considered by the Council.

The Recorder reported that four contractors had submitted sealed bids for the proposed work, they being O. K. Construction Company, Inc., The R. N. Hewitt Corporation, Charleston Concrete Floor Company and Andersons' Inc., and the Mayor announced that bids would be publicly opened and read; and thereupon said bids were opened by the members of the Council and publicly read, and a tabulation thereof was begun by the City Engineer and members of Council in order to ascertain the best and lowest bid.

Thereupon, J. A. Spence, City Engineer, presented a tabulation and analysis of said bids, total aggregate sums being Andersons' Inc. \$47,750.65, Charleston Concrete Floor Company \$45,733.50, O. K. Construction Company \$50,537.00 and the R. N. Hewitt Corporation \$54,224.00, and presented further the breakdown per street as follows:

	Black Top	Concrete
Ash Street	\$ 11.37	\$ 11.15
Dupont Street	12.56	14.17
Washington Avenue	10.92	9.25
39th Street, East	11.09	10.07

and announced that Charleston Concrete Floor Company had presented the low bid.

Thereupon Councilman Dunlap, seconded by Councilman Grover, moved that bid of Charleston Concrete Floor Company in the total aggregate sum of \$45,733.50 be accepted, it being the best and lowest bid for said permanent improvement, which said improvements had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with the said plans, profiles and specifications; and further that materials used be concrete with drop curb, all pursuant to Ordinance authorizing said improvements heretofore enacted.

All Councilmen, Mayor and Recorder voted for the motion.

The Mayor announced that Council having voted in favor of said motion, motion was duly passed and so ordered.

Councilman Bush moved, seconded by Councilman Dunlap, that Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to ordinance authorizing said improvements heretofore enacted.

All Councilmen, Mayor and Recorder voted for the motion.

The Mayor announced that Council having voted in favor of motion, said motion was duly passed and so ordered.

The Mayor informed Council that he thought that City finances were such that an additional desk sargent could be employed for night shift.

Councilman Grover, seconded by Councilman Gewin, moved that an additional man be employed as night desk sargent at the prevailing salary. Motion carried unanimously.

There being no further business to come before the Council, upon a motion by Councilman Bush, seconded by Councilman Estep, the meeting was adjourned.



W. W. Alexander, Mayor


Grace Lewis, Recorder

September 16, 1958

The City Council met in a regular session Tuesday, September 16, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gewin, seconded by Councilman Estep, moved the minutes for meetings held August 19th and September 2nd be approved. Motion carried.

Councilman Grover moved, seconded by Councilman Bush, the financial statement for the month of August be accepted. Motion carried.

Mayor announced to council that Curtis Bailey had been employed as desk sergeant and explained the hours the two desk sergeants would work. The Mayor is to check with the telephone company regarding the cost of installing telephone with switch in order that the firemen could answer the police telephone on Sundays, while the desk sergeant was off duty.


Councilman Gewin moved, seconded by Councilman Estep, the approval of 16 foot corrugated pipe installed at Kapoc Street at railroad crossing. Motion carried.

Mayor informed council that the street patching would be done within the next couple weeks.

Members of the council said that they had been having complaints of Gibson's trucks being parked in front of homes on 35th Street. The Mayor is to talk to Mr. Gibson about this matter.

The Mayor informed council that the Engineers had received unofficial notice that our grant in aid on sewer project was being processed and that city should have official notice within the next few weeks.

There being no further business to come before the council a motion for adjournment by Councilman Bush carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

October 7, 1958

The City Council met in a special session Tuesday,
October 7, 1958.


There were present: W. W. Alexander, Mayor, Grace
Lewis, Recorder, Dr. J. L. Dunlap, Jr. , Grenfall L. Estep,
B. E. Gewin and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Dunlap, seconded by Councilman Estep, moved
the Viscose Managment Club be notified that City council would not
accept bridge in old golf course area until the bridge was either
eighteen foot in width or two car passage and that the street would
not be opened to traffic until bridge is suitable for two car traffic.
Motion carried.

Councilman Gewin moved that Mayor be empowered to enter
suit in name of the city to collect damages on city street truck
caused by recent accident at 18th Street, if the City Attorney
feels the city can obtain judgement. Motion seconded by Councilman
Estep. Motion carried.

There being no further business a motion by Councilman
Gewin, seconded by Councilman Hogshead, for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

October 21, 1958

The City Council met in a regular session Tuesday, October 21, 1958.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, Dr. J.L. Dunlap, Jr. Grenfall L. Estep, H. M. Gandee, B.E. Gewin, F. E. Grover and George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

Councilman Gewin, seconded by Councilman Estep, moved the minutes for meetings held September 16th and October 7th be approved. Motion carried.

Councilman Gandee, seconded by Councilman Dunlap, moved the acceptance of the financial statement for the month of September. Motion carried.

The question of the recently recovered bridge in the old golf course area, again came before the council. The Mayor informed the Council that the Viscose Management Club had put the bridge in according to the specifications of the State Road Commission. This matter was tabled until all Councilmen could check the bridge personally.

The Mayor and Council entered into a discussion of a project to supply drainage on Third Avenue from Third Street to 21st Street, Blake's Drive, from Pennwood Avenue to Blake's Creek, sidewalk along First Avenue, from 8th Street to 20th Street and 21st Street to the City limit line North of 41st Street and also sidewalk from Kapoc Street to Blackwood Avenue along Main Avenue, the latter pending the results of annexation of the Sattes Area. Thereupon Councilman Estep moved, seconded by Councilman Dunlap, that the City Engineer


meet with the Council members at 8:30 A.M. Sunday to go over the entire project. Motion carried.

Regarding question of hiring a new policeman, the Mayor informed council that the Board had certified three men to him and that he expected to hire one of the three by November 1st.

The Mayor and Council entered into a discussion of the town being sprayed during summer months for extermination of insects. The Mayor asked Councilman Dunlap to check the purchase price of equipment for spraying and the cost of the spraying being done by the Kanawha-Charleston Health Department.

There being no further business to come before the Council a motion by Councilman Estep, seconded by Councilman Grover, for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

Meeting of November 11, 1958.

At a special meeting of the Council of the City of Nitro, regularly and duly called, on the 11th day of November, 1958. There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. E. Dunlap, Jr. Grenfell L. Estep and H. M. Gandee members of the Council.

Mayor Alexander called the meeting to order and announced that the meeting was now open for business.

Thereupon the Recorder proceeded to read to the Council a report by J. A. Spence, City Engineer, reporting that the improvements authorized by Ordinances of Council adopted on the 12th day of August, 1958, and as hereinafter set out in full, had been completed in accordance with the plans, specifications, paving Ordinances and Contracts with T. R. Pauley and D. C. Pauley, dba, Charleston Concrete Floor Company, which said reports are in form and figures as follows, to-wit:

REPORT OF ENGINEER

PERMANENT IMPROVEMENT OF WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET), FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET)

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO:

W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER, M. L. BUSH, DR. J. L. DUNLAP, JR., H. M. GANDEE, B. E. GEWIN, F. E. GROVER, DR. GEORGE W. HOGSHEAD M. D. AND G. L. ESTEP, members thereof.

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber in the City Hall of said City on the 11th day of November, 1958, at 8:00 o'clock, P.M., for the purposes following.

1. To consider and act upon all matters relating to the paving, the construction of sidewalks thereon, and the permanent improvements of the following named streets in the City of Nitro, Kanawha and Putnam Counties, West Virginia: Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly 1st Avenue), extending north to the Back Water; Ash Street (formerly 1st Avenue), from its intersection with First Avenue (Old West Virginia Route No. 25), (formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street East, from Bailes Drive, East to the City Limit Line; Dupont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue), to its intersection with Elm street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from Present Paving in 500 Block South to its intersection with Present Paving at Gum Street (formerly 7th Avenue)

2. To consider and take appropriate action upon all matters relating to the annexation of more territory by the City of Nitro.

3. To consider and take appropriate action upon matters relating to the Bond Issue for Drainage and Sidewalks improvement along Third Avenue and Blake's Drive.

4. To Consider any and all other matters that may properly come before the Council.

Respectfully yours,


W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being
both sufficient and timely:

M. L. Bush

S. L. Estep

H. M. Linder

Dr. J. L. Tunkley Jr

FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE); ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

I hereby certify that the cost of the permanent improvement of Washington Avenue (Formerly Washington Street), From its intersection with Ash Street (Formerly 1st Avenue), extending north to the Back Water; Ash Street (Formerly 1st Avenue), from its intersection with First Avenue (Old West Virginia Route No. 25), (Formerly Main Street), to its intersection with Kanawha Avenue (Formerly Kanawha Street); 39th Street East, From Bailes Drive, East to the City Limit Line; Du Pont Avenue (Formerly Du Pont Street) From its intersection with Dogwood Street (Formerly 4th Avenue), to its intersection with Elm Street (Formerly 5th Avenue); Dupont Avenue, (Formerly Dupont Street) From present paving in 500 Block South to its intersection with Present Paving at Gum Street (Formerly 7th Avenue), in the City of Nitro, Union and Poca District, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same, was \$52,213.95, and that said work was made and completed in accordance with the specifications, and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting upon the said streets, are hereinafter correctly shown;

that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 12th day of August, 1958, and in accordance with the specifications, plans, bid and contract there for; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

WASHINGTON AVENUE
(Ash Street to Back Water)

EAST SIDE

<u>Name of Owner</u>	<u>Lot Number of Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Robert Walker and Ada M. Walker	Lots 146, and 147, East View Land Co. Adn.	81.85	8,5478	\$699.65
Voneda Cart	Lot 145, East View Land Co. Adn.	50.00	8.5479	427.40
Glen M. Hively and Lina H. Hively	Lot 144, East View Land Co. Adn.	50.00	8.5479	427.40
Pearl Steel	Lot 143, East View Land Co, Adn.	50.00	8.5479	427.40
Mary L. Sampson	Lot 142, East View Land Co. Adn.	50.00	8.5479	427.40
Mary L. Sampson and Walker J. Sampson	Lot 141, East View Land Co. Adn.	50.00	8.5479	427.40
Luther Dixon and Bessie L. Dixon	Lots 140 and 139 East View Land Co. Adn.	100.00	8.5479	854.79
East View Land Co.	Lots 138 and 137, East View Land Co. Adn	100.00	8.5479	854.79

<u>Name of Owner</u>	<u>Lot Number of Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
East View Land Co,	Lots 148 and 149, East View Land Co. Adn.	89.47	8.5479	764.78
Roscoe Nichols and Dimie H. Nichols	Lots 150 and 151, East View Land Co. Adn.	100.00	8.5479	854.79
Wilbur O. Jividen and Jo Ann Jividen	Lot 152 and South $\frac{1}{2}$ of 153, East View Land Co. Adn.	75.00	8.5479	641.09
H. Brooks McCray and Rena M. McCray	Lot 154 and $\frac{1}{2}$ of Lot 153, East View Land Co. Adn.	75.00	8.5479	641.09
L. F. Hunt and Margaret A. Hunt	Lots 155 and 156, East View Land Co. Adn.	100.00	8.5479	854.79
Philip W. Morrison and Bonnie C. Morrison	Lots 157 and 158 East View Land Co. Adn.	<u>100.00</u>	8.5479	<u>854.79</u>
Totals		1071.32		9,157.56

ASH STREET
(First Avenue to Kanawha Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Hollie Nichols	Lot 128, East View Land Co. Adn.	103.70	10.1044	\$1,047.83
Robert Walker and Ada Walker	Lots 146 and 147, East View Land Co. Adn.	274.70	10.1044	2,775.68
East View Land Co.	Lot 148, East View Land Co. Ad.	122.20	10.1044	1,234.76
East View Land Co.	Lot 170, East View Land Co. Adn.	122.20	10.1044	1,234.76

SOUTH SIDE

L. E. Campbell	Lot 1, Block B, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
O. R. Casto and Orpha H. Casto	Lot 16, Block B, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44

Roscoe Nichols and Dimie Nichols	Lot 1, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
G. M. Wright and Lula Wright	Lot 16, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Georgia E. Harvey	Lot 1, Block H, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Earl Russell	Lot 16, Block H, North Side Development Co. Property, Helena Tract	50.00	10.1044	505.22
	Totals -----	1172.80		\$11,850.45

39th STREET EAST
(Bailes Drive to City Limit Line)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
L. D. McCallister	Lot 78, Saunders Adn.	50.00	9.6984	484.92
Ernest K. Jones	Lot 77, Saunders Adn.	50.00	9.6984	484.92
Lloyd Reed and Isa Reed	Lot 76 Saunders Adn.	50.00	9.6984	484.92
D.G. Ogden, Gertrude R. Manus and C.W. Manus	Lot 75 Saunders Adn.	50.00	9.6984	484.92
Hazel R. Petry and Thomas R. Petry	Lot 74 Saunders Adn.	50.00	9.6984	484.92
Charles Roscoe Burgess	Lot 73 Saunders Adn.	50.00	9.6984	484.92
Doval G. Ogden	Lot 72, Saunders Adn.	50.00	9.6984	484.92
Freda Jane Patton and Melvin Elmer Patton	Lot 71 Saunders Adn.	50.00	9.6984	484.92
Samuel E. Reed and Dorothy Virginia Reed	Lot 30 Saunders Adn.	100.00	9.6984	969.84

SOUTH SIDE

Herbert R. Cartmill	Lots 59 and 60, Saunders Adn.	100.00	9.6984	969.84
Westley W. Parsons and Leona P. Parsons	Lots 58 and 57 Saunders Adn.	100.00	9.6984	969.84
Ronald L. Redman	Lot 56, Saunders Adn.	50.00	9.6984	484.92
Virgie E. Bailey	Lot 55, Saunders Adn.	50.00	9.6984	484.92
Warren Crites	Lot 54 Saunders Adn.	45.00	9.6984	436.43
Arnold E. Bailey	Lot 53 Saunders Adn.	45.00	9.684	436.43
Sam Raynes	Part of Lot 52 Saunders Adn.	20.00	9.6984	193.97
L. Edward Sheets	Part of Lots 51 and 52 Saunders Adn.	70.00	9.6984	678.89
E. J. Bailes, Heirs	Lots 50 and part of 51 Saunders Adn.	60.00	9.6984	581.90
	Totals-----	1040.00		\$10,086.34

DUPONT AVENUE
(Dogwood to Elm)

<u>Name of Owner</u>	<u>Lot number or other description</u>	<u>Frontage</u>	<u>rate</u>	<u>Total Assessment</u>
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EAST SIDE

Florence J. Abney	Lot 1, Block N, Baker-Meyer Subdivision East Crawford City	34.03	13.5634	465.22
Blanche Reed	Lot 2, Block N, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Argil Frame and Faye Frame	Lots 3, 4 and 5, Block N, Baker-Meyer Subdivision East Crawford City	60.00	13.5634	813.80
S. L. Fournoy and Nannie M. Cotton	Lot 6, Block N, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
S. L. Flournoy	Lot 7, Block N, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27

Ernest Smith and Hedwig A. Smith	Lots 8,9 and 10 Block N Baker-Meyer Subdivision East Crawford City	60.00 13.5634	813.80
Ronald W. Roberts and Genevieve Roberts	Lots 11,12 and 13, Block N, Baker-Meyer Subdivision East Crawford City	60.00 13.5634	813.80
Florence J. Abney	Lots 14 and 15, Block N Baker-Meyer Subdivision East Crawford City	40.00 13.5634	542.54

WEST SIDE

C. A. Potterfield	Lot 30, Block O, Baker- Meyer Subdivision, East Crawford City	31.08 13.5634	431.33
H. V. Walls	Lot 29, Block O, Baker- Meyer Subdivision, East Crawford City	20.00 13.5634	271.27
Buel L. Stovall and Frances Stovall	Lots 28,27 and 26 Block O, Baker-Meyer Subdivision East Crawford City	60.00 13.5634	813.80
C. E. Gibson and Carrie Bibson	Lots 24 and 25, Block O Baker-Meyer Subdivision East Crawford City	40.00 13.5634	542.54
James L. Snodgrass and Nellie M. Snodgrass	Lots 23,22 and part of 21, Block O. Baker- Meyer Subdivision, East Crawford City	50.00 13.5634	678.17
J. F. Thacker and Gertrude Thacker	Lots 21 (10 ft.), 20 and 19, Block O, Baker-Meyer Subdivision, East Crawford City	50.00 13.5634	678.17
W. R. Lane and Lenore Lane	Lots 18, 17 and 16, Block O, Baker-Meyer Subdivision East Crawford City	60.00 13.5634	813.80
	Totals-----	626.10	\$8,492.05

~~DUPONT AVENUE~~
(Present paving to Gum)

EAST SIDE

<u>Name of owner</u>	<u>Lot number of other description</u>	<u>Frontage Rate</u>	<u>Total Assessment</u>
Clyde Harbert and Maude Harbert	Lots 9 and 10 Block R, Baker-Meyer Subdivision East Crawford City	40.00 13.5634	542.54

DUPONT AVENUE
(Present paving to Gum)

EAST SIDE

<u>Name of owner</u>	<u>Lot Number or other description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Seibert Harrison and Norma Harrison	Lot 8, Block R, Baker- Meyer Subdivision East Crawford City	9.00	13.5634	\$122.07
Clyde Harbert and Maude Harbert	Lots 9 and 10, Block R, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Delbert L. Short and Virginia Short	Lots 11, 12 and part of 13, Block R, Baker-Meyer Subdivision, East Crawford City	55.00	13.5634	745.98
Hobert F. Carter and Hazel L. Carter	Lots 14, 15 and part of 13, Block R, Baker-Meyer Subdivision, East Crawford City	45.00	13.5634	610.35
J. W. Cox and Nannie Cox	Lots 16 and 17, Block R, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Dorothy Shamblin	Lots 1 and 2, Block Z Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
James F. Lewis and Vallie H. Lewis	Lots 3 and 4, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Roy Legg and Glenna Legg	Lots 5 and 6, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Frances Diehl	Lots 7 and 8, Block z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Frances Diehl and Bud Diehl	Lots 9 and 10, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
James R. Cobb	Lots 11 and 12, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Forest K. Diehl	Lots 13 and 14, Block Z, Baker-Meyer Subdivision, East Crawford City	41.00	13.5634	556.10

WEST SIDE

H. R. Frontz	Lots 27, 26, 27, 24, 23, 22, Block Q, Baker- Meyer Subdivision East Crawford City	109.00	13.5634	1,478.41
Homer Gibson and Pearl Gibson	Lots 21 and 20, Block Q, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Charles M. Adkins and Kathleen Adkins	Lots 19 and 18, Block Q, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Delitha McCallister and Linold McCallister	Lots 25 and 24, Block Y, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Victor D. Brown	Lots 23, 22 and 21, Block Y Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Harley W. Norvell and Naomi K. Norvell	Lots 20 and 19, Block Y, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Ada M. Rogers and Arthur E. Rogers	Lots 18, 17 and 16, Block Y, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Robert R. Fields and Audrey J. Fields	Lots 15, 14 and 13, Block Y, Baker-Meyer Subdivision East Crawford City	72.00	13.5634	976.56
	Totals	931.00		\$12,627.55
GRAND TOTALS		4,841.22		\$52,213.95

FOR PROJECT

Given under my hand this _____ day of November, 1958.

CITY ENGINEER
Municipal Engineering Corp.By _____
J. A. Spence, Engineer

And said Council having inspected said reports, upon motion
motion by Councilman H. M. Gandee, seconded by Councilman Grenfall

L. Estep, and adopted unanimously said reports are accepted and ordered to be made a part of the minutes of Council, and the City Recorder is authorized and directed to publish notice that at a meeting to be held on the 25th day of November, 1958, at 8:00 o'clock, P.M. in the City Building, all owners of abutting property and other interested parties might appear and move the revision or correction of said reports, and that on or after said date an assessment for the cost of same would be laid on said property and the owners thereof for the cost of same, which said notice is to be filed with the minutes and made a part hereof.

Upon motion of Councilman M. L. Bush, seconded by Councilman Grenfall L. Estep, and unanimously adopted it is ordered that the Council meet in Special Session at the City Building on the 25th day of November, 1958, at 8:00 o'clock, P.M. for the purpose above set out.

The Mayor presented petitions signed by 560 residents and legal qualified voters of the City of Nitro petitioning the Council to submit to the qualified voters of the City of Nitro, West Virginia and to the qualified voters in the unincorporated territory contiguous to said City, popularly and generally known as Sattes, River and Westerly Area, the question of annexing the said contiguous territory of Sattes, River and Westerly area.

Thereupon Councilman Dunlap, seconded by Councilman Estep, moved the adoption of the following Ordinance.

AN ORDINANCE AND ORDER PROVIDING FOR A VOTE OF QUALIFIED VOTERS TO BE HAD AND AN ELECTION TO BE HELD IN THE CITY OF NITRO AND IN THE UNINCORPORATED TERRITORY CONTIGUOUS TO SAID CITY, COMMONLY KNOWN AS SATTES, RIVER AND WESTERLY AREA, ON THE QUESTION OF THE ANNEXATION OF SAID UNINCORPORATED CONTIGUOUS TERRITORY OF

SATTES, RIVER AND WESTERLY AREA TO THE CITY OF NITRO, AT SPECIAL ELECTIONS TO BE HELD THEREIN ON THE 16th DAY OF DECEMBER, 1958, ESTABLISHING VOTING PLACES FOR AND PROVIDING FOR THE CONDUCTING AND HOLDING OF SAID ELECTIONS, THE APPOINTMENT OF OFFICIALS TO CONDUCT THE SAME, AND ALL OTHER MATTERS AND THINGS NECESSARY AND INCIDENT THERETO AND IN CONNECTION THEREWITH.

WHEREAS, a petition in writing signed by Ivan Hunter and some 560 other persons has been filed with the Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia, setting forth by metes and bounds the unincorporated territory proposed to be annexed to said City of Nitro and asking that a vote be taken upon the proposed annexation; and

WHEREAS, it appears to the Council, and the Council so finds, that said petition is in due form, properly executed by more than ten per cent (10%) of the inhabitants of the City of Nitro and complies with the provisions of Section 21, Article 6, Chapter 8A of the Code of West Virginia; and

WHEREAS, responsive to said petition it is the duty of this Council, under the law in such cases made and provided, to order a proper vote to be taken upon said proposed annexation in the City of Nitro and in the said territory contiguous thereto, popularly and generally known as Sattes, River and Westerly Area, proposed to be annexed to said City;

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY THE COUNCIL OF THE CITY OF NITRO:

1. (a) A special election shall be held in the City of Nitro, Kanawha and Putnam Counties, West Virginia, on Tuesday, the 16th day of December, 1958, and (b) a special election shall be held in the unincorporated territory contiguous to the City of Nitro popularly and generally known as Sattes, River and Westerly Area, and hereinafter described accurately by metes and bounds, on _____, the _____ day of _____.

_____, _____, and a vote of the qualified voters shall be taken upon the proposed annexation, for the purpose of submitting to the qualified voters of the said City of Nitro and to all the qualified voters residing in said contiguous territory and to all of the qualified voters owning any part of such territory whether resident thereon or not, the question whether the unincorporated area consisting of the territory popularly and generally known as Sattes, River and Westerly Area situate in Union District, Kanawha County and Poca District, Putnam County, West Virginia, and being the area generally lying adjacent to the present southerly and westerly boundary lines of the City of Nitro and extending from a point approximately 15,000 feet northerly from the Sattes - St. Albans bridge on the North to the Sattes Railroad Crossing and Blackwood Lane on the South, and extending generally from the area of the Old County Road on the East to the center of the Kanawha River on the West, and being more accurately described by metes and bounds as follows, to-wit:

BEGINNING at the southwest corner of the Nitro Corporation line at the low water mark on the east side of the Kanawha River; thence with the south Nitro Corporation line N $56^{\circ} 30'$ E. Crossing the centerline of the new W. Va. Route 25 at 1,470 feet, more or less, in all 2,000 feet, more or less, to the southeast corner of the Nitro corporation line; thence paralleling the centerline tangent of the new W. Va. Route 25 and 530 feet therefrom S. $32^{\circ} 48'$ E. 2,108.63 feet; S. $53^{\circ} 27'$ E. 2,236.15 feet to a point opposite the centerline of Blackwood Lane extended, said point being 530 feet N $36^{\circ} 42'$ E. from the centerline of W. Va. Route 25; thence S. $36^{\circ} 42'$ W. with the centerline of Blackwood Lane extended and the centerline of Blackwood Lane crossing the N.Y.C. Railroad at the center of old Sattes Crossing at 830 feet, more or less, and the low water mark of the east side of the Kanawha River at 1,450 feet, more or less, in all 1,900 feet, more or less, to the Union-Jefferson District Line in the center of the Kanawha River; thence along the Districts lines and down the center of the Kanawha River passing the Sattes bridge at 700 feet, more or less, the mouth of Coal River at 3,900 feet more or less, and passing the Kanawha-Putnam County Line at 14,100 feet, more or less, in all 15,450 feet, more or less, to a point in the center of the Kanawha River and in the Scott-Pocatalico District Line in Putnam County, thence S. $75^{\circ} 50'$ E. crossing

the East Bank of the Kanawha River at 470 feet, more or less, in all 1,550 feet, more or less, to a point in the Kanawha-Putnam County line; thence with the Kanawha-Putnam County Line S. 13° 38' W. 371.23 feet, more or less, to a point in the Nitro Corporation Line; thence with the Nitro Corporation line S. 87° .04' W. 862.87 feet to a point at the low water make of Kanawha River and on the east bank thereof; thence continuing with the Nitro Corporation Line and along the low water mark of the Kanawha River and up the east bank thereof, passing the old county line at 310 feet, more or less, in all 8,980 feet, more or less, to the place of beginning, containing 328 acres, more or less, or 0.51 square mile,

shall be annexed to and thence forth become a part of the City of Nitro, a municipal corporation created and existing under the laws of the State of West Virginia.

2. The form of ballot for such elections shall be substantially as follows:

MAP

Territory of Sattes,
River and Westerly Area Proposed to
be annexed to the City of Nitro.

Shall the territory indicated on the map,
'Territory of Sattes, River and Westerly Area Proposed to be
Annexed, 'be annexed to and become a part of the City of Nitro?

For Annexation ()

Against Annexation ()

3. The voting precincts within the City of Nitro as arranged, adopted and fixed by the Council of said City and by the County Courts of Kanawha County and Putnam County, West Virginia, and the boundaries thereof and places of voting within the same for the State and County General Election held on November 4, 1958 except as herein otherwise provided, are hereby adopted and shall be the precincts within the boundaries there and the places of voting therein, respectively, in the City of Nitro.

The voting precinct in said unincorporated contiguous territory comprising the area popularly and generally known as Sattes, River and Westerly Area, hereinbefore described and proposed to be annexed, shall be and is described as follows, namely:

'SATTES, RIVER AND WESTERLY AREA PRECINCT NO. 1' shall consist and be composed of that area generally lying adjacent to the present southerly and westerly boundary lines of the City of Nitro and extending from a point approximately 15,000 feet northerly from the Sattes - St. Albans bridge on the North to the Sattes Railroad Crossing and Blackwood Lane on the South, and extending generally from the area of the Old County Road on the East to the center of the Kanawha River on the West, which said area includes and is within the territory proposed to be annexed as described herein by meter and bounds, and which said area includes and consists of parts of Kanawha County Precincts No. 272 and 306, and Putnam County Precinct No. 23.

The places of voting in each of said precincts shall be as follows:

CITY OF NITRO:

Kanawha County Precinct No. 282	- A.L. Boggess Garage 109 Layne Ave.
Kanawha County Precinct No. 305	- H.D. Wilson Residence 703 Main
Kanawha County Precinct No. 260	- 8th St. Grocery, 8th Street
Kanawha County Precinct No. 261	- Elementry School 19th & 2nd. Ave.
Kanawha County Precinct No. 283	- High School 21st Street
Putnam County Precinct No. 22	UMW Union Hall 29th & 1st. Ave.

AREA OF SATTES, RIVER AND WESTERLY AREA:

Precinct No. 1 - Sattes School, Rt. 25

4. The commissioners and clerks for holding said elections shall be and are hereby appointed in each of the precincts in the City of Nitro and in the area of Sattes, River and Westerly Area, respectively, as follows:

Kanawha County Precinct No. 282 - A. L. Boggess Garage, 109 Layne Ave.

Commissioners: Mrs. A. W. Conaway, Elizabeth A. Cantrell and Dorothy Maruish.

Clerks: Bessie Boggess, Mrs. Arnold Persinger.

Kanawha County Precinct No. 305 - H. D. Wilson Residence
703 Main

Commissioners: Ed. Knight, Mrs. Mable Duffy and Howard Wilson.

Clerks: Mrs. Edna Scully, Mrs. Geneiva Luikart.

Kanawha County Precinct No. 260 - Eighth Street Grocery
8th Street

Commissioners: Charles Hartley, Mrs. Naomi Willard and Mrs. Althea Casto.

Clerks: Mrs. Ernesteen Evans, Mrs. Goldie Harris .

Kanawha County Precinct No. 261 - Elementary School
19th Street & 2nd. Ave.

Commissioners: L. F. Hartranft, W.L. Wintz and Mrs. Velma Kinder.

Clerks: Mrs. Virginia Spence, Mrs. Ruby Gillispie.

Kanawha County Precinct No. 283 - Nitro High School
21st Street

Commissioners: Sam Montague, Mrs. Grace L. Peck and Mrs. Glada Welton.

Clerks: Mrs. Helen Colcord, Mrs. Garnet Galloway.

Putnam County Precinct No. 22 - UMW Union Hall
29th St. & 1st Ave.

Commissioners: Mrs. Audra Cogar, G. S. Smith and
Eugene Fowler.

Clerks : Mrs. Hattie Beckman, Mrs. Marie Smith.

Sattes, River and Westerly Area - Precinct No. 1 Sattes School
Rt. 25

Commissioners: Mrs. Albina Bonner, Mrs. J. C.
Blackwood, Mrs. R.P. Walters.

Clerks: Mrs. Juanita Hastings, Mrs. Ruth
Gallagher.

5. The registration of voters and the use of registration books shall be governed by the Permanent Registration Law of the State of West Virginia, and the City of Nitro hereby adopts the registration lists of Kanawha and Putnam Counties, West Virginia, as amended and corrected according to law, as the official registration list of voters in the City of Nitro and as the official registration list of voters in the area of Sattes, River and Westerly Area proposed to be annexed, the latter including that portion of the qualified voters residing in Kanawha County Precincts Nos. 272 and 305, and Putnam County Precinct No. 23, who reside within the area popularly and generally known as Sattes, River and Westerly Area proposed to be annexed as hereinbefore bounded and described, and there shall also be permitted to vote all of the qualified voters owning any part of such Sattes, River and Westerly Area territory as hereinbefore bounded and described, whether resident thereon or not, as provided for in Code, W. Va., 8A-6-21: and all pertinent and applicable provisions of the Election laws of the State of West Virginia concerning general, primary, special or municipal elections shall apply to this election, and also including all applicable

charter provisions and ordinances of the City of Nitro.

6. Notice of the calling of such elections shall be given by the publication of this ordinance and orders in a newspaper of general circulation in the City of Nitro and in the unincorporated contiguous territory generally known as Sattes, River and Westerly Area proposed to be annexed, once a week for two successive weeks, the first publication to be at least fourteen days prior to said 16th day of December, 1958.

7. The City Recorder of the City of Nitro shall forthwith furnish an attested copy of this ordinance and orders to the Circuit Court or Judge of the Circuit Court of Kanawha County, West Virginia, the county wherein the portion of said City of Nitro greatest in population lies, and the County wherein the portion of said Area of Sattes, River and Westerly Area proposed to be annexed thereto greatest in area and population lies, for his information to enable the Judge of said court to comply with the requirements of Section 23, Article 6, Chapter *8A of the Code of the State of West Virginia. The City Recorder shall also perform the further duties in respect to said election as are imposed upon her by all applicable laws.

After some discussion a vote was taken and all Councilmen, the Mayor and Recorder voted in favor of motion and was so ordered.

The Mayor and Council again discussed the drainage project on Third Avenue from 3rd. Street to 21st Street, Blake's Drive, from Penwood Avenue to Blake's Creek, Sidewalk along First Avenue from 8th Street to 20th Street and 21st Street to the City limit line North of 41st Street, and also sidewalk from Kapoc Street to Blackwood Avenue along Main Avenue, the latter pending the

results of the annexation of the Sattes Area. The project to be paid for by Bond Issue.

Thereupon Councilman Dunlap moved, seconded by Councilman Bush, that Bond Issue election in amount of \$168,000. be held in conjunction with the Special annexation election on December 16th for drainage on Third Avenue, from 3rd Street to 21st Street, Blake's Drive, from Penwood Avenue to Blake's Creek, five foot sidewalk along First Avenue, from 8th Street to 20th Street and 21st Street to the City Limit line North of 41st Street and Five foot sidewalk, from Kapoc Street to Blackwood Avenue, on Main Avenue, pending the results of the annexation election. Upon vote by the Council, all Councilmen, Mayor and Recorder voted in favor of motion and was so ordered.

The Mayor informed the Council that a number of residents on Ivy Street had requested that the City open Ivy Street for traffic. The Mayor requested the Council to inspect the said Street and also asked the City Attorney to check the legality of the question.

There being no further business to come before the Council, a motion for adjournment by Councilman Bush, seconded by Councilman Estep, carried.

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

November 18, 1958.

The City Council met in a Regular Session,
Tuesday, November 18, 1958.

There were present : W. W. Alexander, Mayor,
Grace Lewis, Recorder and M. L. Bush, Dr. J. L. Dunlap, Jr.
Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and
George W. Hogshead, M.D. members of the Council.

Mayor Alexander called the meeting to order.

The Recorder read minutes of meeting held October
21st and November 11th.

Councilman Bush moved, seconded by Councilman
Grover, the minutes be approved. Upon a vote motion carried.

Councilman Dunlap moved, seconded by Councilman
Gandee, the financial statement for the month of October,
1958, be accepted. Motion carried.

There was taken up for consideration the proposed
ordinance submitting the question of issuing bonds to the vote
of the people and after some discussion of the proposed
ordinance and consideration of the Council, upon a motion
by Councilman Bush, seconded by Councilman Estep, the following
order and ordinance was unanimously adopted, all Councilmen,
Recorder and Mayor voting in the affirmative.

AN ORDINANCE AND ORDER DIRECTING THAT ALL QUESTIONS
CONNECTED WITH THE CONTRACTING OF A DEBT OF ONE HUNDRED SIXTY-
EIGHT THOUSAND DOLLARS (\$168,000.00) FOR THE PURPOSE OF
PERMANENTLY IMPROVING SIDEWALKS AND STORM SEWERS IN THE CITY
OF NITRO, AND OF ISSUING BONDS THEREFOR, BE SUBMITTED TO A VOTE
OF THE QUALIFIED VOTERS WITHIN THE CITY OF NITRO, KANAWHA AND

PUTNAM COUNTIES, WEST VIRGINIA, AT A SPECIAL ELECTION TO BE HELD ON THE 16TH DAY OF DECEMBER, 1958.

WHEREAS, the public sidewalk traversing the center of said City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation line of said City of Nitro and from Kapoc Street to Blackwood Avenue all being upon and along First Avenue, and being a through sidewalk and important to the continued growth and development of the City of Nitro, is too narrow, poor in design, in bad repair, detrimental and hazardous to abutting properties and generally inadequate for the needs of all inhabitants of said City of Nitro; and,

WHEREAS, the storm sewers along Third Avenue and Blakes Drive are totally inadequate, detrimental and hazardous to abutting properties and generally inadequate for the needs of all inhabitants of said City of Nitro; and,

WHEREAS, on the 16th day of December, 1958, a special election will be held for the purpose of annexation of what is commonly known as Sattes, River and Westerly Area wherein lies that portion of improvement for sidewalk construction along First Avenue from Kapoc Street to Blackwood Avenue. The total cost of said Sidewalk improvement to be \$21,000.00 and;

WHEREAS, the Council of the City of Nitro, after careful study, discussion and deliberation of the problems in connection with the improvement of said sidewalks along First Avenue by widening, repairing, constructing, guttering, draining and paving, and otherwise improving same; and constructing, expanding and otherwise improving storm sewers along Third Avenue and Blake's Drive has determined and found that said permanent public

improvements should be made in order to provide a safe, properly designed and adequate sidewalks and storm sewer through the City, and adequate drainage along Third Avenue and Blake's Drive; and,

WHEREAS, the Council has heretofore found and does hereby determine and find that the cost will not be less than One Hundred Sixty-Eight Thousand Dollars (\$168,000.00) for which purpose it will be necessary for said City to borrow money and, in evidence thereof, issue its bonds.

IT IS THEREFORE, ORDERED AND ORDAINED BY THE COUNCIL OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, IN REGULAR SESSION ASSEMBLED AS FOLLOWS:

That it appears to the Council of the City of Nitro, and the Council of the City of Nitro, doth accordingly find, that it is necessary and expedient that permanent public improvements be made in said City of Nitro of the kind and nature following:

Permanent Public Improvement of a public sidewalk along First Avenue in the City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repairing, constructing, guttering, draining, and paving and otherwise, improving same in the approximate amount of \$46,500.00; and permanent public improvements of Storm Sewers along Third Avenue and Blake's Drive by constructing, expanding and otherwise improving said Storm Sewers in the approximate amount of \$121,500.00; and that the funds derived from current levies, applicable to making said improvements, including the proper and necessary incidental expenses in connection therewith,

which this body is now authorized by law to lay, after providing for the administration of the affairs of said City of Nitro and meeting the current expenses thereof as required by law, are insufficient to make said improvements, and that

therefore, bonds should be issued to provide funds for such purposes.

That it appears to the Council of the City of Nitro, and the Council of the City of Nitro doth accordingly find, that the valuation of the taxable property in said City of Nitro, as shown by the last assessment thereof for state and county taxation purposes, is \$6,986,045.00; and that the valuation of each class of property therein is as follows:

CLASS I	\$1,153,225.00
CLASS II	2,010,730.00
CLASS IV	3,822,090.00

That the City of Nitro as of the 1st day of November, 1958, has outstanding bonded indebtedness in the amount of One Hundred Thirty-Two Thousand Eight Hundred Dollars (\$132,800.00) and that its unbonded indebtedness is none; that if bonds be approved by the voters, such indebtedness will not exceed the limits provided by Section 3, Article 1, Chapter 13 of the Code of West Virginia; and that, therefore, bonds in the sum of One Hundred Sixty-Eight Thousand Dollars (\$168,000.00) may be issued without exceeding any constitutional or statutory limitations.

That the amount of the proposed bond issue is One Hundred Sixty Eight Thousand Dollars (\$168,000.00) and it is the judgement of Council, and they so find, that such sum should be obtained by the issuance of bonds for that amount; and that bonds No. 1 to 168, inclusive, for One Thousand Dollars (\$1,000.00) each, aggregating One Hundred Sixty-Eight Thousand Dollars (\$168,000.00) be issued and sold, the proceeds of which shall be used only for the improvements hereinabove set forth.

That said bonds shall bear interest at a rate not exceeding Four per centum (4%) per annum, payable semi-annually, and be payable from one to Thirty-four years from their date; and that the maturities of each series of said bonds shall be as follows:

\$2,000.00	due and payable	1 $\frac{1}{2}$	years after date.
\$2,000.00	due and payable	2 $\frac{1}{2}$	years after date.
\$2,000.00	due and payable	3 $\frac{1}{2}$	years after date.
\$2,000.00	due and payable	4 $\frac{1}{2}$	years after date.
\$3,000.00	due and payable	5 $\frac{1}{2}$	years after date.
\$3,000.00	due and payable	6 $\frac{1}{2}$	years after date.
\$3,000.00	due and payable	7 $\frac{1}{2}$	years after date.
\$3,000.00	due and payable	8 $\frac{1}{2}$	years after date.
\$3,000.00	due and payable	9 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	10 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	11 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	12 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	13 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	14 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	15 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	16 $\frac{1}{2}$	years after date.
\$4,000.00	due and payable	17 $\frac{1}{2}$	years after date.
\$5,000.00	due and payable	18 $\frac{1}{2}$	years after date.
\$5,000.00	due and payable	19 $\frac{1}{2}$	years after date.
\$5,000.00	due and payable	20 $\frac{1}{2}$	years after date.
\$5,000.00	due and payable	21 $\frac{1}{2}$	years after date.
\$6,000.00	due and payable	22 $\frac{1}{2}$	years after date.
\$6,000.00	due and payable	23 $\frac{1}{2}$	years after date.
\$6,000.00	due and payable	24 $\frac{1}{2}$	years after date.
\$6,000.00	due and payable	25 $\frac{1}{2}$	years after date.
\$7,000.00	due and payable	26 $\frac{1}{2}$	years after date.
\$7,000.00	due and payable	27 $\frac{1}{2}$	years after date.
\$7,000.00	due and payable	28 $\frac{1}{2}$	years after date.
\$7,000.00	due and payable	29 $\frac{1}{2}$	years after date.
\$7,000.00	due and payable	30 $\frac{1}{2}$	years after date.
\$8,000.00	due and payable	31 $\frac{1}{2}$	years after date.
\$8,000.00	due and payable	32 $\frac{1}{2}$	years after date.
\$8,000.00	due and payable	33 $\frac{1}{2}$	years after date.
\$8,000.00	due and payable	34 $\frac{1}{2}$	years after date.

It is further ordered that a special election be held in the City of Nitro, Kanawha and Putnam Counties, West Virginia, on the 16th day of December, 1958, for the purpose of voting upon the question of incurring the debt and issuing said bonds, and all other questions properly connected therewith. The Council of the City of Nitro, the levying body, is authorized to lay a sufficient levy annually to provide funds for the payment of interest on the bonds and the principal at

maturity.

All provisions of the statutes of the State of West Virginia and the election ordinances of the City of Nitro concerning the conduct of general elections and regular city elections shall apply so far as they are applicable to the holding of this election and the ascertainment of the results thereof. The City Recorder of the City of Nitro is hereby authorized, empowered and directed to acquire and furnish proper election supplies for said election, make publication of this order and ordinance, and order and direct said order and ordinance to be posted at the front door of the City Building of the City of Nitro and in each place of voting in said City of Nitro at least ten (10) days prior to the date of said election, and said Recorder shall do any and all other things necessary or proper to present the question proposed by this order and ordinance to the voters of the City of Nitro at said election, and shall furnish and deliver a certified copy of this ordinance to the Ballot Commissioners of the City of

Nitro who shall receive the same and provide for the printing of ballots, and shall do all other matters necessary to the holding of said election in accordance with the provisions of the statutes of the State of West Virginia and the ordinances of the City of Nitro in such cases made and provided.

The voting precincts within the City of Nitro as now existing and established by the Election Ordinances of the City of Nitro and the County Court of Kanawha County, West Virginia, and the County Court of Putnam County, West Virginia, shall be, and the same are, hereby designated as the voting precincts for such election, in all respects except that the actual location of

voting places are set out below. And the registration lists of voters and the use of registration books shall be governed by the permanent registration law of the State of West Virginia, and the Election Ordinances of the City of Nitro, and the City of Nitro, West Virginia, hereby adopts the registration lists as established by said County Court of Kanawha County and said county Court of Putnam County for the City of Nitro as to precincts and as to persons within the corporate limits of the City of Nitro entitled to vote, as amended and corrected according to law, as the official registration lists of said City of Nitro, West Virginia to be used for this election.

That Commissioners and Clerks for holding said election be and they are hereby appointed as follows, namely:

Kanawha County Precinct No. 282
Voting Place - Boggess' Garage

Receiving Board

Mrs. A. W. Conaway, Commissioner Mrs. Bessie Boggess, Clerk
Mrs. Elizabeth Cantrell, Commissioner Mrs. Arnold Persinger, Clerk
Miss Dorothy Maruisha Commissioner

Counting Board

Marietta Wears, Commissioner Mrs. Al Craven, Clerk
Golda Roark Commissioner Mrs. Lowell West, Clerk
Geraldine Smith Commissioner

Kanawha County Precinct No. 305
Voting Place: Howard Wilson residence.

Receiving Board

Edward Knight, Commissioner Edna Scully, Clerk
Mable Duffy, Commissioner Geneva Luikart, Clerk
Howard Wilson, Commissioner

Counting Board

Mary Moore,	Commissioner	Lucille Callihan,	Clerk
Erl Dye,	Commissioner	Larry Mace,	Clerk
Eileen Agee,	Commissioner		

Kanawha County Precinct No. 260
Voting Place: Eighth Street Grocery.

Receiving Board

Charles Hartley,	Commissioner	Ernesteen Evans,	Clerk
Naomi Willard,	Commissioner	Goldie Harris,	Clerk
Althea Casto,	Commissioner		

Counting Board

Philip Arthur,	Commissioner	John Womack,	Clerk
Vida Bailey,	Commissioner	Eula Harris,	Clerk
Georgia Brothers,	Commissioner		

Kanawha County Precinct No. 261
Voting Place: Nitro Elementary School

Receiving Board

L. F. Hartranft,	Commissioner	Virginia Spence,	Clerk
W. L. Wintz,	Commissioner	Ruby Gillispie,	Clerk
Velma Kinder,	Commissioner		

Counting Board

Lena Cook,	Commissioner	Mrs. O. O. Holley,	Clerk
Mrs. Frank Kenworthy,	Commissioner	Mary King,	Clerk
Viola Ragle,	Commissioner		

Kanawha County Precinct No. 283
Voting Place: Nitro High School

Receiving Board

Sam Montague,	Commissioner	Garnet Galloway,	Clerk
Grace Peck,	Commissioner	Helen Colcord,	Clerk
Glada Welton,	Commissioner		

Counting Board

Iris Ashley, Commissioner Betty Osborne, Clerk
John Stiff, Commissioner Kathryn Groves, Clerk
Virginia T. Hunter, Commissioner

Putnam County Precinct No. 22
Voting Place: UMW Union Hall

Receiving Board

Audra Cogar, Commissioner Marie Smith, Clerk
G. S. Smith, Commissioner Hattie Beckman, Clerk
Eugene Fowler, Commissioner

Counting Board

Hazel Townsend, Commissioner Mary Michael, Clerk
Mary Eugenia Dorsey, Commissioner Geraldine Cole, Clerk
Nelda Cottrell, Commissioner

The form of ballot of such election shall be as follows:

FORM OF BALLOT

Shall the City of Nitro, West Virginia, incur debt and issue bonds in the amount of One Hundred Sixty-Eight Thousand Dollars (\$168,000.00) to run not more than Thirty-Four (34) years from the date thereof, with interest not exceeding the rate of four per centum (4%) per annum, for the purpose of making permanent public improvements in said City of Nitro of the kind and nature following:

Permanent Public Improvement of a public sidewalk along First Avenue in the City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation Line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repairing, constructing, guttering, draining, and paving and otherwise improving same in the approximate amount of \$46,500.00; and permanent

public improvements of storm sewers along Third Avenue and Blake's Drive by constructing, expanding and otherwise improving said storm sewers, including the proper and necessary incidental expenses in connection therewith in the approximate amount of \$121,500.00;

and levy taxes sufficient to pay the interest on, and the principal of such bonds; if the election of annexation, to be held December 16th, 1958, of what is commonly known as Sattes, River and Westerly Area fails and said area is not incorporated as a part of the City of Nitro, West Virginia, then the sum of \$21,000.00 which constitutes part of this bond issue shall be applied to the retiring of said bonds.

() YES

() NO

NOTICE TO VOTERS: To vote in favor of the proposition submitted on this ballot place an X mark in the square before the word "YES".

To vote against it, place a similar mark before the word "NO".

That the said Council of the City of Nitro be, and it is hereby authorized, to lay annually upon the assessed valuation of all the taxable property within said City of Nitro, West Virginia, a levy sufficient to provide funds for the payment of the annual interest upon said bonds, as it accrues semiannually, and the principal thereof at maturity; for which purposes a levy upon each hundred dollars valuation, based upon the last assessment of said property for state and county purposes, will be required as follows:

Unon Class I property, approximately 4.9¢

Upon Class II property, approximately 9.8¢

Upon Class IV property, approximately 19.6¢

In the laying of said levy, the assessment levy authorized to be laid by the said Council of the City of Nitro by the Constitution of West Virginia and the statutes enacted pursuant thereto shall not be exceeded: Provided, however, that said rates hereinabove set forth may whenever necessary be exceeded in making the annual levy for interest and principal of said bonds within statutory and constitutional limitations; and that in the levy, collection and disbursement of taxes within constitutional and statutory limitations this levy for interest and principal shall have preference over all other taxes collected by said City of Nitro for any purpose whatever, except the payment of interest and sinking fund requirements on debts created prior to November 8, 1932, and any other bond issue or issues which lawfully may have been authorized subsequent to November 8, 1932, or which hereafter may be authorized.

That if the debt and the bonds submitted to the voters shall be approved, the levies hereinbefore provided shall be included within the maximum levies authorized and approved for current expenses and other lawful purposes of the said City of Nitro pursuant to law; that levies herein provided shall be levied and allocated each year for the purpose of discharging the interest and the principal of the bonds to be authorized, and for such purpose shall be laid separate and apart from the levies made for general current expenses of the said City of Nitro;

and the said Council of the City of Nitro doth find that after laying and allocating said special levies for the payment of bond principal and interest requirements of said bonds, there will be out of the levies authorized by law and apportioned for current expenses a sufficient levy authorized by law, which when added to other income will be sufficient to carry on the proper and requisite functions of said City of Nitro, West Virginia.

This bond issue is subject to retirement in whole, or from time to time in part, in the inverse order of their maturity in any interest payment date on or after the 1st day of October, 1959, upon terms of par and accrued interest, Both principal and all interest upon call shall be payable in lawful money of the United States of America at the office of the State Treasurer of West Virginia in the City of Charleston, West Virginia, or at the option of the holder of the respective bonds and interest coupons, at the Bank of Nitro, Nitro, West Virginia.

It is further ordered that if the election of annexation of what is commonly known as Sattes, River and Westerly Area fails and said area is not incorporated then the sum of \$21,000.00 which constitutes part of this bond issue shall be applied to the retiring of said bonds, the foregoing named sum constitutes that part allocated for construction of a sidewalk from Kapoc Street to Blackwood Avenue along First Avenue.

The Council of the City of Nitro shall convene as a Board of Canvassers of said election in a special session to be held in the Council Chamber in the City Hall in the City of Nitro, West Virginia at 1:30 o'clock P.M. on December 22, 1958, to canvass, count and certify the returns of said election as required by law, that being the fifth day (Sunday excepted) thereafter

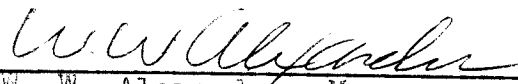
said levy election.

It is further ordered that notice calling such election shall be given by the publication of this order and ordinance at least once each week for four successive weeks prior to the date of the election in the Kanawha Valley Leader, the only newspaper published in said City of Nitro; and further that notice shall also be given by posting printed copies of this order at the front door of the meeting place of said Council of the City of Nitro, and at each voting precinct at which the election is to be held at least ten days before the election.

The Mayor and members of the Council entered in a discussion of opening for traffic Ivy Street, and Council asked that this matter be tabled for further study by Council.

After discussion of the property of E. R. Hiveley on 42th Street, Councilman Estep, seconded by Councilman Bush, moved that Mr. Hively be notified that if construction of building was not started within thirty days that the excavation for basement be filled in. Motion carried unanimously.

There being no further business to come before the Council at this time a motion by Councilman Estep, seconded by Councilman Bush, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF NITRO:

W. W. ALEXANDER, MAYOR, GRACE LEWIS, RECORDER, M. L. BUSH,
DR. J. L. DUNLAP, JR., H. M. GANDER, B. E. GEWIN, F. E.
GROVER, DR. GEORGE W. HOGSHEAD M.D. AND G. L. ESTEP,
members thereof.

You, and each of you, will please take notice that a
Special meeting of the Council of the City of Nitro, West Virginia,
is hereby called and will be held in the Council Chamber in the
City Hall of said City on the 25th day of November, 1958, at 8:00
o'clock, P.M., for the purposes following.

1. To consider and act upon all matters relating to the
paving, the construction of sidewalks thereon, and the permanent
improvements of the following named streets in the City of Nitro,
Kanawha and Putnam Counties, West Virginia:

Washington Avenue (Formerly Washington Street) from its inter-
section with Ash Street (Formerly 1st Avenue), extending north to
the Back Water; Ash Street (Formerly 1st Avenue), from its inter-
section with First Avenue (Old West Virginia Route No. 25), (Form-
erly Main Street), to its intersection with Kanawha Avenue (Form-
erly Kanawha Street); 39th Street East, From Bailes Drive, East to
the City Limit Line; Dupont Avenue (formerly Dupont Street) from
its intersection with Dogwood Street (Formerly 4th Avenue), to
its intersection with Elm Street (Formerly 5th Avenue); Dupont
Avenue (Formerly Dupont Street) from Present Paving in 500 block
South to its intersection with Present Paving at Gum Street (Form-
erly 7th Avenue).

2. To Consider any and all other matters that may prop-
erly come before the Council.

Respectfully yours,


W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being both
sufficient and timely.

R. G. Gwin
Dr. J. L. Dunlap Jr
H. M. Lander
S. J. Estes
M. L. Bush

Meeting of November 25, 1958.

At a special meeting of the Council of the City of Nitro, regularly and duly called, on the 25th day of November, 1958, there were present W. W. Alexander, Mayor, Grace Lewis, Recorder and M. L. Bush, Dr. J. L. Dunlap, Jr. H. M. Gandee, B. E. Gewin, and G. L. Estep. Dr. George W. Hogshead, M.D. and F. E. Grover being absent.

The meeting was called to order by W.W. Alexander, Mayor, who announced that this was a meeting called for the levying of assessments for paving as set out in the notice to property owners as published in the Kanawha Valley Leader under dates of November 14th, 1958 and November 21st, 1958, and further announced that the meeting was open for any revisions or corrections of the Report of the Engineer as set out in said notice.

Thereupon the Recorder informed Council that the Engineer having heretofore filed his report, and that pursuant to its directions she had given notice as required by law to the owners of the property abutting upon the streets and portions thereof pursuant to paving Ordinance adopted by Council on August 12th, 1958, by circulation in the City of Nitro and tendered to Council the Publisher's Affidavit and Certificate of Publication of said notices.

Thereupon upon motion of Councilman Dunlap, seconded by Councilman Bush, and unanimously adopted, it is ordered that the Publisher's Affidavit and Certificate of Publication as above mentioned be received and made a part of the minutes of this meeting by actual inclusion therein.

AFFIDAVIT OF PUBLICATION

State of West Virginia,
County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE

(FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE), ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the Nitro, West Virginia, on the 12th day of August, 1958, providing for the permanent improvement of the above named streets and portionsthereof, by paving and otherwise permanently improving, and further providing for the assessment of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8, of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and reference is hereby made to said maps and deeds for more complete descriptions.)

WASHINGTON AVENUE
(Ash Street to Back Water)

EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessments</u>
Robert Walker and Ada M. Walker	Lots 146 and 147, East View Land Co. Adn.	81.85	8.5479	\$699.65
Voneda Cart	Lot 145, East View Land Co. Adn.	50.00	8.5479	427.40
Glen M. Hively and Lina H. Hively	Lot 144, East View Land Co. Adn.	50.00	8.5479	427.40
Pearl Steele	Lot 143, East View Land Co. Adn.	50.00	8.5479	427.40
Mary L. Sampson	Lot 142, East View Land Co. Adn.	50.00	8.5479	427.40
Mary L. Sampson and Walter J. Sampson	Lot 141, East View Land Co. Adn.	50.00	8.5479	427.40
Luther Dixon and Bessie L. Dixon	Lots 140 and 139, East View Land Co. Adn.	100.00	8.5479	854.79
East View Land Co.	Lots 138 and 137, East View Land Co. Adn	100.00	8.5479	854.79

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE), ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the Nitro, West Virginia, on the 12th day of August, 1958, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8, of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and reference is hereby made to said maps and deeds for more complete descriptions.)

WASHINGTON AVENUE
(Ash Street to Back Water)
EAST SIDE

BK 6, after 232

Name of Owner	Lot Number or other Description	Frontage	Rate	Total Assessment
Robert Walker and Ada M. Walker	Lots 146, and 147, East View Land Co., Adn.	81.85	8.5479	\$699.65
Vonedra Cart	Lot 145, East View Land Co., Adn.	50.00	8.5479	427.40
Glen M. Hively and Lina H. Hively	Lot 144, East View Land Co., Adn.	50.00	8.5479	427.40
Pearl Steele	Lot 143, East View Land Co., Adn.	50.00	8.5479	427.40
Mary L. Sampson	Lot 142, East View Land Co., Adn.	50.00	8.5479	427.40
Mary L. Sampson and Walter J. Sampson	Lot 141, East View Land Co., Adn.	50.00	8.5479	427.40
Luther Dixon and Bessie L. Dixon	Lots 140 and 139, East View Land Co., Adn.	100.00	8.5479	854.79
East View Land Co.	Lots 138 and 137, East View Land Co., Adn.	100.00	8.5479	854.79

WEST SIDE

East View Land Co.	Lots 148 and 149, East View Land Co., Adn.	89.47	8.5479	\$764.78
Roscoe Nichols and Dimie H. Nichols	Lots 150 and 151, East View Land Co., Adn.	100.00	8.5479	854.79
Wilbur O. Jividen and Jo Ann Jividen	Lot 152 and South ½ of 153, East View Land Co., Adn.	75.00	8.5479	641.09
H. Brooks McCray and Rena M. McCray	Lot 154 and ½ of Lot 153, East View Land Co., Adn.	75.00	8.5479	641.09
L. F. Hunt and Margaret A. Hunt	Lots 155 and 156, East View Land Co., Adn.	100.00	8.5479	854.79
Philip W. Morrison and Bonnie C. Morrison	Lots 157 and 158, East View Land Co., Adn.	100.00	8.5479	854.79
Totals—		1071.32		\$9,157.56

ASH STREET
(First Ave. to Kanawha Ave.)
NORTH SIDE

Name of Owner	Lot Number or other Description	Frontage	Rate	Total Assessment
Hollie Nichols	Lot 128, East View Land Co. Adn.	103.70	10.1044	\$1,047.83
Robert Walker and Ada Walker	Lots 146 and 147, East View Land Co. Adn.	274.70	10.1044	2,775.68
East View Land Co.	Lot 148, East View Land Co. Adn.	122.20	10.1044	1,234.76
East View Land Co.	Lot 170, East View Land Co. Adn.	122.20	10.1044	1,234.7

SOUTH SIDE

L. E. Campbell	Lot 1, Block B, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
O. R. Casto and Orpha H. Casto	Lot 16, Block B, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Roscoe Nichols and Dimie Nichols	Lot 1, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.4
G. M. Wright and Lula Wright	Lot 16, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.4
Georgia E. Harvey	Lot 1, Block H, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Earl Russell	Lot 16, Block H, North Side Development Co. Property, Helena Tract	50.00	10.1044	505.22
Totals—		1172.80		\$11,850.45

39TH STREET EAST
(Bailes Drive to City Limit Line)
NORTH SIDE

Name of Owner	Lot Number or other Description	Frontage	Rate	Total Assessment
L. D. McCallister	Lot 78, Saunders Adn.	50.00	9.6984	\$484.92
Ernest K. Jones	Lot 77, Saunders Adn.	50.00	9.6984	484.92
Lloyd Reed and Isa Reed	Lot 76, Saunders Adn.	50.00	9.6984	484.92
D. G. Ogden, Gertrude R. Manus and C. W. Manus	Lot 75, Saunders Adn.	50.00	9.6984	484.92
Hazel R. Petry and Thomas R. Petry	Lot 74, Saunders Adn.	50.00	9.6984	484.92
Charles Roscoe Burgess	Lot 73, Saunders Adn.	50.00	9.6984	484.92
Doval G. Ogden	Lot 72, Saunders Adn.	50.00	9.6984	484.92
Freda Jane Patton and Melvin Elmer Patton	Lot 71, Saunders Adn.	50.00	9.6984	484.92
Samuel E. Reed and Dorothy Virginia Reed	Lot 30, Saunders Adn.	100.00	9.6984	969.84

SOUTH SIDE

Herbert R. Cartmill	Lots 59 and 60, Saunders Adn.	100.00	9.6984	969.84
Westley W. Parsons and Leona P. Parsons	Lots 58 and 57, Saunders Adn.	100.00	9.6984	969.84
Ronald L. Redman	Lot 56, Saunders Adn.	50.00	9.6984	484.92
Virgie E. Bailey	Lot 55, Saunders Adn.	50.00	9.6984	484.92
Warren Crites	Lot 54, Saunders Adn.	45.00	9.6984	436.43
Arnold E. Bailey	Lot 53, Saunders Adn.	45.00	9.6984	436.43
Sam Raynes	Part of Lot 52 Saunders Adn.	20.00	9.6984	193.97
L. Edward Sheets	Part of Lots 51 and 52, Saunders Adn.	70.00	9.6984	678.89
E. J. Bailes, heirs	Lots 50 and Part of 51, Saunders Adn.	60.00	9.6984	581.97
Totals—		1040.00		\$10,086.34

DUPONT AVENUE
(Dogwood to Elm)
EAST SIDE

Name of Owner	Lot Number or other Description	Frontage	Rate	Total Assessment
Florence J. Abney	Lot 1, Block N, Baker-Meyer Subdivision, East Crawford City	34.03	13.5634	\$465.22
Blanche Reed	Lot 2, Block N, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Argil Frame and Faye Frame	Lots 3, 4, and 5, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
S. L. Flournoy and Nannie M. Cotton	Lot 6, Block N, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
S. L. Flournoy	Lot 7, Block N, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Ernest Smith and Hedwig A. Smith	Lots 8, 9, and 10, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Ronald W. Roberts and Genevieve Roberts	Lots 11, 12, and 13, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Florence J. Abney	Lots 14, and 15, Block N, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54

WEST SIDE

C. A. Potterfield	Lot 30, Block O, Baker-Meyer Subdivision, East Crawford City	31.08	13.5634	431.33
H. V. Walls	Lot 29, Block O, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Butel L. Stovall and Frances Stovall	Lots 28, 27, and 26, Block O, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
C. E. Gibson and Carrie Gibson	Lots 24 and 25, Block O, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
James L. Snodgrass and Nellie M. Snodgrass	Lots 23, 22, and part of 21, Block O, Meyer-Baker Sub- division, East Crawford City	50.00	13.5634	678.17
J. F. Thacker and Gertrude Thacker	Lots 21 (10ft.), 20, and 19, Block O, Baker-Meyer Sub- division East Crawford City	50.00	13.5634	678.17
W. R. Lane and Lenore Lane	Lots 18, 17 and 16, Block O, Baker-Meyer Subdivision East Crawford City	60.00	13.5634	813.80
Totals—		626.10		\$8,492.05

DUPONT AVENUE
(Present Paving to Gum)
EAST SIDE

Name of Owner	Lot Number or other Description	Frontage	Rate	Total Assessments
Seibert Harrison and Norma Harrison	Lot 8, Block R, Baker-Meyer Subdivision, East Crawford City	9.00	13.5634	\$122.07
Clyde Harbert and Maude Harbert	Lots 9 and 10, Block R, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Delbert L. Short and Virginia Short	Lots 11, 12 and part of 13, Block R, Baker-Meyer Sub- division, East Crawford City	55.00	12.5634	745.98
Hobert F. Carter and Hazel L. Carter	Lots 14, 15 and part of 13, Block R, Baker-Meyer Sub- division, East Crawford City	45.00	13.5634	610.35
J. W. Cox and Nannie Cox	Lots 16 and 17, Block R, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Dorothy D. Shamblin	Lots 1 and 2, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
James F. Lewis and Vallie H. Lewis	Lots 3 and 4, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Roy Legg and Glenna Legg	Lots 5 and 6, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Frances Diehl	Lots 7 and 8, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Frances Diehl and Bud Diehl	Lots 9 and 10, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
James R. Cobb	Lots 11 and 12, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Forest K. Diehl	Lots 13 and 14, Block Z, Baker-Meyer Subdivision, East Crawford City	41.00	13.5634	556.10
WEST SIDE				
H. R. Frontz	Lots 27, 26, 25, 24, 23, 22, Block Q Baker-Meyer Sub- division East Crawford City	109.00	13.5634	1478.41
Homer Gibson and Pearl Gibson	Lots 21 and 20, Block Q, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Charles M. Adkins and Kathleen Adkins	Lots 19 and 18, Block Q, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Delitha L. McCallister and Linold McCallister	Lots 25 and 24, Block Y, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Victor D. Brown	Lots 23, 22, and 21, Block Y, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.00
Harley W. Norvell and Naomi K. Norvell	Lots 20 and 19, Block Y, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Ada M. Rogers and Arthur E. Rogers	Lots 18, 17 and 16, Block Y, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.00
Robert R. Fields and Audrey J. Fields	Lots 15, 14, and 13, Block Y, Baker-Meyer Subdivision, East Crawford City	72.00	13.5634	976.22
		Totals— 931.00		\$12,627.00
GRAND TOTALS FOR PROJECT		4,841.22		\$52,213.95

Notice is hereby given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 25th day of November, 1958 at 8:00, p.m., the owner or owners whose property is to be assessed as hereinabove designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 25th day of November, 1958, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above named assessments may be paid by the owners of said property at any time up to, and including the 25th day of November, 1958 without interest on the sums so named in this notice.

Done by order of the Council of the City of Nitro duly made and entered of record.

CITY OF NITRO, WEST VIRGINIA
Grace Lewis, Recorder

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE

was duly published in said paper once a week for two successive weeks, commencing with the issue of the 14th day of November, 19 58 and ending with the issue of the 21st day of November, 19 58 and was posted at the Court House of Kanawha County on

, 19

C. R. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 25th day of

November, 19 58

Leslie R. Yates

Notary Public for Kanawha County, West Virginia.

(My commission expires Jan. 21, 1965).

NOTICE

NOTICE OF LEVY OF PAVING ASSESSMENTS, GRADING ASSESSMENTS, DRAINING ASSESSMENTS, CURBING ASSESSMENTS, SEWERING ASSESSMENTS, GUTTERING ASSESSMENTS AND OF ASSESSMENTS FOR SIDEWALK CONSTRUCTION OF THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA, AGAINST PROPERTY ABUTTING ON WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1ST AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE), ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

By virtue of the ordinances adopted by the Council of the Nitro, West Virginia, on the 12th day of August, 1958, providing for the permanent improvement of the above named streets and portions thereof, by paving and otherwise permanently improving, and further providing for the assessments of the cost thereof against property abutting thereon as provided by Chapter 8, Article 8, of the Code as amended, the said improvements on the above named streets, or portions thereof, have been completed and the City Engineer has completed and filed his report showing the owners of the lots or parcels of land abutting on said streets so improved; the frontage of each of said lots or parcels of land; the proper amount to be assessed against the respective abutting lots and parcels of land and the total cost as follows:

(All lot numbers hereinafter shown are as numbered on maps of the City of Nitro and in deeds for said lots of record in the Office of the Clerk of the County Court of Kanawha County, West Virginia, and reference is hereby made to said maps and deeds for more complete descriptions.)

WASHINGTON AVENUE
(Ash Street to Back Water)
EAST SIDE

BK 6, after 232

Name of Owner	Lot Number or other Description
Robert Walker and Ada M. Walker	Lots 146, and 147, East View Land Co., Adn.
Vonedra Cart	Lot 145, East View Land Co., Adn.
Glen M. Hively and Lina H. Hively	Lot 144, East View Land Co., Adn.
Pearl Steele	Lot 143, East View Land Co., Adn.
Mary L. Sampson	Lot 142, East View Land Co., Adn.
Mary L. Sampson and Walter J. Sampson	Lot 141, East View Land Co., Adn.
Luther Dixon and Bessie L. Dixon	Lots 140 and 139, East View Land Co., Adn.
East View Land Co.	Lots 138 and 137, East View Land Co., Adn.

WEST SIDE

East View Land Co.	Lots 148 and 149 East View Land Co. Adn.	89.47	8.5479	764.78
Roscoe Nichols and Dimie H. Nichols	Lots 150 and 151, East View Land Co. Adn.	100.00	8.5479	854.79
Wilbur O. Jividen and Jo Ann Jividen	Lots 152 and South $\frac{1}{2}$ of 153, East View Land Co. Adn.	75.00	8.5479	641.09
H. Brooks McCray and Rena M. McCray	Lot 154 and $\frac{1}{2}$ of Lot 153, East View Land Co. Adn.	75.00	8.5479	641.09
L. F. Hunt and Margaret A. Hunt	Lots 155 and 156 East View Land Co. Adn.	100.00	8.5479	854.79
Philip W. Morrison and Bonnie C. Morrison	Lots 157 and 158, East View Land Co. Adn.	<u>100.00</u>	8.5479	<u>854.79</u>
	Totals-----	1071.32		\$9,157.56

ASH STREET

(First Avenue to Kanawha Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Hollie Nichols	Lot 128, East View Land Co. Adn.	103.70	10.1044	1,047.83
Robert Walker and Ada Walker	Lots 146 and 147, East View Land Co. Adn.	274.70	10.1044	2,775.68
East View Land Co.	Lot 148, East View Land Co. Adn.	122.20	10.1044	1,234.76
East View Land Co.	Lot 170, East View Land Co. Adn.	122.20	10.1044	1,234.76

SOUTH SIDE

L. E. Campbell	Lot 1, Block B, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
O. R. Casto and Orpha H. Casto	Lot 16, Block B, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Roscoe Nichols and Dimie Nichols	Lot 1, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44

G. M. Wright and Lula Wright	Lot 16, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Georgia E. Harvey	Lot 1, Block H, North Side Development Co. Property, Helena Tract	100.00	10.1044	1,010.44
Earl Russell	Lot 16, Block H, North Side Development Co. Property, Helena Tract	50.00	10.1044	505.22
	Totals- -	1172.80		\$11,850.45

39TH STREET EAST
(Bailes Drive to City Limit Line)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
L. D. McCallister	Lot 78, Saunders Adn.	50.00	9.6984	484.92
Ernest K. Jones	Lot 77, Saunders Adn.	50.00	9.6984	484.92
Lloyd Reed and Isa Reed	Lot 76 Saunders Adn.	50.00	9.6984	484.92
D. G. Ogden, Gertrude R. Manus and C. W. Manus	Lot 75 Saunders Adn.	50.00	9.6984	484.92
Hazel R. Petry and Thomas R. Petry	Lot 74, Saunders Adn.	50.00	9.6984	484.92
Charles Roscoe Burgess	Lot 73, Saunders Adn.	50.00	9.6984	484.92
Doval G. Ogden	Lot 72, Saunders Adn.	50.00	9.6984	484.92
Freda Jane Patton and Melvin Elmer Patton	Lot 71, Saunders Adn.	50.00	9.6984	484.92
Samuel E. Reed and Dorothy Virginia Reed	Lot 30, Saunders Adn.	100.00	9.6984	969.84

SOUTH SIDE

Herbert R. Cartmill	Lots 59 and 60 Saunders Adn.	100.00	9.6984	969.84
Westley W. Parsons and Leona P. Parsons	Lots 58 and 57, Saunders Adn.	100.00	9.6984	969.84
Ronald L. Redman	Lot 56, Saunders Adn.	50.00	9.6984	484.92

Virgie E. Bailey	Lot 55, Saunders Adn	50.00	9.6984	484.92
Warren Crites	Lot 54, Saunders Adn.	45.00	9.6984	436.43
Arnold E. Bailey	Lot 53, Saunders Adn.	45.00	9.6984	436.43
Sam Raynes	Part of Lot 52, Saunders Adn.	20.00	9.6984	193.97
L. Edward Sheets	Part of Lots 51 and 52 Saunders Adn.	70.00	9.6984	678.89
E. J. Bailes, Heirs	Lots 50 and part of 51, Saunders Adn.	60.00	9.6984	581.90
	Totals-----	1040.00		\$10,086.34

DUPONT AVENUE
(Dogwood to Elm)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
	EAST SIDE			
Florence J. Abney	Lot 1, Block N, Baker- Meyer Subdivision, East Crawford City	34.03	13.5634	465.22
Blanche Reed	Lot 2, Block N, Baker- Meyer Subdivision, East Crawford City	20.00	13,5634	271.27
Argil Frame and Faye Frame	Lots 3, 4 and 5, Block N Baker-Meyer Subdivision East Crawford City	60.00	13,5634	813.80
S. L. Flournoy and Nannie M. Cotton	Lot 6, Block N, Baker- Mayer Subdivision, East Crawford City	20.00	13,5634	271.27
S. L. Flournoy	Lot 7, Block N, Baker- Meyer Subdivision, East Crawford City	20.00	13,5634	271.27
Ernest Smith and Hedwig A. Smith	Lots 8, 9 and 10, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13,5634	813.80
Ronald W. Roberts and Genevieve Roberts	Lots 11, 12 and 13, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13,5634	813.80

Florence J. Abney	Lots 14 and 15, Block N, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
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WEST SIDE

C. A. Potterfield	Lot 30, Block O, Baker- Meyer Subdivision, East Crawford City	31.08	13,5634	431.33
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H. V. Walls	Lot 29, Block O, Baker- Meyer Subdivision, East Crawford City	20.00	13,5634	271.27
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Buel L. Stovall and Frances Stovall	Lots 28, 27 and 26, Block O, Baker- Meyer Subdivision, East Crawford City	60.00	13,5634	813.80
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C. E. Gibson and Carrie Bibson	Lots 24 and 25, Block O, Baker-Meyer Subdivision East Crawford City	40.00	13,5634	542.54
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James L. Snodgrass and Nellie M. Snodgrass	Lots 23, 22 and part of 21, Block O, Baker-Meyer Subdivision, East Crawford City	50.00	13.5634	678.17
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J. F. Thacker and Gertrude Thacker	Lots 21 (10 Ft.), 20 and 19, Block O, Baker-Meyer Subdivision, East Crawford City	50.00	13,5634	678.17
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W. R. Lane and Lenore Lane	Lots 18, 17 and 16, Block O, Baker-Meyer Subdivision East Crawford City	60.00	13,5634	813.80
	Totals--	626.10		\$8,492.05

DUPONT AVENUE
(Present Paving to Gum)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
EAST SIDE				
Seibert Harrison and Norma Harrison	Lot 8, Block R, Baker- Meyer Subdivision, East Crawford City	9.00	13,5634	122.07
Clyde Harbert and Maude Harbert	Lots 9 and 10, Block R, Baker-Meyer Subdivision, East Crawford City	40.00	13,5634	542.54

Delbert L. Short and Virginia Short	Lots 11, 12 and part of 13, Block R, Baker-Mayer Subdivision, East Crawford City	55.00	13,5634	745.98
Hobert F. Carter and Hazel L. Carter	Lots 14, 15 and part of 13, Block R, Baker-Mayer Subdivision, East Crawford City	45.00	13,5634	610.35
J. W. Cox and Nannie Cox	Lots 16 and 17, Block R, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Dorothy D. Shamblin	Lots 1 and 2, Block Z, Baker- Meyer Subdivision East Crawford City	40.00	13.5634	542.54
James F. Lewis and Vallie H. Lewis	Lots 3 and 4, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Roy Legg and Glenna Legg	Lots 5 and 6, Block Z, Baker- Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Frances Diehl	Lots 7 and 8, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Frances Diehl and Bud Diehl	Lots 9 and 10, Block z, Baker-Meyer Subdivision East Crawford City	40.00	13,5634	542.54
James R. Cobb	Lots 11 and 12, Block Z, Baker- Meyer Subdivision East Crawford City	40.00	13,5634	542.54
Ernest K. Diehl	Lots 13 and 14, Block Z, Baker-Meyer Subdivision, East Crawford City	41.00	13,5634	556.10

WEST SIDE

H.R. Frontz	Lots 27, 26,25,24, 23,22, Block Q, Baker-Meyer Subdivision, East Crawford City	109.00	13,5634	1478.41
Homer Gibson and Pearl Gibson	Lots 21 and 20, Block Q, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54

Charles M. Adkins and Kathleen Adkins	Lots 19 and 18, Block Q, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Delitha E. McCallister and Linold McCallister	Lots 25 and 24, Block Y, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Victor D. Brown	Lots 23, 22 and 21, Block Y, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Harley W. Norvell and Naomi K. Norvell	Lots 20 and 19, Block Y, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Ada M. Rogers and Arthur E. Rogers	Lots 18, 17 and 16, Block Y, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Robert R. Fields and Audrey J. Fields	Lots 15, 14 and 13, Block Y, Baker-Meyer Subdivision East Crawford City	72.00	13.5634	976.56
	Totals	931.00		\$12,627.55
GRAND TOTALS		4,841.22		\$52,213.95
FOR PROJECT				

Notice is her by given to persons owning property abutting on above named streets or portions thereof, and other interested persons, and any other persons who may be owners of property hereinabove described that at or after a regularly called Special Session of the Council of the City of Nitro, West Virginia, to be held in the Council Chambers at the City Hall of said City on Tuesday, the 25th day of November, 1958, at 8:00 p.m. the owner or owners whose property is to be assessed as hereinbefore designated, or other interested parties, may appear to move the revision or correction of such proposed assessments, and that on or after the said 25th day of November, 1958, the Council may proceed to lay assessments in the amounts and against the property for the cost of the permanent improvements made as such assessments are above set out and described.

The principal amount of the above named assessments may be paid by the owners of said property at any time up to and including the 25th day of November, 1958, without interest on the sums so named in this notice

Done by order of the Council of the City of Nitro
duly made and entered or record.

CITY OF NITRO, WEST VIRGINIA,
Grace Lewis, Recorder

was duly published in said paper once a week for two successive weeks, commencing with the issue of the 14th day of November, 1958 and ending with the issue of the 21st day of November, 1958 and was posted at the Court House of Kanawha County

C. R. Walker
Manager, Kanawha Valley Leader

Subscribed and sworn to before me this 25th day of November, 1958.

Zelda R. Yates,
Notary Public for Kanawha County, West Virginia.
(My commission expires Jan. 21, 1965).

Thereupon the Mayor inquired if there were any persons present who desired to move correction or revision of the proposed assessments and there were none; however, the Mayor read a letter from the East View Land Company requesting that lots belonging to it, numbered 137, 138, 148 and 149, be assessed separately.

Thereupon Councilman Dunlap seconded by Councilman Gewin moved that the revisions as requested by East View Land Company be made and that each of the lots belonging to said Company be assessed separately. Said motion being unanimously adopted by Council. So ordered.

Thereupon upon motion of Councilman Gewin, seconded by Councilman Gandee, and unanimously adopted, it is ordered that the Engineer's Report as hereinafter set out be accepted and adopted, and further adopted as the Assessment Rolls.

REPORT OF ENGINEER AND COUNCIL

PERMANENT IMPROVEMENT OF WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1st AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET), FROM ITS INTERSECTION WITH DOGWOOD STREET (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE); ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA.

TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF NITRO,
WEST VIRGINIA:

I hereby certify that the cost of the permanent improvement of Washington Avenue (Formerly Washington Street) from its intersection with Ash Street (Formerly 1st Avenue) extending north to the Back Water; Ash Street (formerly 1st Avenue) from its intersection with First Avenue (Old West Virginia Route No. 25) (Formerly Main Street) to its intersection with Kanawha Avenue (Formerly Kanawha Street); 29th Street East, From Bailes Drive, East to the City Limit Line; Dupont Avenue (Formerly Dupont Street) From its intersection with Dogwood Street (Formerly 4th Avenue), to its intersection with Elm Street (Formerly 5th Avenue); Dupont Avenue (Formerly Dupont Street) from Present Paving in 500 Block South to its intersection with Present Paving at Gum Street (Formerly 7th Avenue), in the City of Nitro, Union and Poca District, Kanawha and Putnam Counties, West Virginia, by grading, paving, draining, curbing, sewerage, guttering, constructing sidewalks and otherwise improving the same was \$52,213.95, and that said work was made and completed in accordance with the specifications and plans, filed with and approved by the City Council and supervision of the City Engineer, and in accordance with the contract made by the City with the lowest bidder; that the description of the lots, and numbers thereof, the names of the owners of the lots, and lands and the amount assessed against each of the said owners and the property abutting, bounding and fronting on said streets; are hereinafter correctly shown; that the amounts have been charged, calculated and apportioned for each particular lot abutting, bounding and fronting on said Streets; that said streets were permanently improved in accordance with the provisions of the Resolution relative thereto adopted by the Common Council of the City of Nitro, on the 12th day of August

1958, and in accordance with the specifications, plans, bid and contract therefor; and that said improvement has been completed and is ready for acceptance by the Common Council and is properly assessable according to law, and the lands and lots abutting, fronting and bounding thereon are properly assessable according to law as follows:

WASHINGTON AVENUE
(Ash Street to Back Water)
EAST SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Robert Walker and Ada M. Walker	Lots 146 and 147, East View Land Co. Adn.	81.85	8.5479	699.65
Voneda Cart	Lot 145, East View Land Co. Adn.	50.00	8.5479	427.40
Glen M. Hively and Lina H. Hively	Lot 144, East View Land Co. Adn.	50.00	8.5479	427.40
Pearl Steele	Lot 143, East View Land. Co. Adn.	50.00	8.5479	427.40
Mary L. Sampson	Lot 142, East View Land Co. Adn.	50.00	8.5479	427.40
Mary L. Sampson and Walter J. Sampson	Lot 141, East View Land Co. Adn.	50.00	8.5479	427.40
Luther Dixon and Bessie L. Dixon	Lots 140 and 139, East View Land Co. Adn.	100.00	8.5479	854.79
East View Land Co.	Lot 138, East View Land Co. Adn.	50.00	8.5479	427.40
East View Land Co.	Lot 137, East View Land Co. Adn.	50.00	8.5479	427.40
WEST SIDE				
East View Land Co.	Lot 148, East View Land Co. Adn.	39.47	8.5479	337.38
East View Land Co.	Lot 149, East View Land Co. Adn.	50.00	8.5479	427.40

Roscoe Nichols and Dimie H. Nichold	Lots 150 and 151, East View Land Co. Adn.	100.00	8.5479	854.79
Wilbur O. Jividen and Jo Ann Jividen	Lots 152 and South $\frac{1}{2}$ of 153 East View Land Co. Adn.	75.00	8.5479	641.09
H. Brooks McCray and Rena M. McCray	Lot 154 and $\frac{1}{2}$ of Lot 153 East View Land Co. Adn.	75.00	8.5479	641.09
L. F. Hunt and Margaret A. Hunt	Lots 155 and 156, East View Land Co. Adn.	100.00	8.5479	854.79
Philip W. Morrison and Bonnie C. Morrison	Lots 157 and 158, East View Land Co. Adn.	<u>100.00</u>	8.5479	<u>854.79</u>
	Totals----	<u>1071.32</u>		<u>\$9,157.56</u>

ASH STREET
(First Avenue to Kanawha Avenue)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
Hollie Nichols	Lot 128, East View Land Co. Ad.	103.70	10.1044	1047.83
Robert Walker and Ada Walker	Lots 146 and 147, East View Land Co. Adn.	274.70	10.1044	2775.68
East View Land Co.	Lot 148, East View Land Co. Adn.	122.20	10.1044	1234.76
East View Land Co.	Lot 170, East View Land Co. Adn.	122.20	10.1044	1234.76

SOUTH SIDE

L. E. Campbell	Lot 1, Block B, North Side Development Co. Property Helena Tract	100.00	10.1044	1010.44
O. R. Casto and Orpha H. Casto	Lot 16, Block B. North Side Development Co. Property Helena Tract	100.00	10.1044	1010.44
Roscoe Nichols and Dimie Nichols	Lot 1, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1010.44
G. M. Wright and Lula Wright	Lot 16, Block E, North Side Development Co. Property, Helena Tract	100.00	10.1044	1010.44

Georgia E. Harvey	Lot 1, Block H, North Side Development Co. Property Helena Tract	100.00	10.1044	1010.44
Earl Russell	Lot 16, Block H, North Side Development Co. Property, Helena Tract	50.00	10.1044	505.22
Totals-----		1172.80		\$11,850.45

39TH STREET EAST
(Bailes Drive to City Limit Line)

NORTH SIDE

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
L. D. McCallister	Lot 78, Saunders Adn.	50.00	9.6984	484.92
Ernest K. Jones	Lot 77, Saunders Adn.	50.00	9.6984	484.92
Lloyd Reed and Isa Reed	Lot 76, Saunders Adn.	50.00	9.6984	484.92
D. G. Agden, Gertrude R. Manus and C. W. Manus	Lot 75, Saunders Adn.	50.00	9.6984	484.92
Hazel R. Petry and Thomas R. Petry	Lot 74, Saunders Adn.	50.00	9.6984	484.92
Charles Roscoe Burgess	Lot 73, Saunders Adn.	50.00	9.6984	484.92
Doval G. Ogden	Lot 72, Saunders Adn.	50.00	9.6984	484.92
Freda Jane Patton and Melvin Elmer Patton	Lot 71, Saunders Adn.	50.00	9.6984	484.92
Samuel E. Reed and Dorothy Virginia Reed	Lot 30, Saunders Adn	100.00	9.6984	969.84

SOUTH SIDE

Herbert R. Cartmill	Lots 59 and 60 Saunders Adn.	100.00	9.6984	969.84
Westly W. Parsons and Leona P. Parsons	Lots 58 and 57, Saunders Adn.	100.00	9.6984	969.84
Ronald L. Redman	Lot 56, Saunders Adn.	50.00	9.6984	484.92
Virgie E. Bailey	Lot 55, Saunders Adn.	50.00	9.6984	484.92

Warren Crites	Lot 54, Saunders Adn.	45.00	9.6984	436.43
Arnold E. Bailey	Lot 53, Saunders Adn.	45.00	9.6984	436.43
Sam Raynes	Part of Lot 52, Saunders Adn.	20.00	9.6984	193.97
L. Edward Sheets	Part of Lots 51 and 52, Saunders Adn.	70.00	9.6984	678.89
E. J. Bailes, Heirs	Lots 50 and Part of 51, Saunders Adn.	60.00	9.6984	581.90
Totals-----		1040.00		\$10,086.34

DUPONT AVENUE
(Dogwood to Elm)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
EAST SIDE				
Florence J. Abney	Lot 1, Block N, Baker- Meyer Subdivision, East Crawford City	34.03	13.5634	465.22
Blanche Reed	Lot 2, Block N, Baker- Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Argil Frame and Faye Frame	Lots 3, 4 and 5, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
S. L. Flournoy and Nanniem. Cotton	Lot 6, Block N, Baker- Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Ernest Smith and Hedwig A. Smith	Lots 8, 9 and 10, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Ronald W. Roberts and Genevieve Roberts	Lots 11, 12 and 13, Block N, Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
Florence J. Abney	Lots 14 and 15, Block N, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
WEST SIDE				
C. A. Potterfield	Lot 30, Block O, Baker-Meyer Subdivision, East Crawford City	31.08	13.5634	431.33

H. V. Walls	Lot 29, Block 0, Baker-Meyer Subdivision, East Crawford City	20.00	13.5634	271.27
Buel L. Stovall and Frances Stovall	Lots 28, 27 and 26, Block 0, Baker-Meyer Subdivision East Crawford City	60.00	13.5634	813.80
C. E. Gibson and Carrie Gibson	Lots 24 and 25, Block 0, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
James L. Snodgrass and Nellie M. Snodgrass	Lots 23, 22 and part of 21, Block 0, Baker-Meyer Sub- division, East Crawford City	50.00	13.5634	678.17
J. F. Thacker and Gertrude Thacker	Lots 21 (10 ft) 20 and 19, Block 0, Baker-Meyer Sub- division, East Crawford City	50.00	13.5634	678.17
W. R. Lane and Lenore Lane	Lots 18, 17 and 16, Block 0 Baker-Meyer Subdivision, East Crawford City	60.00	13.5634	813.80
	Totals-----	266.10		\$8,492.05

DUPONT AVENUE
(Present Paving to Gum)

<u>Name of Owner</u>	<u>Lot Number or Other Description</u>	<u>Frontage</u>	<u>Rate</u>	<u>Total Assessment</u>
EAST SIDE				
Seibert Harrison and Norma Harrison	Lot 8, Block R, Baker- Meyer Subdivision, East Crawford City	9.00	13.5634	122.07
Clyde Harbert and Maude Harbert	Lots 9 and 10, Block R, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Delbert L. Short and Virginia Short	Lots 11, 12 and part of 13, Block R, Baker-Meyer Sub- division, East Crawford City	55.00	13.5634	745.98
Hobert F. Carter and Hazel L. Carter	Lots 14, 15 and part of 13, Block R, Baker-Meyer Sub- division, East Crawford City	45.00	13.5634	610.35

J. W. Cox and Nannie Cox	Lots 16 and 17, Block R, Baker-Meyer Subdivision East Crawford City,	40.00	13.5634	542.54
Dorothy D. Sam blin	Lots 1 and 2, Block z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
James F. Lewis and Vallie H. Lewis	Lots 3 and 4, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Roy Legg and Glenna Legg	Lots 5 and 6, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Frances Diehl	Lots 7 and 8, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Frances Diehl and Bud Diehl	Lots 9 and 10, Block Z, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
James R. Cobb	Lots 11 and 12, Block Z, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Forest K. Diehl	Lots 13 and 14, BlockZ, Baker-Meyer Subdivision, East Crawford City	41.00	13.5634	556.10

WEST SIDE

H. R. Frontz	Lots 27, 26, 25, 24, 23 22, Block Q, Baker-Meyer Subdivision, East Crawford City	109.00	13.5634	1478.41
Homer Gibson and Pearl Gibson	Lots 21 and 20, Block Q, Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Charles M. Adkins and Kathleen Adkins	Lots 19 and 18, Block Q, Baker-Meyer Subdivision, East Crawford City	40.00	13.5634	542.54
Delitha L. McCallister and Linold McCallister	Lots 25 and 24, Block Y, Baker-Meyer Subdivision East CrawfordCity	40.00	13.5634	542.54
Victor D. Brown	Lots 23, 22 and 21, Block Y, Baker-Meyer Subdivision East Crawford City	60.00	13.5634	813.80

Harley W. Norvell and Naomi K. Norvell	Lots 20 and 19, Block Y Baker-Meyer Subdivision East Crawford City	40.00	13.5634	542.54
Ada M. Rogers and Arthur E. Rogers	Lots 18, 17 and 16, Block Y, Baker-Meyer Subdivision East Crawford City	60.00	13.5634	813.80
Robert R. Fields and Audrey J. Fields	Lots 15, 14 and 13, Block Y, Baker-Meyer Subdivision East Crawford City	72.00	13.5634	976.56
	Totals----	931.00		\$12,627.55
GRAND TOTALS FOR PROJECT		4,841.22		\$52,213.95

Given under my hand this 11th day of November, 1958.

CITY ENGINEER
Municipal Engineering Corp.

By _____
J. A. Spence, Engineer

Thereupon upon motion of Councilman Bush, seconded by Councilman /Dunlap, presented and moved the adopted of the following Ordinance:

ORDINANCE

AN ORDINANCE ASSESSING ABUTTING PROPERTY AND THE OWNERS THEREOF WITH THE COST OF THE PERMANENT IMPROVEMENT OF WASHINGTON AVENUE (FORMERLY WASHINGTON STREET), FROM ITS INTERSECTION WITH ASH STREET (FORMERLY 1ST AVENUE), EXTENDING NORTH TO THE BACK WATER; ASH STREET (FORMERLY 1st AVENUE), FROM ITS INTERSECTION WITH FIRST AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), (FORMERLY MAIN STREET), TO ITS INTERSECTION WITH KANAWHA AVENUE (FORMERLY KANAWHA STREET); 39TH STREET EAST, FROM BAILES DRIVE, EAST TO THE CITY LIMIT LINE; DUPONT AVENUE (FORMERLY DUPONT STREET) FROM ITS INTERSECTION WITH DOGWOOD STREET, (FORMERLY 4TH AVENUE), TO ITS INTERSECTION WITH ELM STREET (FORMERLY 5TH AVENUE); DUPONT AVENUE (FORMERLY DUPONT STREET) FROM PRESENT PAVING IN 500 BLOCK SOUTH TO ITS INTERSECTION WITH PRESENT PAVING AT GUM STREET (FORMERLY 7TH AVENUE): ALL IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA; ACCEPTING THE IMPROVEMENTS; APPROVING THE REPORT OF THE ENGINEER; LEVYING THE ASSESSMENT; AUTHORIZING THE ISSUANCE AND DELIVERY OF ASSESSMENT CERTIFICATES: DECLARING THE ASSESSMENTS A LIEN AGAINST ABUTTING PROPERTY; DECLARING THE ABUTTING PROPERTY BENEFITED; AND AUTHORIZING THE FILING OF A CERTIFIED COPY OF THE REPORT OF THE ENGINEER AND COUNCIL ACTION IN THE OFFICE OF THE CLERK

OF THE COUNTY COURT OF KANAWHA AND PUTNAM
COUNTIES, WEST VIRGINIA.

WHEREAS, the Council of the City of Nitro on the 12th day of August, 1958, adopted an ordinance for the permanent improvement of Washington Avenue (formerly Washington Street), from its intersection with Ash Street (formerly 1st Avenue), extending north to the Back Water; Ash Street (formerly 1st Avenue,) from its intersection with First Avenue (old West Virginia Route No. 25), (formerly Main Street), to its intersection with Kanawha Avenue (formerly Kanawha Street); 39th Street East, from Bailes Drive, East to the City Limit Line; DuPont Avenue (formerly Dupont Street) from its intersection with Dogwood Street (formerly 4th Avenue), to its intersection with Elm Street (formerly 5th Avenue); Dupont Avenue (formerly Dupont Street) from Present Paving in 500 Block South to its intersection with Present Paving at Gum Street (formerly 7th Avenue by grading, paving, draining, curbing, sewerage, guttering, construction sidewalks and otherwise improving the same and further providing for the assessment of the abutting property and the owners thereof for the total cost of such improvement; and

WHEREAS, the report of the City Engineer to the Council reporting and certifying the cost of said improvement and showing the respective amounts apportioned, calculated and charged against each lot abutting, bounding and fronting on said streets and portions of streets and the respective owners thereof was read to the Council at its meeting on November 11th, 1958, and fully set out in its minutes; and

WHEREAS, it appears to the Council, independently of said Engineer's Report, that the permanent improvement has been

completed in accordance with the ordinances heretofore adopted and has specially benefited each lot or parcel of land abutting thereon to an extent greater than the respective part of the cost apportioned, calculated and charged against said respective lot or parcel, and that said report and improvement should be accepted; and,

WHEREAS, notice was caused to be published in the Kanawha Valley Leader, a weekly newspaper of general circulation in the City of Nitro and Kanawha and Putnam Counties, West Virginia, showing the names of the owners of each lot abutting on said improved streets and portions of streets and the amount assessed thereof, respectively, and giving notice to said owners or those who may be owners thereof and interested persons that they might appear before Council in session on November 25th, 1958, at 8:00 o'clock, P.M. to move the revision or correction of such proposed assessments, and on or after said date Council might proceed finally to lay said assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NITRO:

First: That the said report of the City Engineer, heretofore filed and read, is hereby ordered set out in full in the minutes of the Council, and said Engineer's report is hereby accepted, approved and adopted by the Council after independent examination and investigation thereof, and is hereby expressly made a part of this ordinance as fully as if set forth herein, and is hereby adopted as the assessment Rolls.

Second: That the permanent improvement as set forth and shown in said report is the same as hereby declared to be completed and is hereby accepted.

Third: That the amounts set forth in the aforesaid report as the proportionate shares of the net cost assessable to each of the various properties and the owners thereof as the same appear in said report are hereby assessed against each of the said properties and the owners thereof as their proportionate share of the cost of the improvement; that the aforesaid amounts are hereby declared to be liens upon each of the several lots abutting upon the said streets and portions of streets as shown in the said report; that paving assessment certificates shall forthwith be issued and signed by the Mayor and City Recorder in the respective amounts assessed against each lot and parcel of land and the owners thereof, each said assessment certificate shall be issued and made payable in ten equal installment certificates, the first of which said installment certificates shall be due and payable in thirty days from the date of the assessment; thereof, and the remaining nine of said installments certificates shall be due and payable on or before one year and thirty days, two years and thirty days, three years and thirty days, four years and thirty days, five years and thirty days, six years and thirty days, seven years and thirty days, eight years and thirty days, and nine years and thirty days, from the date of the assessment, respectively, all of which said installment certificates shall bear interest at the rate of six per cent (6%) per annum from date of assessment, with the provision that if default be made in the payment of any of the said installment certificates when due and payable, then the whole amount of the said assessment remaining unpaid shall become forthwith due and payable and the holder of the certificate may

proceed to collect the whole amount unpaid; that the respective certificates covering the amount of the respective assessments shall be paid by the respective owners of the land, lots or fractional parts thereof so assessed for the cost, and the respective amounts specified in the certificates upon the land, lots or parts of lots so assessed and also debts against the respective owners of the said real estate, and shall be liens ahead in priority of other liens against the said property except for taxes due the state, county and city; and the said certificates may be issued, sold and delivered by the Mayor to the contractor doing the paving and other improvements on said streets or portions of streets in payment of the cost thereof.

Fourth: The Mayor and the City Recorder are hereby authorized to issue, sign and deliver the assessment lien certificates against the several lots in accordance with the provisions of paragraph "Third" hereinabove.

Fifth: The City Recorder is hereby directed to cause to be prepared a certificate, report and notice showing and certifying a copy of the said Engineer's Report, so adopted by the Council, and when so certified to by the City Recorder the same shall be delivered to the Clerk of the County Court of Kanawha County and Putnam County, and recorded in the Clerk's office in a trust deed book, and shall be continuing tax liens upon the lots or lands against which the assessments are made until the certificates as aforesaid are paid, and the said County Clerk shall index the same in the names of each lot or land owner mentioned therein.

Thereupon upon a vote being taken said Ordinance is unanimously adopted, and so ordered.

Thereupon upon motion of Councilman Gandee, seconded by Councilman Bush, and unanimously adopted it is ordered that Council stand adjourned.

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

December 22, 1958

The City Council met as a Board of Canvassers to canvass the Special Bond Election held December 16, 1958, on the 22nd day of December, 1958 at 1:30 o'clock P. M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee and B. E. Gewin members of the City Council.

Mayor Alexander called the meeting to order.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 22, Putnam County. The Board proceeded to canvass said returns by counting the ballots without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	720 as ascertained from Tally sheets.
Number of ballots voted	80
The Recorder read the certificate of results as follows:	
YES	64
NO	16

Said ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, Tally sheets and certificate of results for Precinct Number 283, Kanawha County. The Board proceeded to canvass said returns by

counting the ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	483 as ascertained from tally sheet
Number of ballots voted	67
The Recorder read the certificate of results as follows:	
YES	62
NO	5

The ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, talley sheets and certificates of results for Precinct Number 261, Kanawha County. The Board proceed to canvass said ballots by counting ballots voted without unfolding same, and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	488 as ascertained from tally sheets
Number of ballots voted	62
The Recorder read the certificate of results as follows:	
YES	57
NO	4

The ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificate of results for Precinct Number 260, Kanawha County. The Board proceeded to canvass said ballots by counting the ballots voted without unfolding same and tabulated the following:

Number of ballots destroyed	None
Number of ballots remaining not voted	445 as ascertained from tally sheet
Number of ballots voted	55
The Recorder read the certificate of results as follows:	
YES	48
NO	6

The Recorder then presented a ballot, which had been placed in the ballot box containing the ballots on annexation and said ballot having been returned to the City by the County Court and the Mayor asked the desires of the Council regarding said ballot.

Thereupon Councilman Bush, seconded by Councilman Estep, moved the said ballot be counted. Motion carried.

Thereupon the ballot was counted and it being a vote for "YES", the tally was changed to read thus:

YES	49
NO	6

The ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets and certificates of results for Precinct Number 282, Kanawha County. The Board proceeded to canvass said ballots by counting the ballots without unfolding same, and tabulated as follows:

Number of ballots destroyed	None
Number of ballots remaining not voted	570 as ascertained from tally sheet
Number of ballots voted	80
The Recorder read the certificate of results as follows:	
YES	64
NO	16

The ballots were then sealed in a new envelope and each member of the Board wrote his name across the place where said envelope was sealed.

The Recorder laid before the Board the ballots, poll books, tally sheets, and certificate of results for Precinct Number 305, Kanawha County. The Board proceeded to canvass said ballots by counting the ballots voted without unfolding same, and tabulated as follows:

Number of ballots destroyed	None
Number of ballots remaining not voted	450 as ascertained from tally sheet
Number of ballots voted	50
The Recorder read the certificate of results as follows:	
YES	40
NO	10

The ballots were then sealed in a new envelope and each member of the Board wrote his name across where said envelope was sealed.

Thereupon the Recorder read the total votes for the Bond Issue and the total votes against the Bond Issue:

YES 336

NO 57

Thereupon Councilman Dunlap moved, seconded by Councilman Estep, that Council sit ing as a Board of Canvassers certify the results as follows:

YES 336

NO 57

Motion carried.

Councilman Estep, seconded by Councilman Bush, moved the Treasurer be authorized to pay all necessary expenses of the Election.

Motion carried.

Councilman Bush, seconded by Councilman Gewin, moved the Canvassing Board be desolved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Gewin, The West Virginia Inspection Bureau be requested to make an survey for installation of fire hydrants in the recently annexed Sattes, River and Westerly Area. Motion carried.

There being no further business to come before the Council at this time a motion for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

January 6, 1959

The City Council met in a special session Tuesday,
January 6, 1969.


There were present: W. W. Alexander, Mayor, Grace Lewis,
Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep,
H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D.
members of the Council.

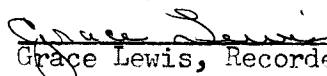
Mayor Alexander called the meeting to order.

The Mayor and Council discussed a request from the garbage
carriers for extra compensation for hauling garbage for the month
of December.

Councilman Grover moved, seconded by Councilman Dunlap,
that the garbage carriers be granted Twenty-five cents (25¢)
for each customer for the month of December. Motion carried
unanimously.

There being no further business to come before the
Council a motion for adjournment by Councilman Bush, seconded
by Councilman Estep carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

TO THE MEMBERS OF THE COUNCIL OF THE CITY
OF NITRO, KANAWHA AND PUTNAM COUNTIES,
WEST VIRGINIA:

You, and each of you, will please take notice that a Special Meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chamber of the City Hall of said City on the 21st day of January, 1959, at 1:30 o'clock p.m. for the purpose of considering the following:

(1) An Ordinance relating to the construction and acquisition of the Sanitary Sewer System, included in the said ordinance being the proposed rates to be charged.

(2) The publication of ordinances relating to the construction and acquisition of the Sanitary Sewer System as required by law.

(3) To consider any other matters that may properly come before the council.

(4) The offer of the Surgeon General of the Public Health Service of the Federal Government of a Federal grant in the construction and extension of the Sanitary sewage system.

Respectfully yours,

W. W. Alexander
W. W. Alexander, Mayor

The foregoing notice is hereby accepted as being both sufficient and timely:

Marion L. Burk

Samuel L. Estes

Frank E. Grover

Dr. J. L. Dundup Jr.

George W. Heyward, M.D.

G. H. H. H.

Howard M. H. H.

January 21, 1959

At a Special Call meeting of the Council of the City of Nitro, West Virginia, held at the City Hall in said City on Wednesday the 21st day of January, 1959.

Present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order and presented call for said meeting, which said call is attached and made a part of the minutes of this meeting.

The Recorder read the minutes for meetings held November 25, 1958, December 22, 1958 and January 6, 1959.

Councilman Bush, moved seconded by Councilman Estep, the aforesaid minutes be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Hogshead, the financial statement for the months of November and December be accepted. Motion carried.

Councilman Estep moved, seconded by Councilman Bush, the publication of ordinance enacted by Council on the 22nd day of July, 1958, "An Ordinance Placing The Custody, Operation, Maintenance, Supervision, And Control of The Sewer System Of The City Of Nitro, And All Betterments thereof And Extensions Thereto, In The Sanitary Board Of The City Of Nitro; Authorizing The Construction And Acquisition Of Central Additions, Extensions And Improvements To Said System, All

In Accordance With The Provisions of Chapter 25 Of The Acts Of The Legislature Of West Virginia, Extraordinary Session Of 1933 As Amended." The said ordinance to be published for two successive weeks in the Kanawha Valley Leader. Upon a vote by the Council the said motion carried unanimously.

Thereupon the following Resolution was presented and read to the Council:

RESOLUTION

WHEREAS, By previous action of this Council on March 31, 1958, a Resolution was adopted directing the Mayor of the City of Nitro to make request to the appropriate agencies of the State of West Virginia and the Federal Government of the United States for grants of money to aid the City of Nitro in construction and extension of the present Sanitary Sewage System and construction of a sewage treatment plant; and,

WHEREAS, Said request was made by the Mayor of the City of Nitro as directed; and,

WHEREAS, The Surgeon General of the Public Health Service of the Federal Government has submitted an offer of Federal Grant in the amount of \$172,648 to the City of Nitro;

NOW THEREFORE BE IT RESOLVED THAT the Mayor by an he hereby is authorized and directed to notify the Surgeon General of the Public Health Service of the Federal Government that the City of Nitro hereby accepts the Federal Grant offered subject to the terms

and conditions as set forth in said offer which is attached hereto and made a part of this Resolution.

IT IS FURTHER RESOLVED That the Mayor of the City of Nitro be and he hereby is authorized and directed to sign his signature on behalf of the City of Nitro in acceptance of the Federal Grant offered.

Thereupon Councilman Dunlap, seconded by Councilman Grover, moved the adoption of the foregoing Resolution. Upon a vote the Council voted unanimously in favor of the motion and was so ordered.

The following ordinance having been presented to the Council of the City of Nitro, by the Sanitary Board of the City of Nitro, with a recommendation by said Board that it be adopted by the Council, and the same being duly and regularly before the Council, Councilman Dunlap moved the ordinance as read be accepted and ordered publication of same in the Kanawha Valley Leader for two successive weeks, which motion was seconded by Councilman Bush, and upon a vote being taken, all members of the Council, the Mayor and Recorder voted unanimously in favor of said motion and which said ordinance as adopted is in the following words and figures; to wit:

AN ORDINANCE RELATING TO THE CONSTRUCTION, ACQUISITION, OPERATION AND MAINTENANCE OF A SEWAGE DISPOSAL SYSTEM IN THE CITY OF NITRO, THE DISCHARGE OF SEWAGE AND INDUSTRIAL WASTES TO THE MUNICIPAL SANITARY SEWAGE SYSTEM, AND THE IMPOSITION OF RATES FOR THE USE OF THE SERVICE RENDERED BY THE SEWAGE SYSTEM.

WHEREAS, the City of Nitro, Kanawha and Putnam Counties, West Virginia, presently owns, and proposes to acquire a municipal

sewage system supplying sewer service in and to the City of Nitro and surrounding territory; and,

WHEREAS, the State Water Commission of West Virginia entered a final order on November 27, 1956, which required said City to cease and desist from polluting the Great Kanawha River with the sewage from said city; and,

WHEREAS, the compliance with the order of the State Water Commission requires the construction, and acquisition of an interceptor sewer through out the length of the City of Nitro, with necessary lift and pumping stations, and a sewage disposal plant for the treatment of sewage, and disposal of the residue thereof, which may not, under the orders of the State Water Commission, contaminate the Great Kanawha River; and,

WHEREAS, the City of Nitro, in order to promote the health, safety and welfare of the people of the City and to comply with the order of the State Water Commission aforesaid, deems it advisable to prohibit the use of privies, cesspools, septic tanks or similar receptacles for receiving sewage within the City of Nitro, and to require connections to be made to the Public Sanitary System as now, or hereafter to be acquired or constructed; and,

WHEREAS, the estimated cost of the acquisition and construction of a sanitary sewage system according to estimates prepared by Robert R. Anderson and Municipal Engineering Corp., consulting Engineers is approximately \$600,496.00; and,

WHEREAS, the City does not have available funds for the construction and acquisition of the additions to its sanitary sewage system as required by order of the State Water Commission; and,

WHEREAS, the City of Nitro does not have funds within the sources now available to it to pay the cost of administration, management, operation, maintenance, acquisition, enlargement and replacement of the present sanitary sewage system, and the intercepting sewer lines, pumping stations, treatment works and appurtenances; and,

WHEREAS, it is necessary for the City to impose rates and charges for the use of the services afforded by the said sanitary sewage system to obtain such funds; and,

WHEREAS, there have been enacted by the 84th Congress of the United States of America, Public Law 660 which amends the Water Pollution Control Act (33 U. S. C. 466-466j) which said Act was approved July 9, 1956, and is known as the "Water Pollution Control Act Amendments of 1956"; and,

WHEREAS, pursuant to Section 6 of said Act, the Surgeon General has authorized a grant to the said City of Nitro in the amount of \$172,648.00 or thirty per cent of the cost of the project, whichever is less; and which grant requires the said City to demonstrate to the Surgeon General its ability to pay the remaining cost of said project; and,

WHEREAS, it is the obligation of the producers of sewage and industrial waste to supply such revenue to the City in an equitable manner and in proportion to the service rendered to the benefits derived; and,

WHEREAS, the City of Nitro, is authorized under the authority of Chapter 16, Article 13, of the West Virginia Code as amended, to fix, establish, and maintain, by ordinance, just and equitable rates or charges for the use of the services and facilities to be rendered upon completion of any works and system necessary to comply with any order issued by the State Water Commission; and,

WHEREAS, the Sanitary Board of the City of Nitro, after proper investigation has determined that the rates and standards for the use of the sanitary system and the computation of rates to be charged therefor as fixed by this ordinance are reasonable, necessary and proper for the work required to be done by the order of the State Water Commission aforesaid, and have petitioned the Council of the City of Nitro to enact this ordinance establishing such rates and standards; and,

NOW, THEREFORE, BE IT ORDAINED

BY THE COUNCIL OF THE CITY OF NITRO,

KANAWHA AND PUTNAM COUNTIES, AS FOLLOWS:

Division 1 -- DEFINITIONS

Sec. 1. Unless the context specifically indicates otherwise, the meaning of the terms used in this ordinance shall be as follows:

A. SEWAGE shall mean a combination of water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface or storm water as may be present.

B. SANITARY SEWAGE shall mean the normal water-carried household and toilet wastes from residences, business buildings, institutions, industries and commercial establishments, exclusive of storm water runoff, surface water or ground water.

C. GARBAGE shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

D. PROPERLY SHREDDED GARBAGE shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, where no particle is greater than one half inch (1-2") in any dimension.

E. STORM WATER RUNOFF shall mean that portion of the rainfall which reaches a drain.

F. SEWER shall mean a pipe or conduit for carrying sewage or other waste liquids.

G. COMBINED SEWER shall mean a sewer designated to receive both sewage and storm water runoff.

H. SANITARY SEWER means a sewer which carries sewage to which storm, surface and ground waters are not intentionally admitted.

I. STORM SEWER shall mean a sewer which is intended to carry storm water runoff, surface water, ground water drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.

J. PUBLIC SANITARY SEWAGE SYSTEM shall mean all separate sanitary sewers, all combined sewers, all sewage pumping stations, all sewage treatment works, and other facilities provided and owned by the City of Nitro for the collection, transportation and treatment of sanitary sewage and industrial wastes with their appurtenances, and any additions, extensions or improvements thereto that may be made by the City. It shall also include sewers within or outside the City limits which serve one or more persons and discharge into the City sanitary sewerage system even though sewers may not have been constructed by the City funds. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the City's sewage treatment facilities.

K. OCCUPIED BUILDING shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

L. PREMISES ACCESSIBLE TO THE SANITARY SEWERAGE SYSTEM shall mean any real estate which adjoins, abuts or is adjacent to the public sanitary sewerage system, or any real estate which might be connected to that system by construction of a private sewer of not more than 100 feet in length.

M. "SHALL" is mandatory; "MAY" is permissible.

N. DOMESTIC USER shall mean each family unit which uses the sewerage system of said City, said family unit may consist of one or more persons and where there are more than one family unit using water from same water meter or under the same roof, each family unit shall be considered a separate domestic user.

O. COMMERCIAL USER shall mean a user of the city sewerage system in a location where a trade, business, profession, or occupation is carried on or where a service is rendered.

P. PUBLIC USER shall mean a user of the city sewerage system by governmental, educational, church, charitable, benevolent, civic, service or like units or organizations.

Q. INDUSTRIAL USER shall mean a user of the city sewerage system as factories and like organizations where more than twenty-five persons are employed.

R. The word "PERSON" shall include firms and corporations.

DIVISION 2 -- DISCHARGE OF SANITARY SEWAGE TO THE PUBLIC SANITARY SEWERAGE SYSTEM REQUIRED.

Se c. 1. All persons owning any occupied building now erected within the City upon premises accessible to the public sanitary sewerage system shall, if not already connected, at their own expense, make connection with the sanitary sewerage system within three (3) months after the effective date of this ordinance.

Sec. 2. All persons owning any premises within the City accessible to the public sanitary sewerage system upon which a building is hereafter erected, at the time of erection of such building, and at their own expense, make the connection with the public sanitary sewerage system.

Sec. 3. All persons owning any occupied building within the City upon premises which hereinafter become accessible to the public sanitary sewerage system shall, at their own expense, make the connection with the public sanitary sewerage system within three (3) months after notice to do so from Sanitary Board or its authorized representative.

Sec. 4. It shall be unlawful for any person owning any occupied building within the City on premises accessible to the public sewerage system, to erect, construct, use or maintain, or cause to be erected, used or maintained any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sanitary sewage.

Sec. 5. Any persone who erects, constructs or maintains a privy, cesspool, sinkhole, or septic tank or other receptacle for receiving sanitary sewage on any property within the City or accessible to the public sewerage system in violation of this ordinance shall, upon conviction, be punished by fine or imprisonment, or both, the fine shall not be less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars, and the imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of any of

the provisions of this ordinance shall constitute a separate offense.

DIVISION 3 -- EXCLUSION OF STORM WATER RUNOFF.

Sec. 1. The discharge of storm water runoff to separate sanitary sewers is hereby prohibited and persons presently discharging storm water runoff to separate sanitary sewers shall cease and desist such practice within three (3) months after the effective date of this ordinance.

Sec. 2. All persons connecting to the Public Sanitary sewerage system shall provide adequate means for excluding storm water runoff in event connection is made to separate sanitary sewers.

Sec. 3. The provisions of this ordinance do not prohibit the present or future discharge of storm water runoff to combined sewers.

Sec. 4. It shall be unlawful for any person to permit storm water runoff to be discharged into separate sanitary sewers of the City, however, nothing in this ordinance shall be construed to require persons now directing storm water runoff into a combined sewer that they now use for sanitation, until such time as separate storm sewers are provided. Any persons violating any provisions of this division of this ordinance shall, upon conviction thereof, be fined or imprisoned, or both, the fine shall be not less than Five (\$5.00), nor more than One Hundred (\$100.00) Dollars, and imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of this division of this ordinance shall constitute a separate offense.

DIVISION 4 -- PROHIBITED WASTES.

Sec. 1. The discharge of garbage to the public sanitary sewerage system is expressly prohibited unless said garbage is first properly shredded.

Sec. 2. Except as hereinafter provided, no person shall discharge any industrial waste having any of the following characteristics to the public sanitary sewerage system:

A. Wastes containing liquids, solids or gases which by reason of their nature or quality may cause fire, explosion, or be in any other way injurious to persons, the structures or the sewerage system or its operation.

B. Wastes having a temperature in excess of 160 degrees F/ or less than 32 degrees F.

C. Wastes having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the public sanitary sewerage system.

D. Any noxious or malorodous gas or substance which either singly or by interaction with sewage or other wastes is, in the opinion of the "Sanitary Board", likely to create a public nuisance or hazard to life, or prevent entry to sewers for their maintenance and repair.

E. Solids, greases, lime slurry or viscous materials of such character or in such quantity that, in the opinion of the Sanitary Board, they may cause an obstruction to the flow in sewer or otherwise interfere with the proper operation of the public sanitary sewerage system.

F. Any toxic radioactive isotopes without a special permit. No provision contained in this division of this ordinance shall be construed as prohibiting any special agreement or arrangement to be entered into between the said Sanitary Board and any person whereby any industrial waste of unusual strength or character may be admitted to the public sanitary sewerage system either before or after pretreatment by the producer of such industrial waste.

Any person violating any of the provisions of this division of this ordinance shall, upon conviction thereof, be fined or imprisoned, or both, the fine shall not be less than Five (\$5.00) Dollars, or more than One Hundred (\$100.00) Dollars, and the imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of any of the provisions of this division of this ordinance shall constitute a separate offense.

DIVISION 5 -- SEWER SERVICE SCHEDULE OF RATES.

1. There is hereby levied and assessed against all owners, tenants, or occupants of each and every lot or parcel of real estate or building having any active connection with the public sanitary sewerage system or otherwise discharging sewage, industrial wastes, water or other liquids, either directly or indirectly into said system or any part thereof, a service charge payable as hereinafter provided and in the amount hereinafter provided.

2. The service charge for any owner, tenant, or occupant of each and every lot or parcel of real estate or building situated within or outside the corporate limits of the City of Nitro having any connection with the City's Public sanitary sewerage system and discharging sewer, industrial wastes, water or other liquids into said system, shall be as follows:

BASED ON WATER METER READINGS
INSIDE CORPORATE LIMITS CITY OF NITRO

BILLING TO BE DONE MONTHLY

FIRST	2,000 Gallons per month	\$0.70 Per 1000 Gallons
Next	2,000 Gallons per month	.60 Per 1000 Gallons
Next	25,000 Gallons per month	.50 Per 1000 Gallons
Next	70,000 Gallons per month	.44 Per 1000 Gallons
Next	100,000 Gallons per month	.35 Per 1000 Gallons
Next	100,000 Gallons per month	.27 Per 1000 Gallons
All over	300,000 Gallons per month	.18 Per 1000 Gallons

MINIMUM MONTHLY CHARGE \$2.60 PER MONTH.

All apartment buildings will be charged not less than the Minimum Monthly rate for each apartment unit.

OUTSIDE THE CORPORATE LIMITS THE CITY OF NITRO

FIRST	2,000 Gallons per month	\$1.00 per 1000 Gallons
Next	3,000 Gallons per month	.80 per 1000 Gallons
Next	25,000 Gallons per month	.70 per 1000 Gallons
Next	70,000 Gallons per month	.55 per 1000 Gallons
Next	100,000 Gallons per month	.45 per 1000 Gallons
Next	100,000 Gallons per month	.35 per 1000 Gallons
All over	300,000 Gallons per month	.22 per 1000 Gallons

MINIMUM MONTHLY CHARGE \$3.00 PER MONTH.

All apartment buildings will be charged not less than the Minimum Monthly rate for each apartment unit.

3. The above schedule is subject to a penalty of ten (10) per cent if the account is not paid in full within ten (10) days after due date of bill. The owner, tenant, or occupant shall

be billed monthly for the date of bill. The owner, tenant, or occupant shall be billed monthly for the date of bill. The owner, tenant, or occupant shall be billed monthly for the monthly sewer service charge.

4. Each owner, tenant, or occupant of each and every lot or parcel of real estate or building shall be considered a separate billing unit in applying the above rates.

DIVISION 6 -- LIENS AND PENALTIES.

Each sewage service charge or surcharge levied by this ordinance shall be a debt due the City of Nitro. If any service rate or charge so established shall not be paid within thirty (30) days after it shall be due and payable, the amount thereof, together with a penalty of ten (10) per cent and a reasonable attorney's fee, may be recovered by the Sanitary Board in a civil action in the name of the municipality.

In the event of failure to pay the sewer service charge or surcharge after they become delinquent, the Sanitary Board may be authorized to remove or close the sewer connection and shall have the right to enter upon the property of the user of the service for such purpose and to take such steps as may be necessary to accomplish such removal or closing, and the cost of such removal or closing, as well as the expense of restoring any such service shall likewise be a debt due the City of Nitro, and may be recovered by the City by Civil Action in the name of the City, and such sewage service shall not again be turned on, nor the sewer connection restored until all service charges, including the

expense of removal, closing and restoration shall have been paid. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

DIVISION 7 -- REGULATION BY SANITARY BOARD.

In addition to the specific authority granted by this ordinance, the Sanitary Board shall make and enforce such other rules and regulations subject to the approval of the Council of the City of Nitro for the safe, economical and efficient management, control and protection of the City's public sewerage system, for the construction and use of all other connections thereto, and for the regulation, collection, rebating and refunding of such sewage service charges as may be needful or necessary from time to time.

Provided that such rules and regulations shall not become effective until the same have been approved by the council of the City of Nitro by ordinance or resolution and spread upon the records of the Council, as notice to the public of the provisions of said rules and regulations.

It shall be unlawful for any person to violate any of the rules or regulations made and promulgated by the Sanitary Board as aforesaid; any person, on conviction of any such violation, shall be fined or imprisoned or both, the fine shall not be less than Five (\$5.00) Dollars, or more than One Hundred (\$100.00) Dollars and the imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of any of the rules and regulations made and promulgated by the Sanitary Board shall constitute a separate offense.

DIVISION 8 -- BILLING AND COLLECTION OF SERVICE CHARGES.

The sewage service, charges, surcharges and fees, levied by or pursuant to this ordinance, shall be billed by the Sanitary Board; or, in the discretion of the Sanitary Board, by a designated agent of the Sanitary Board, to all firms, persons and corporations liable therefore, pursuant to such terms, agreements, arrangements and compensation as may be determined by contract between the said Sanitary Board and said agent. The collection of said service charges, surcharges and fees shall be by the Sanitary Board, or by its designated and authorized agent.

DIVISION 9 -- CREATION OF SINKING FUND.

There is hereby created a sinking fund to accumulate and hold all the proceeds to be derived from the said service charges levied and collected pursuant to this ordinance until the completion of the construction of said sewerage system, which said proceeds shall be remitted to and administered by the State Sinking Fund Commission as follows, that is to say: Said proceeds shall be paid out on order of the Sanitary Board for such legal purposes as are incident to the acquisition, construction, enlargement, extension, replacement, improvement, operation, management, maintenance and repair of the said sewage system of the City of Nitro.

DIVISION 10 -- VALIDITY

Sec. 1. All ordinances, or parts of ordinances, in conflict with this ordinance, are hereby repealed.

Sec. 2. The invalidity of any section, clause, sentence or provision in this ordinance shall not affect the validity of any other section, clause, sentence or provisions hereof, which can be effective without such invalid part or parts.

DIVISION 11 -- EFFECTIVE DATE.

Section 1. This ordinance shall become effective immediately after the public hearing required by Chapter 16, Article 13 of the West Virginia Code and approval of and in compliance with the requirements of the Public Service Commission of the State of West Virginia.

Councilman Grover moved, seconded by Councilman Dunlap, that a public hearing be held in the City of Nitro, West Virginia, in the Chambers City Hall Building, on the 17th day of February, 1959, at 7:30 o'clock P. M. at which said public hearing all potential users of the sewage disposal system or works and owners of property served or to be served thereby and others interested shall have an opportunity to be heard concerning the proposed rates or charges. Motion carried unanimously.

Mayor Alexander presented a recommendation for seven (7) fire hydrants to be installed in the recently annexed area, as recommended by the West Virginia Inspection Bureau and cost estimate on same as presented by the West Virginia Water Service Company, explaining that the three present hydrants recommended to remain as presently located:

1) Corner Walker Street and Benamati Avenue	\$ 856.00
2) 100 Feet West of Main Avenue on Valentine Circle	700.00
3) East of Holly Street on Sattes Circle	600.00
4) New West Va. Route 25 and Blackwood Avenue	763.00
5) Wilson Avenue and New West Va. Route 25	615.00
6) Walker Street and New West Va. Route 25 (231 Feet Main)	2,454.00
7) Near entrance of Fenton Circle on Main Avenue	<u>891.26</u>
Total estimated cost	6,879.26

Thereupon Councilman Dunlap moved, seconded by Councilman Grover, the seven fire hydrants be ordered installed at the quoted estimated cost of \$6,879.26. Upon a vote by the Council all members of the Council, the Mayor and Recorder voted in the affirmative. Motion was declared so ordered.

Councilman Bush presented a recommendation from the Special Committee of the newly annexed area for twenty street lights to be installed at the following locations:

<u>LUMENS</u>	<u>STREET</u>
6,000	Blackwood Avenue and Main Avenue
6,000	Fenton Circle and Main Avenue (So. entrance)
6,000	Holly Street and Main Avenue
6,000	N. entrance Valentine Circle and Main Avenue
6,000	Walker Street and Main Avenue
6,000	Main Avenue
6,000	Valentine Circle

6,000	Lee Avenue near School
6,000	Benamati Street near Church
6,000	Holly Street and Presbyterian Church
1,000	Sattes Circle
1,000	Sattes Circle
1,000	Sattes Circle
1,000	Sattes Circle
1,000	Valentine Circle
1,000	Valentine Circle
1,000	Valentine Circle
1,000	Walker Avenue and Lee Avenue
1,000	Benamati Avenue
1,000	Lee Avenue North from Walker Street

Thereupon Councilman Gewin moved the aforementioned street lights be ordered installed. Motion seconded by Councilman Gandee. Upon a vote by Council motion carried unanimously.

Mayor Alexander informed Council that a traffic survey was being made by the Traffic Division of the State Road Commission in the recently annexed area.

It was also pointed out that a few streets and avenues in the recently annexed area should be changed and that said area should be zoned as quickly as possible.

There being not further business to come before the Council at this time, upon a motion by Councilman Bush, seconded by Councilman Estep, this meeting was recessed until February 17, 1959.


W. F. Alexander, Mayor


Grace Lewis, Recorder

NOTICE

TO: M. L. BUSH, DR. GEORGE W. HOGSHEAD, BORDEN GEWIN,
J. L. DUNLAP, GRENFALL L. ESTEP, HOWARD M. GANDEE,
and FRANK E. GROVER, Members of the Council of the
City of Nitro, Kanawha and Putnam Counties, West
Virginia.

You, and each of you, will please take notice that a special meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chambers of the City Hall of said City on the 3rd day of February, 1959, at 8:00 o'clock p.m. for the purpose of considering the following:

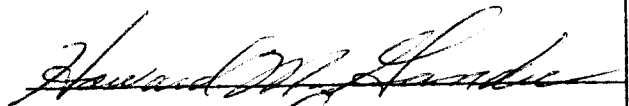
1. To consider the establishing of a planning commission for the City of Nitro, Kanawha and Putnam Counties, West Virginia.
2. To consider any other matters that may properly come before the Council.

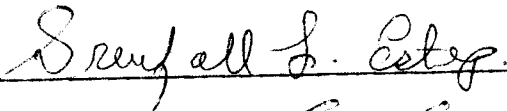


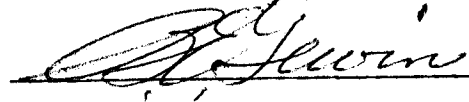
W. W. ALEXANDER, MAYOR

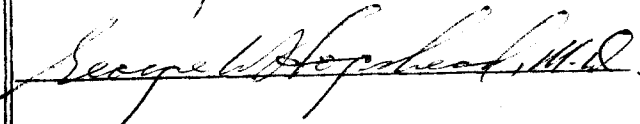
Service of the within notice is considered both timely and sufficient.











February 3, 1959

The City Council met in a Special Called meeting February 3, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Grenfall L. Estep, H. M. Gandee, B. E. Gwin and Groege W. Hogshead, M. D. members of the City Council.

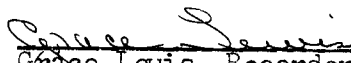
Mayor Alexander called the meeting to order and explained that the meeting was called for the purpose of establishing a planning commission for the city. The Mayor and Council discussed the need of planning and restricting of certain undeveloped areas in the city. Thereupon the Mayor offered the following recommendation:

"In accordance with Chapter 8, Article 5 of the Code of West Virginia, I, W. W. Alexander, Mayor, of the City of Nitro, Kanawha and Putnam Counties, West Virginia, nominate and ask the City Council of the City of Nitro to create a Municipal Planning Commission and to confirm the following named persons who are citizens, tax payers and residents of the City of Nitro to serve as members of the Municipal Planning Commission: A. W. Hanes, Leo Knowlton, and Phillip Morrison to serve for aperiod of one year; Roy Smith, Mrs. T. A. Dent and Emmett Wallace to serve for a period of Two years; and J. E. Roark, William Pritchard, J. W. Skaggs, M. D. and Lewis Dillman to serve for aperiod of three years. Said members to serve without compensation."

Councilman Gewin moved, seconded by Councilman Bush, the Mayor's recommendation be accepted and adopted. Motion carried.

Councilman Bush moved, seconded by Councilman Estep, that meeting be recessed until February 17, 1959. Motion carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

February 17, 1959

The City Council of the City of Nitro met in a Regular Session in the Council Chambers in the City Hall of Nitro, West Virginia, on the 17th day of February, 1959, pursuant to an order duly made on the 21st day of January, 1959, by said Council and pursuant to a call by the Mayor.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and George W. Hogshead, M. D. members of the City Council.

Thereupon the Mayor announced that this was a duly called and advertised public meeting held for the purpose set forth in the legal notice for the hearing of objections and protests from all the petential users of the sewage disposal system or works and owners of property served or to be served thereby and other interested persons relative to the proposed rates or charges.

Thereupon the Recorder proceeded to read the following legal notice and ordinance, to-wit:

NOTICE OF PUBLIC HEARING
TO ESTABLISH RATES FOR
SEWAGE SERVICE CHARGES
IN THE CITY OF
NITRO, WEST VIRGINIA

Notice is here by given that a public hearing will be held in the City of Nitro, West Virginia, in the Council Chamber , City Hall Building, on the 17th day of February, 1959, at 7:30 o'clock

P. M. at which said public hearing all the potential users of the sewage disposal system or works and owners of property served or to be served thereby and others interested shall have an opportunity to be heard concerning the proposed rates or charges.

An ordinance fixing such rates or charges has been introduced by the Sanitary Board of the City of Nitro at a meeting of the Common Council of the City of Nitro, West Virginia, held on the 21st day of January, 1959.

The said ordinance fixing the said rates so introduced; the enactment of which is sought both by the Sanitary Board and the Common Council of the City of Nitro, and in which said ordinance, the proposed schedule of such rates are fully set forth is in the following words and figures, to-wit:

AN ORDINANCE RELATING TO THE CONSTRUCTION, ACQUISITION, OPERATION AND MAINTENANCE OF A SEWAGE DISPOSAL SYSTEM IN THE CITY OF NITRO, THE DISCHARGE OF SEWAGE AND INDUSTRIAL WASTES TO THE MUNICIPAL SANITARY SEWAGE SYSTEM, AND THE IMPOSITION OF RATES FOR THE USE OF THE SERVICE RENDERED BY THE SEWAGE SYSTEM.

WHEREAS, the City of Nitro, Kanawha and Putnam Counties, West Virginia, presently owns, and proposes to acquire a municipal sewage system supplying sewer service in and to the City of Nitro and surrounding territory; and,

WHEREAS, the State Water Commission of West Virginia entered a final order on November 27, 1956, which required said City to cease and desist from polluting the Great Kanawha River

with the ~~sewage~~ from said city; and,

WHEREAS, the compliance with the order of the State Water Commission requires the construction, and acquisition of an interceptor sewer throughout the length of the City of Nitro, with necessary lift and pumping stations, and a sewage disposal plant for the treatment of sewage, and ~~disposal~~ of the residue thereof, which may ~~not~~, under the orders of the State Water Commission, contaminate the Great Kanawha River; and,

WHEREAS, the City of Nitro, in order to promote the health, safety and welfare of the people of the City and to comply with the order of the State Water Commission aforesaid, deems it advisable to prohibit the use of privies, cesspools, septic tanks or similar receptacles for receiving sewage within the City of Nitro, and to require connections to be made to the Public Sanitary System as now, or hereafter to be acquired or constructed; and,

WHEREAS, the estimated cost of the acquisition and construction of a sanitary sewage system according to estimates prepared by Robert R. Anderson and Municipal Engineering Corp., consulting Engineers is approximately \$600,496.00; and,

WHEREAS, the City does not have available funds for the construction and acquisition of the additions to its sanitary sewage system as required by order of the State Water Commission; and,

WHEREAS, the City of Nitro does not have funds within the sources now available to it to pay the cost of administration, management, operation, maintenance, acquisition, enlargement and

replacement of the present sanitary sewage system, and the intercepting sewer lines, pumping stations, treatment works and appurtenances; and,

WHEREAS, it is necessary for the City to impose rates and charges for the use of the services afforded by the said sanitary sewage system to obtain such funds; and,

WHEREAS, there has been enacted by the 84th Congress of the United States of America, Public Law 660 which amends the Water Pollution Control Act (33 U. E. C. 466-466j) which said Act was approved July 9, 1956, and is known as the "Water Pollution Control Act Amendments of 1956"; and,

WHEREAS, pursuant to Section 6 of said Act, the Surgeon General has authorized a grant to the said City of Nitro in the amount of \$172,648.00 or thirty per cent of the cost of the project, whichever is less; and which grant requires the said City to demonstrate to the Surgeon General its ability to pay the remaining cost of said project; and,

WHEREAS, it is the obligation of the producers of sewage and industrial waste to supply such revenue to the City in an equitable manner and in proportion to the service rendered to the benefits derived; and,

WHEREAS, the City of Nitro, is authorized under the authority of Chapter 16, Article 13, of the West Virginia Code as amended, to fix, establish, and maintain, by ordinance, just and equitable rates or charges for the use of the services and facilities to be

rendered upon completion of any works and system necessary to comply with any order issued by the State Water Commission; and,

WHEREAS, the Sanitary Board of the City of Nitro, after proper investigation has determined that the rates and standards for the use of the sanitary system and the computation of rates to be charged therefor as fixed by this ordinance are reasonable, necessary and proper for the work required to be done by the order of the State Water Commission aforesaid, and have petitioned the Council of the City of Nitro to enact this ordinance establishing such rates and standards; and,

NOW, THEREFOR, BE IT ORDAINED

BY THE COUNCIL OF THE CITY OF NITRO,

KANAWHA AND PUTMAN COUNTIES, AS FOLLOWS:

DIVISION I-- DEFINITIONS

Section 1. Unless the context specifically indicates otherwise, the meaning of the terms used in this ordinance shall be as follows:

A. SEWAGE shall mean a combination of water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface or storm water as may be present.

B. SANITARY SEWAGE shall mean the normal water-carried household and toilet wastes from residences, business buildings, institutions, industries and commercial establishments, exclusive

of storm water runoff, surface water or ground water.

C. GARBAGE shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

D. PROPERLY SHREDDED GARBAGE shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, where no particle is greater than one half inch (1-2") in any dimension.

E. STORM WATER RUNOFF shall mean that portion of the rainfall which reaches a drain.

F. SEWER shall mean a pipe or conduit for carrying sewage or other waste liquids.

G. COMBINED SEWER shall mean a sewer designated to receive both sewage and storm water runoff.

H. SANITARY SEWER means a sewer which carries sewage to which storm, surface and ground waters are not intentionally admitted.

I. STORM SEWER shall mean a sewer which is intended to carry storm water runoff, surface water, ground water drainage, etc.; but which is not intended to carry any sanitary sewage or polluted industrial waste.

J. PUBLIC SANITARY SEWERAGE SYSTEM shall mean all separate sanitary sewers, all combined sewers, all sewage pumping stations, all sewage treatment works, and other facilities provided and owned by the City of Nitro for the collection, trans-

portation and treatment of sanitary sewage and industrial wastes with their appurtenances, and any additions, extensions or improvements thereto that may be made by the City. It shall also include sewers within or outside the City limits which serve one or more persons and discharge into the City sanitary sewerage system even though those sewers may not have been constructed by the City funds. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the City's sewage treatment facilities.

K. OCCUPIED BUILDING shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

L. PREMISES ACCESSIBLE TO THE SANITARY SEWERAGE SYSTEM shall mean any real estate which adjoins, abuts or is adjacent to the public sanitary sewerage system, or any real estate which might be connected to that system by construction of a private sewer of not more than 100 feet in length.

M. "SHALL" is mandatory; "MAY" is permissible.

N. DOMESTIC USER shall mean each family unit which uses the sewerage system of said City, said family unit may consist of one or more persons and where there are more than one family unit

using water from same water meter or under the same roof, each family unit shall be considered a separate domestic user.

O. COMMERCIAL USER shall mean a user of the city sewerage system in a location where a trade, business, profession, or occupation is carried on or where a service is rendered.

P. PUBLIC USER shall mean a user of the city sewerage system by governmental, educational, church, charitable, benevolent, civic, service or like units or organizations.

Q. INDUSTRIAL USER shall mean a user of the city sewerage system as factories and like organizations where more than twenty-five persons are employed.

R. The word "PERSON" shall include firms and corporations.

DIVISION 2 -- DISCHARGE OF SANITARY SEWAGE TO THE PUBLIC SANITARY SEWERAGE SYSTEM REQUIRED.

Section 1. All persons owning any occupied building now erected within the City upon premises accessible to the public sanitary sewerage system shall, if not already connected, at their own expense, make connection with the sanitary sewerage system within three (3) months after the effective date of this ordinance.

Section 2. All persons owning any premises within the City accessible to the public sanitary sewerage system upon which a building is hereafter erected, at the time of erection of such building, and at their own expense, make the connection with the public sanitary sewerage system.

Section 3. All persons owning any occupied building within the City upon premises which hereinafter become accessible to the public sanitary sewerage system shall, at their own expense, make the connection with the public sanitary sewerage system within three (3) months after notice to do so from Sanitary Board or its authorized representative.

Section 4. It shall be unlawful for any person owning any occupied building within the City on premises accessible to the public sewage system, to erect, construct, use or maintain, or cause to be erected, used or maintained any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sanitary sewerage.

Section 5. Any person who erects, constructs or maintains a privy, cesspool, sinkhole, or septic tank or other receptacle for receiving sanitary sewage on any property within the City or accessible to the public sewage system in violation of this ordinance shall, upon conviction, be punished by fine or imprisonment, or both, the fine shall not be less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars, and the imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of any of the provisions of this ordinance shall constitute a separate offense.

DIVISION 3 -- EXCLUSION OF STORM WATER RUNOFF.

Section 1. The discharge of storm water runoff to separate sanitary sewers is hereby prohibited and persons presently dis-

charging storm water runoff to separate sanitary sewers shall cease and desist such practice within three (3) months after the effective date of this ordinance.

Section 2. All persons connecting to the Public Sanitary sewerage system shall provide adequate means for excluding storm water runoff in event connection is made to separate sanitary sewers.

Section 3. The provisions of this ordinance do not prohibit the present or future discharge of storm water runoff to combined sewers.

Section 4. It shall be unlawful for any person to permit storm water runoff to be discharged into separate sanitary sewers of the City, however, nothing in this ordinance shall be construed to require persons now directing storm water runoff into a combined sewer that they now use for sanitation, until such time as separate storm sewers are provided. Any persons violating any provisions of this division of this ordinance shall, upon conviction thereof, be fined or imprisoned, or both, the fine shall be not less than Five (\$5.00), nor more than One Hundred (\$100.00) Dollars, and imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of this division of this ordinance shall constitute a separate offense.

DIVISION 4 -- PROHIBITED WASTES.

Section 1. The discharge of garbage to the public sanitary sewerage system is expressly prohibited unless said garbage is first properly shredded.

Section 2. Except as hereinafter provided, no person shall

discharge any industrial waste having any of the following characteristics to the public sanitary sewerage system:

A. Wastes containing liquids, solids or gases which by reason of their nature or quality may cause fire, explosion, or be in any other way injurious to persons, the structures or the sewerage system or its operation.

B. Wastes having a temperature in excess of 160 degrees F. or less than 32 degrees F.

C. Wastes having any corrosive property capable of causing damage or hazards to structures, equipment, or personnel of the public sanitary sewerage system.

D. Any noxious or malorodous gas or substance which either singly or by interaction with sewage or other wastes is, in the opinion of the "Sanitary Board", likely to create a public nuisance or hazard to life, or prevent entry to sewers for their maintenance and repair.

E. Solids, greases, lime slurry or viscous materials of such character or in such quantity that, in the opinion of the Sanitary Board, they may cause an obstruction to the flow in sewer or otherwise interfere with the proper operation of the public sanitary sewerage system.

F. Any toxic radioactive isotopes without a special permit. No provision contained in this division of this ordinance shall be construed as prohibiting any special agreement or

arrangement to be entered into between the said Sanitary Board and any person whereby any industrial waste of unusual strength or character may be admitted to the public sanitary sewerage system either before or after pretreatment by the producer of such industrial waste.

Any person violating any of the provisions of this division of this ordinance shall, upon conviction thereof, be fined or imprisoned, or both, the fine shall not be less than Five (\$5.00) Dollars, or more than One Hundred (\$100.00) Dollars, and the imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall continue the violation of any of the provisions of this division of this ordinance shall constitute a separate offense.

DIVISION 5 -- SEWER SERVICE SCHEDULE OF RATES.

1. There is hereby levied and assessed against all owners, tenants, or occupants of each and every lot or parcel of real estate or building having any active connection with the public sanitary sewerage system or otherwise discharging sewage, industrial wastes, water or other liquids, either directly or indirectly into said system or any part thereof, a service charge payable as hereinafter provided and in the amount hereinafter provided.

2. The service charge for any owner, tenant, or occupant of each and every lot or parcel of real estate or building

situated within or outside the corporate limits of the City of Nitro having any connection with the City's Public sanitary sewerage system and discharging sewer, industrial wastes, water or other liquids into said system, shall be as follows:

BASED ON WATER METER READINGS
INSIDE CORPORATE LIMITS CITY OF NITRO

BILLING TO BE DONE MONTHLY

FIRST	2,000 Gallons per month	\$0.70 Per 1000 Gallons
Next	3,000 Gallons per month	.60 Per 1000 Gallons
Next	25,000 Gallons per month	.50 Per 1000 Gallons
Next	70,000 Gallons per month	.44 Per 1000 Gallons
Next	100,000 Gallons per month	.35 Per 1000 Gallons
Next	100,000 Gallons per month	.27 Per 1000 Gallons
All over	300,000 Gallons per month	.18 Per 1000 Gallons

MINIMUM MONTHLY CHARGE \$2.60 PER MONTH

All apartment buildings will be charged not less than the Minimum Monthly rate for each apartment unit.

OUTSIDE THE CORPORATE LIMITS THE CITY OF NITRO

First	2,000 Gallons per month	1.00 per 1000 Gallons
Next	3,000 Gallons per month	.80 per 1000 Gallons
Next	25,000 Gallons per month	.70 per 1000 Gallons
Next	70,000 Gallons per month	.55 per 1000 Gallons
Next	100,000 Gallons per month	.45 Per 1000 Gallons
Next	100,000 Gallons per month	.35 per 1000 Gallons
All over	300,000 Gallons per month	.22 per 1000 Gallons

MINIMUM MONTHLY CHARGE \$3.00 Per month

All Apartment buildings will be charged not less than the Minimum Monthly rate for each apartment unit.

3. The above schedule is subject to a penalty of ten (10) per cent if the account is not paid in full within ten (10) days after due date of bill. The owner, tenant, or occupant shall be billed monthly for the date of bill. The owner, tenant, or

occupant shall be billed monthly for the date of bill. The owner, tenant, or occupant shall be billed monthly for the monthly sewer service charge.

4. Each owner, tenant, or occupant of each and every lot or parcel of real estate or building shall be considered a separate billing unit in applying the above rates.

DIVISION 6 -- LIENS AND PENALTIES.

Each sewage service charge or surcharge levied by this ordinance shall be a debt due the City of Nitro. If any service rate or charge so established shall not be paid within thirty (30) days after it shall be due and payable, the amount thereof, together with a penalty of ten (10) percent and a reasonable attorney's fee, may be recovered by the Sanitary Board in a civil action in the name of the municipality.

In the event of failure to pay the sewer service charge or surcharge after they become delinquent, the Sanitary Board may be authorized to remove or close the sewer connection and shall have the right to enter upon the property of the user of the service for such purpose and to take such steps as may be necessary to accomplish such removal or closing, and the cost of such removal or closing, as well as the expense of restoring any such service shall likewise be a debt due the City of Nitro, and may be recovered by the City by Civil Action in the name of the City, and such sewage service shall not again be turned on, nor the sewer connection restored until all service charges, including the

expense of removal, closing and restoration shall have been paid. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

DIVISION 7 -- REGULATION BY SANITARY BOARD.

In addition to the specific authority granted by this ordinance, the Sanitary Board shall make and enforce such other rules and regulations subject to the approval of the Council of the City of Nitro for the safe, economical and efficient management, control and protection of the City's public sewerage system, for the construction and use of all other connections thereto, and for the regulation, collection, rebating and refunding of such sewage service charges as may be needful or necessary from time to time.

Provided that such rules and regulations shall not become effective until the same have been approved by the council of the City of Nitro by ordinance or resolution and spread upon the records of the Council, as notice to the public of the provisions of said rules and regulations.

It shall be unlawful for any person to violate any of the rules or regulations made and promulgated by the Sanitary Board as aforesaid; any person, on conviction of any such violation, shall be fined or imprisoned or both, the fine shall not be less than Five (\$5.00) Dollars, or more than One Hundred (\$100.00) Dollars and the imprisonment in the City or County Jail shall not exceed thirty (30) days, and each day that any person shall con-

tinue the violation of any of the rules and regulations made and promulgated by the Sanitary Board shall constitute a separate offense.

DIVISION 8 -- BILLING AND COLLECTION OF SERVICE CHARGES.

The sewage service charges, surcharges and fees, levied by or pursuant to this ordinance, shall be billed by the Sanitary Board; or, in the discretion of the Sanitary Board, by a designated agent of the Sanitary Board, to all firms, persons and corporations liable therefore, pursuant to such terms, agreements, arrangements and compensation as may be determined by contract between the said Sanitary Board and said agent. The collection of said service charges, surcharges and fees shall be by the Sanitary Board, or by its designated and authorized agent.

DIVISION 9 -- CREATION OF SINKING FUND.

There is hereby created a sinking fund to accumulate and hold all the proceeds to be derived from the said service charges levied and collected pursuant to this ordinance until the completion of the construction of said sewerage system, which said proceeds shall be remitted to and administered by the State Sinking Fund Commission as follows, that is to say: Said proceeds shall be paid out on order of the Sanitary Board for such legal purposes as are incident to the acquisition, construction, enlargement, extension, replacement, improvement, operation, management, maintenance and repair of the said sewage system of the City of Nitro.

DIVISION 10 -- VALIDITY.

Section 1. All ordinances, or parts of ordinances, in conflict with this ordinance, are hereby repealed.

Section 2. The invalidity of any section, clause, sentence or provision in this ordinance shall not affect the validity of any other section, clause, sentence or provisions hereof, which can be effective without such invalid part or parts.

DIVISION 11 -- EFFECTIVE DATE.

Section 1. This ordinance shall become effective immediately after the public hearing required by Chapter 16, Article 13 of the West Virginia Code and approval of an in compliance with the requirements of the Public Service Commission of the State of West Virginia.

A true copy from the official minutes of the meeting of the Council of the City of Nitro, held on the 21st day of January, 1959.

W. W. Alexander, Mayor

CITY OF NITRO

Grace Lewis, Recorder

CITY OF NITRO

There were several property owners present at the meeting, however, there were no protests registered.

Thereupon, there being no protest, Councilman Estep, seconded by Councilman Bush, moved the adoption and passage of the foregoing ordinance and upon a vote being taken Council unanimously voted in favor of said motion and was so ordered.

There being no further business relative to the protest meeting, the City Council proceeded with the regular order of business.

The Recorder read minutes for meetings held January 21st and February 3rd. Councilman Gandee moved, seconded by Councilman Bush, the minutes be approved. Motion carried.

Councilman Estep moved, seconded by Councilman Gandee, the financial statement for the month of January be accepted. Motion carried.

The Mayor informed the council that he had been contacted in regard to private individuals installing rides in the city and charging admission, with a percentage of admissions to be contributed to the Fire Department. The Mayor and council discussed this matter and it was the opinion of the Council that the rides would be classed as a carnival.

Petitions for paving Walker Avenue, from Main Avenue to Lee Street, and Lee Street, from Walker Avenue to dead end at West Sattes School, were presented.

Councilman Dunlap moved that Walker Avenue be paved - 21 foot in width and Lee Street be paved - 26 foot in width and that plans be considered for sidewalk for both streets as an alternate. Motion seconded by Councilman Estep. Motion carried.

Councilman Dunlap moved that regular session of council in April be set as dead line for street paving petitions to be

submitted for council's consideration. Motion seconded by Councilman Hogshead. Motion carried.

There being no further business a motion for adjournment by Councilman Bush carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

March 17, 1959

The City Council met in regular session Tuesday, March 17, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Grenfall L. Estep, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., H. M. Gandee, B. E. Gewin, and George W. Hogshead, M. D. members of the City Council.

Mayor Alexander called the meeting to order.

Councilman Dunlap moved, seconded by Councilman Estep, the minutes of meeting held February 17th be approved as read. Motion carried.

Councilman Dunlap moved, seconded by Councilman Gewin, the financial statement for the month of February be accepted. Motion carried.

Paving petition requesting paving of Benamatti Street was presented to the Council.

Thereupon, Councilman Dunlap moved, seconded by Councilman Estep, that Benamatti Street be paved - 26 foot in width - from its intersection with Kapoc Street to its intersection with Walker Street. Motion carried.

The Mayor and Council entered into a discussion of City garbage collection for the recently annexed area.

Thereupon, Councilman Dunlap moved, seconded by Councilman Bush, that the present city garbage carriers be allowed One (\$1.25) Dollar and Twenty-five cents per customer, and the City receive Seventy

five (\$.75) cents per customer, that the area of the entire town be divided between the present garbage carriers, that the customers be given twice a week pick-up service, effective May 1, 1959, motion carried.

An Ordinance regulating and controlling the location and size of apartment houses in fire Zones Number Three and Four was read to the Council as follows:

"AN ORDINANCE REGULATING AND CONTROLLING THE LOCATION AND SIZE OF APARTMENT HOUSES IN FIRE ZONES NUMBER THREE AND FOUR IN THE CITY OF NITRO, WEST VIRGINIA.

REGULATION WITHIN FIRE ZONE NUMBER THREE:

No apartment house shall be erected or used for the purpose of apartments in fire zone three which shall house more than two families.

REGULATION WITHIN FIRE ZONE NUMBER FOUR:

No house or apartment house shall be used for the purpose of housing families which do not have at least 2,400 square feet space per family, except for houses in the following places: Fenton Circle, Sattes Circle, Valentine Circle, Golf Course Area, 21st Street (North and South), and the area commonly known as the West Side. All within fire Zone Four.

Any ordinance which are inconsistent with this ordinance in regard to the size and location of apartment houses in fire zones three and four are hereby repealed."

The Mayor and members of the Council discussed the foregoing ordinance to some extent.

Thereupon Councilman Bush, seconded by Councilman Dunlap, moved that the ordinance be adopted to read as follows:

"AN ORDINANCE REGULATING AND CONTROLLING THE LOCATION AND SIZE OF APARTMENT HOUSES IN FIRE ZONES NUMBER THREE AND FOUR IN THE CITY OF NITRO, WEST VIRGINIA.

REGULATION WITHIN FIRE ZONE NUMBER THREE:

No apartment house shall be erected or used for the purpose of apartments in fire zone three which shall house more than two families (per Lot 50' x 65').

REGULATION WITHIN FIRE ZONE NUMBER FOUR:

No house or apartment house shall be used for the purpose of housing families which do not have at least 2,400 square feet of land area per family. Apartment houses are prohibited in the following area: Fenton Circle, Sattes Circle, Valentine Circle, Golf Course Area, 21st Street (North and South), and the area commonly known as the West Side. All within fire Zone Four.

Any ordinances which are inconsistent with this ordinance in regard to the size and location of apartment houses in fire zone three and four are hereby repealed."

Upon a vote being taken those voting in favor of motion were Councilmen Bush, Estep, Gandee and Hogshead, Mayor Alexander, and Grace Lewis, Recorder, those voting against were Councilmen: Dunlap and Gewin. The Mayor declared the motion carried.

The following recommendation of the Planning Commission was presented to the Council:

"That the Council designate the property starting at Third Avenue, abutting on Twenty-first Street and North Twenty-first Street, and all the land owned by Nitro Land Company be declared AA Residential.

That the cost of the construction of houses in this area be Fifteen Thousand (\$15,000.00) Dollars minimum, based on 1959 prices, and single dwelling only.

That all streets be a minimum of Twenty-eight (28') feet wide, and all houses be set back Twenty-five (25') feet from property line.

That lots must contain Six Thousand-Five Hundred (6,500) square feet and only one house can be built on a lot."

Councilman Dunlap moved, seconded by Councilman Estep, that the foregoing recommendation of the Planning Commission be referred to the Zoning Commission. Motion carried.

The following recommendation of the Planning Commission regarding Hillside Drive Project was presented to the Council:

"Recommend in absence of profile, that Hillside Drive Project be drained of storm water, both houses and streets, said water to be carried to Main Highway.

That streets be Twenty (20) feet wide, to be constructed of nine (9) inch rock base, compacted to seven (7) inches, and that the driving course of three (3) inches of black top, compacted to two (2) inches or a concrete street of seven (7) inch thickness.

That a turn-around be constructed at North end of Hillside Drive.

That an inspector, to be selected by the Nitro City Engineer, be employed throughout the project, at the expense of owners of Hillside subdivision.

That Ten Thousand (\$10,000.00) Dollars be the minimum price of new construction between the hill and highway, Kapoc Street to Blackwood Avenue.

That a copy of profiles will be furnished the City of Nitro before actual construction begins."

Thereupon Councilman Dunlap, seconded by Councilman Estep, moved the foregoing recommendation of the Planning Commission be accepted. Motion carried.

The Mayor and members of the Council discussed the Zoning of the recently annexed area. There was no action taken at this time.

There being no further business to come before the Council at this time a motion by Councilman Bush for adjournment carried.

W. W. Alexander
W. W. Alexander, Mayor

Grace Lewis
Grace Lewis, Recorder

N O T I C E

TO: M. L. BUSH, DR. J. L. DUNLAP, JR., GRENFALL L. ESTEP, H. M. GANDEE,
B. E. GEWIN, F. E. GROVER AND GEORGE W. HOSSHEAD, M. D. members of the
Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia.

You, and each of you, will please take notice that a special meeting
of the Council of the City of Nitro, West Virginia, is hereby called and
will be held in the Council Chambers of the City Hall of said City on the
7th day of April, 1959, at 8:00 o'clock P. M. for the purpose of con-
sidering the following:

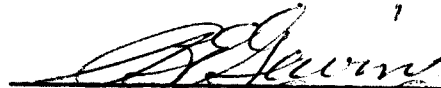
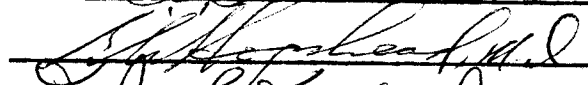

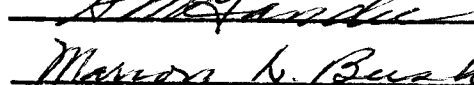

1. To consider an ordinance ordering the issuance of Bonds in the
amount of \$168,000.00.
2. To consider advertising for bids on storm sewer and sidewalk
improvement project.
3. To consider plans of sidewalks and drainage.

And to consider any other business that may come before the Council.


W. W. Alexander, Mayor

City of Nitro, West Virginia

Service of the within notice is considered both timely and sufficient.

1. The first part of the report is a general statement of the purpose of the study.

2. The second part of the report is a description of the methods used in the study.

3. The third part of the report is a description of the results of the study.

4. The fourth part of the report is a discussion of the results of the study.

5. The fifth part of the report is a conclusion of the study.

6. The sixth part of the report is a list of references.

7. The seventh part of the report is a list of appendices.

8. The eighth part of the report is a list of figures.

9. The ninth part of the report is a list of tables.

10. The tenth part of the report is a list of footnotes.

11. The eleventh part of the report is a list of acknowledgments.

12. The twelfth part of the report is a list of abbreviations.

13. The thirteenth part of the report is a list of symbols.

14. The fourteenth part of the report is a list of units.

15. The fifteenth part of the report is a list of definitions.

16. The sixteenth part of the report is a list of terms.

17. The seventeenth part of the report is a list of acronyms.

18. The eighteenth part of the report is a list of initialisms.

19. The nineteenth part of the report is a list of abbreviations.

20. The twentieth part of the report is a list of symbols.

21. The twenty-first part of the report is a list of units.

22. The twenty-second part of the report is a list of definitions.

23. The twenty-third part of the report is a list of terms.

24. The twenty-fourth part of the report is a list of acronyms.

25. The twenty-fifth part of the report is a list of initialisms.

26. The twenty-sixth part of the report is a list of abbreviations.

27. The twenty-seventh part of the report is a list of symbols.

28. The twenty-eighth part of the report is a list of units.

29. The twenty-ninth part of the report is a list of definitions.

30. The thirtieth part of the report is a list of terms.

April 7, 1959

The City Council met in a Special call meeting April 7, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., H. M. Gandee, B. E. Gewin, and George W. Hogshead, M. D. members of the Council.

The Mayor called the meeting to order and presented the call for meeting.

The following ordinance was introduced and read:

AN ORDINANCE AND ORDER DIRECTING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF NITRO, WEST VIRGINIA, IN THE SUM OF \$168,000.00 FIXING THE DATE THEREOF AS THE 1st DAY OF MAY, 1959; PROVIDING SAID BONDS BE ISSUED IN DENOMINATIONS OF \$1000.00 EACH; FIXING THE RATE OF INTEREST THEREOF PAYABLE SEMIANNUALLY; PRESCRIBING THE MEDIUM OF PAYMENT; PROVIDING THE PLACES WHERE PRINCIPAL AND INTEREST OF SAID BONDS SHALL BE PAID; PROVIDING ANNUAL LEVIES WITHIN THE LIMITATIONS PRESCRIBED BY THE CONSTITUTION OF WEST VIRGINIA UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF NITRO, WEST VIRGINIA, SUFFICIENT IN AMOUNT TO PROVIDE FUNDS FOR PAYING THE INTEREST ON SAID BONDS AS THE SAME ACCRUES AND THE PRINCIPAL THEREOF AT MATURITY; FIXING THE TIMES WHEN SAID BONDS SHALL BE PAYABLE WITHIN THIRTY-FOUR YEARS; PRESCRIBING A FORM FOR EXECUTING SAID BONDS; AND DESIGNATING SAID BONDS AS "PUBLIC" IMPROVEMENT BONDS OF THE CITY OF NITRO, WEST VIRGINIA.

It appearing to this the Council of the City of Nitro that heretofore, to-wit, on the 18th day of November, 1958, an order was made and entered of record authorizing bonds in the amount of \$168,000.00 to be issued and sold for the purpose of providing funds for making improvements in said City of Nitro, as follows: Permanent Public Improvement of a Public Sidewalk along First Avenue in the City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repairing, constructing, guttering, draining

and paving and otherwise, improving same in the approximate amount of \$46,500.00; and permanent public improvement of Storm Sewers along Third Avenue and Blake's Drive by constructing, expending and otherwise improving said Storm Sewers in the approximate amount of \$121,500.00; and that the funds derived from current levies, applicable to making said improvements, including the proper and necessary incidental expenses in connection therewith and otherwise improving same; all in the City of Nitro, Kanawha and Putnam Counties, West Virginia, including the proper and necessary incidental expenses in connection therewith; and that, in pursuance of said order an election was held on the 16th day of December, 1958, at each of the legally established voting precincts in said City of Nitro for the purpose of ascertaining the will of the voters upon the question of whether or not said bonds should be issued, and that the result of said election, as shown by a canvass of the returns thereof made by this City Council, sitting as a canvassing board on the 22nd day of December, 1958, was 336 votes for and 57 against the issuance of said bonds; so that three-fifths of the voters voting upon said proposition at said election voted for the issuance of said bonds, Therefore, upon motion of M. L. Bush, seconded by Dr. J. L. Dunlap. Be It Unanimously Resolved by the Council of the City of Nitro, as follows:

That coupons bonds, to be known as Public Improvement Bonds, of the City of Nitro, West Virginia, in the principal sum of \$168,000.00 and bearing date as of the 1st day of May, 1959, be issued and sold; that said bonds be of the denomination of \$1000.00 and bear

interest at a rate not exceed $\frac{1}{4}\%$ per centum per annum, payable semi-annually; that said interest payments be represented and evidence by interest coupons attached to each of said bonds; that said interest be payable on the 1st day of November and 1st day of May, 1959 and each year thereafter; that the principal of said bonds be payable from one to Thirty-four years from their date, as hereinbelow set forth; that said bonds, together with the interest coupons thereunto attached, be payable to bearer and the title thereto shall pass upon delivery, provided, however, that said bonds may be registered by the Treasurer of the State of West Virginia, as provided by Law; that the principal of each of said bonds, and the interest thereon, be payable in lawful coin or currency of the United States of America, at the office of the Treasurer of the State of West Virginia, or at the option of the holder, at the Bank of Nitro, Nitro, West Virginia; that the failure to present any of said bonds or interest coupon, when due, shall stop further payment of interest thereon; that the Council of the City of Nitro shall annually, at the levy term thereof, make up and lay a levy upon all the taxable property within the said City of Nitro sufficient to provide funds for paying the interest on said bonds as the same accrues and becomes payable and the principal thereof, respectively, at maturity;

The maturities and the series of said bonds are fixed as follows:

Bonds Nos. 1 to 2, inclusive, for \$2,000.00 due and payable $1\frac{1}{2}$ years after date.

Bonds Nos. 3 to 4, inclusive, for \$2,000.00 due and payable $2\frac{1}{2}$ years after date.

Bonds Nos. 5 to 6, inclusive, for \$2,000.00 due and payable $3\frac{1}{2}$ years after date.

Bonds Nos 7 to 8, inclusive, for \$2,000.00 due and payable $4\frac{1}{2}$ years after date.

Bonds Nos. 9 to 11, inclusive, for \$3,000.00 due and payable $5\frac{1}{2}$ years after date.

Bonds Nos. 12 to 14, inclusive, for \$3,000.00 due and payable $6\frac{1}{2}$ years after date.

Bonds Nos. 15 to 17, inclusive, for \$3,000.00 due and payable $7\frac{1}{2}$ years after date.

✓ Bonds Nos. 18 to 20, inclusive, for \$3,000.00 due and payable $8\frac{1}{2}$ years after date.

Bonds Nos. 21 to 23, inclusive, for \$3,000.00 due and payable $9\frac{1}{2}$ years after date.

Bonds Nos. 24 to 27, inclusive, for \$4,000.00 due and payable $10\frac{1}{2}$ years after date.

Bonds Nos. 28 to 31, inclusive, for \$4,000.00 due and payable $11\frac{1}{2}$ years after date.

Bonds Nos. 32 to 35, inclusive, for \$4,000.00 due and payable $12\frac{1}{2}$ years after date.

Bonds Nos. 36 to 39, inclusive, for \$4,000.00 due and payable $13\frac{1}{2}$ years after date.

Bonds Nos. 40 to 43, inclusive, for \$4,000.00 due and payable $14\frac{1}{2}$ years after date.

Bonds Nos. 44 to 47, inclusive, for \$4,000.00 due and payable $15\frac{1}{2}$ years after date.

Bonds Nos. 48 to 51, inclusive, for \$4,000.00 due and payable $16\frac{1}{2}$ years after date.

Bonds Nos. 52 to 55, inclusive, for \$4,000.00 due and payable $17\frac{1}{2}$ years after date.

Bonds Nos. 56 to 60, inclusive, for \$5,000.00 due and payable $18\frac{1}{2}$ years after date.

Bonds Nos. 61 to 65, inclusive, for \$5,000.00 due and payable $19\frac{1}{2}$ years after date.

Bonds Nos. 66 to 70, inclusive, for \$5,000.00 due and payable $20\frac{1}{2}$ years after date.

Bonds Nos. 71 to 76, inclusive, for \$6,000.00 due and payable $21\frac{1}{2}$ years after date.

Bonds Nos. 77 to 82, inclusive, for \$6,000.00 due and payable $22\frac{1}{2}$ years after date.

Bonds Nos. 83 to 88, inclusive, for \$6,000.00 due and payable $23\frac{1}{2}$ years after date.

Bonds Nos. 89 to 94, inclusive, for \$6,000.00 due and payable $24\frac{1}{2}$ years after date.

Bonds Nos. 95 to 101, inclusive, for \$7,000.00 due and payable $25\frac{1}{2}$ years after date.

Bonds Nos. 102 to 108, inclusive, for \$7,000.00 due and payable $26\frac{1}{2}$ years after date.

Bonds Nos. 109 to 115, inclusive, for \$8,000.00 due and payable $27\frac{1}{2}$ years after date.

Bonds Nos. 116, to 122, inclusive, for \$7,000.00 due and payable $28\frac{1}{2}$ years after date.

Bonds Nos. 123 to 129, inclusive, for \$7,000.00 due and payable $29\frac{1}{2}$ years after date.

Bonds Nos. 130 to 136, inclusive, for \$7,000.00 due and payable $30\frac{1}{2}$ years after date.

Bonds Nos. 137 to 144, inclusive, for \$8,000.00 due and payable $31\frac{1}{2}$ years after date.

Bonds Nos. 145 to 152, inclusive, for \$8,000.00 due and payable $32\frac{1}{2}$ years after date.

Bonds Nos. 153 to 160, inclusive, for 8,000.00 due and payable $33\frac{1}{2}$ years after date.

Bonds Nos. 161 to 168, inclusive, for \$8,000.00 due and payable $34\frac{1}{2}$ years after date.

And, Be It Further Resolved:

That the bonds hereby authorized shall be exempt from all taxation by the State of West Virginia or any political subdivision thereof, and shall contain the following recital: "It is certified that this bond is authorized by and is issued in conformity with the requirements of the Constitution and Statues of the State of West Virginia."

And, Be It Further Resolved:

That each bond be signed by and on behalf of the City of Nitro by its Mayor and countersigned by its Recorder, and that the corporate seal of said City of Nitro affixed to each, and that the interest coupons bear the facsimile signature of the same officers;

and that the bonds and the coupons thereto attached herein authorized to be issued, shall be upon the terms and in form or effect substantially as follows:

UNITED STATE OF AMERICA
STATE OF WEST VIRGINIA
CITY OF NITRO, WEST VIRGINIA
PUBLIC IMPROVEMENT BOND

No. 1

\$1000.00

KNOWN ALL MEN BY THESE PRESENTS:

That the City of Nitro, Counties of Putnam and Kanawha, in the State of West Virginia, a corporation created and existing under the laws of the State of West Virginia, for value received, is justly indebted and hereby promises to pay to the bearer, on the 1st day of November, 1960, the principal sum of One Thousand Dollars (\$1000.00) with interest thereon at the rate of ____ per centum () per annum, payable semiannually on the 1st day of November, and the 1st day of May, respectively, of each year hereafter, as evidence by, and on presentation and surrender, of, the annexed interest coupons as they severally become due. Both principal and interest thereof are payable in lawful coin or currency of the United States of America at the office of the Treasurer of the State of West Virginia, or, at the option of the holder hereof, at the Bank of Nitro, Nitro, West Virginia. Failure to present this bond, or the coupons hereto attached, when due, shall stop further payments of interest hereon.

This bond shall be exempt from all taxation by the State of West Virginia or any political subdivision thereof, and is one

of a series of One Hundred Sixty-eight (168) bonds, aggregating One Hundred Sixty-eight Thousand Dollars (\$168,000.00), each of said bonds being of the denomination of One Thousand Dollars (\$1000.00) and number consecutively from one (1) to One Hundred Sixty-eight (168), inclusive, said bonds being of like date, amount, tenor and effect, except as to number and maturity; said bonds are issued for the purpose of providing funds for making permanent improvements in and to sidewalks and storm sewers in said City of Nitro.

It is hereby certified that this bond is authorized by and issued in conformity with the requirements of the Constitution and statutes of the State of West Virginia, and that legal provision has been made by said City of Nitro for the levy and collection of a direct annual tax sufficient in amount to meet the payment of the interest and principal hereof; which shall have precedence over all other taxes for any purpose whatever, except the payment of interest and sinking fund requirements on debts created prior to November 8, 1932, and any other bond issue or issues which lawfully may have been authorized subsequent to November 8, 1932, or which hereafter may be authorized; that said levies do not exceed any constitutional or statutory limitations; and that the amount of this bond together with all the other indebtedness of the City of Nitro does not exceed any statutory or constitutional limitation thereon.

For the payment of both principal and interest hereof the full faith and credit and resources of the said City of Nitro are hereby irrevocably pledged within the limitations prescribed by the Constitution of West Virginia.

IN WITNESS WHEREOF, the City of Nitro, West Virginia, a corporation created, organized and existing under the laws of the State of West Virginia, has caused this bond to be duly signed and executed by its Mayor and countersigned by the Recorder of said City of Nitro, and has caused its corporate seal to be hereto affixed and the interest coupons hereto attached to be signed by the facsimile signatures of said Mayor and Recorder, as of the 1st day of May, 1959.

MAYOR

RECORDER

(BACK OF BOND)

NO. _____

UNITED STATE OF AMERICA
STATE OF WEST VIRGINIA
CITY OF NITRO, WEST VIRGINIA

MUNICIPAL SIDEWALK AND STORM SEWER
IMPROVEMENT BOND

(DATED MAY 1, 1959)

\$1000.00

Interest ~~payable~~ semiannually on
May 1 and November 1.

Principal payable on November 1, 1960.

BOTH INTEREST AND PRINCIPAL PAYABLE

at the office of the

TREASURER OF WEST VIRGINIA,
CHARLESTON, WEST VIRGINIA

OR AT

BANK OF NITRO
Nitro, West Virginia

ATTORNEY GENERAL'S APPROVAL

I, _____, Attorney General
of the State of West Virginia, do hereby certify that this bond
has been approved by me by virtue of the authority vested in me,
by Article 1, Chapter 13, of the Official Code of West Virginia,
1931; that notice of my approval hereof was published as required
by Section 25, of said Article 1; that ten days have elapsed since
the date of the last publication of such notice; that there has
been no appeal from my approval to the Supreme Court of Appeals;
and that this bond has become incontestable, ~~under~~ and by virtue
of the provisions of said Article 1, Chapter 13, and is a binding
obligation upon the City of Nitro, a corporation, the authority
issuing the same, and upon the taxable property within said City
of Nitro, and that by reason of the provisions of Article 1,
Chapter 13, no one has the right hereafter to contest in any court
or in any action or proceeding the validity of this bond for any
cause whatsoever.

WITNESS my hand this the _____ day of _____,
_____.

Attorney General of the State
of West Virginia

REGISTRATION CERTIFICATE

The principal of this bond may be registered in the bond register of the Treasurer of the State of West Virginia, Charleston, West Virginia, in accordance with Law.

Nothing will be written hereon except by
the Treasurer of the State of West Virginia.

Date of Registration	Treasurer of the State of West Virginia	Owner Address

(Form of Coupon)

On the first day of November, 1, 1959, the City of Nitro
will pay to the Bearer, upon surrender hereof,

_____ Dollars \$ _____ in lawful
coin or currency of the United States of America, at the office of
the Treasurer of the State of West Virginia, or at the option of
the holder, at the Bank of Nitro, Nitro, West Virginia, that a-
amount being six (6) months' interest on its Public Improvement
Bond, bearing Serial No. 1.

No. 1

for \$1000.00, dated May 1, 1959.

10

1

COUPON
NO. __________
RECORDER_____
MAYOR

BE IT FURTHER RESOLVED,

that the Recorder of this Council transmit to the Attorney General of the State of West Virginia a duly certified copy of all orders, resolutions, proclamations, notices, advertisements, affidavits, and records of all proceedings connected with or pertaining to this bond issue, and any and all other matters relative thereto which the Attorney General may require, as provided by Section 25, Article 1, Chapter 13 of the Code of West Virginia.

BE IT FURTHER RESOLVED,

that all officers, members and employees of the City of Nitro, are hereby authorized, empowered and directed to do any and all things proper and necessary to cause valid bonds to be issued and authorized by the voters of the City of Nitro at the Special Election held on December 16, 1958, pursuant to the calling thereof, and to do all things proper and necessary to obtain the approval and sale of said bonds, and no further authority shall be necessary to authorize any such officers or employees to give further assurance and do further acts as may legally be required by any individual or corporate purchaser of the bonds hereby authorized or any of them.

BE IT FURTHER RESOLVED,

that before offering the bonds hereby authorized for public sale, they shall first be offered at par to any governmental agency of the State of West Virginia authorized by law to purchase the same,

as required by Section 21, Article 1, Chapter 13, of the Code of West Virginia, and the Mayor of the City of Nitro, West Virginia, is hereby directed forthwith to make such offer in writing to the Secretary of State; but if such bonds shall not be purchased by any state agency, then the same shall be advertised as provided by law. Thereupon motion by Councilman Bush, seconded by Councilman Dunlap, the afore going ordinance was adopted and upon vote by Council was so ordered.

CERTIFICATE

I, Grace Lewis, Recorder of the City of Nitro, West Virginia, do hereby certify that the foregoing record contains certified or verified copies of all the proceeding connected with, or pertaining to, the issuance of Sidewalk and Storm Sewer Improvement Bonds of said City of Nitro, authorized at a Special Election held in said City on the 16th day of December, 1958, said bonds to be dated _____, _____.

Recorder, City of Nitro

Thereupon Council proceeded to consider the permanent improvement of a Public Sidewalk along First Avenue in the City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation Line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repairing, constructing, guttering, draining and paving and otherwise improving same, and permanent public improvement to Storm Sewers along Third Avenue and Blake's Drive by constructing, expanding and otherwise improving said storm sewers.

Upon motion of Councilman Dunlap, seconded by Councilman Gandee, the final plans and specifications and estimates for the proposed improvements heretofore filed with the Recorder were received, accepted and approved as the plans, specifications of said sidewalks and sewers. Upon a vote by the Council, the motion was declared carried.

Thereupon, on motion by Councilman Bush, seconded by Councilman Gandee, the City Recorder was instructed to advertise for bids for the construction of the proposed improvements in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro and in Kanawha and Putnam Counties, and that the advertisement for bids from contractors for construction of said improvements provided, among other things, that bids shall be received only on bid proposal forms, prepared by the City Engineer and City Attorney, which are hereby approved and accepted; and shall be sealed, that work must be performed in accordance with the plans specifications for same on file with the City Recorder, that payment is to be made for the work in the manner set out in such bid proposal forms and that the Contractors be required to deposit a certified check or bidders bond in the amount of 5% of the bid price and furnish letter committing performance bond; that the bids be in the hands of Grace Lewis, City Recorder, on or before 5:00 o'clock P. M. EST, April 20, 1959, and thereafter be opened and publicly read at a meeting of Council to be held on the 20th day of April, 1959, at 8:00 o'clock P. M. EST, and that the advertisement provide that the City shall have the right to reject any or all bids and to waive any irregularities therein. Upon a vote being taken, motion was declared carried.

Councilman Gandee moved, seconded by Councilman Bush, that an additional street light be installed on pole located at 105 Minor Avenue. Motion carried.

The following recommendation from the Nitro Sanitary Board was presented to the Council for their consideration:

"That the City authorize payment, from the General Fund of the City, for statements from the Kanawha Valley Leader totaling Two Hundred-Thirty-one Dollars and Fifty (\$231.50) cents for legal publications, and further that the City Council authorize all such payments of expenses of the Nitro Sanitary Board from the General Fund of the City until such time the Sanitary Board has sufficient funds to pay their own expenses and funds to be reimbursed the City."

Thereupon, Councilman Gandee, seconded by Councilman Hogshead, moved that the foregoing recommendation of the Nitro Sanitary Board be accepted and adopted. Motion carried.

The following recommendation from the Nitro Sanitary Board was presented to the Council for their consideration:

"The City Council be requested to consider compensation for the Chairman, members and officers of the Sanitary Board as follows: the Chairman of the Board be paid One Hundred (\$100.00) Dollars per month, retroactive to January 1, 1959; the Secretary-Treasurer be paid Seventy-five (\$75.00) Dollars per month, effective as of appointment, January 19, 1959, and the members of the Board be paid Fifty (\$50.00) Dollars per month, each, retroactive to January 1, 1959, and that additional clerical help be employed, when necessary.

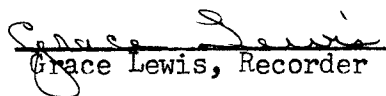
Thereupon, Councilman Gewin moved, seconded by Councilman Hogshead, the foregoing recommendation of the Nitro Sanitary Board be accepted and ordered. Motion carried.

Mayor Alexander informed the Council that Mr. Meralin Sims had asked to be relieved of his duties as member of the Nitro Sanitary Board, effective April 1, 1959, and the Mayor offered the name of William Pritchard as a replacement for Mr. Sims.

Thereupon, Councilman Bush moved, seconded by Councilman Gandee, that the resignation of Mearlin Sims, as member of the Nitro Sanitary Board, be accepted, effective as of April 1, 1959 and moved further that William Pritchard be named as replacement of Mr. Sims as member of the Sanitary Board, effective as of April 1, 1959. Upon a vote being taken, motion carried.

There being no further business to come before the Council, a motion by Councilman for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

NOTICE

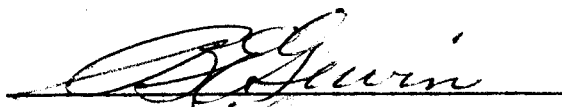
TO: M. L. BUSH, DR. GEORGE W. HOGSHEAD, BORDEN GEWIN,
J. L. DUNLAP, GRENFALL L. ESTEP, HOWARD M. GANDEE,
and FRANK E. GROVER, Members of the Council of the
City of Nitro, Kanawha and Putnam Counties, West
Virginia.

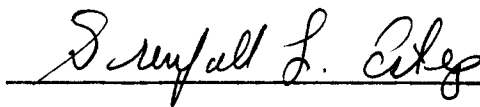
You, and each of you, will please take notice that a special meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chambers of the City Hall of said City on the 20th day of April, 1959, at 8:00 o'clock p.m. for the purpose of considering the following:

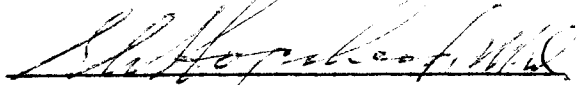
1. To consider the options of purchase of lands and right of way by the City of Nitro from the Nitro Sewer Company and the Nitro Industrial Corporation, said option being in regard to the Sewer system of the City of Nitro.
2. To open bids as advertised for in regard to the construction of sidewalks and storm sewers within the City of Nitro.
3. To consider any other matters that may properly come before the Council.

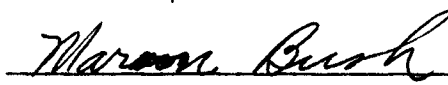

W. W. ALEXANDER, MAYOR

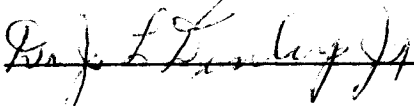
Service of the within notice is considered both timely and sufficient.



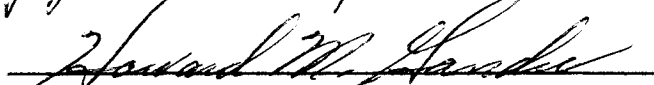












April 20, 1959

At a special call meeting of the Council of the City of Nitro, held on the 20th day of April, 1959, there were present : W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the City Council.

The Mayor called the meeting to order and presented the call for meeting.

The Mayor explained that this was a special meeting for the purpose of further considering the Sidewalk improvement program and Storm Sewer program, and particularly to open and tabulate bids for the permanent public improvement of a Public Sidewalk along First Avenue in the City of Nitro, from 8th Street to 20th Street, from 21st Street, North to the Corporation line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repaving, constructing, guttering, draining, and paving and otherwise, improving same, and permanent public improvement of Storm Sewers along Third Avenue and Blake's Drive by constructing, expanding and otherwise improving Storm Sewers; and that said meeting was called pursuant to motion regularly made and approved at meeting held April 7, 1959 and set out in the notice to contractors, and pursuant to due and lawful notice of same to members of Council.

Thereupon, the Recorder tendered the Publisher's Certificate and Affidavit of publication of the Notice to Contractors for said improvements. Thereupon, Councilman Bush moved, seconded

by Councilman Estep, that the notice to contractors asking for bids on said proposed improvements, together with the Publisher's Affidavit of due publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein, which said motion was unanimously adopted.

AFFIDAVIT OF PUBLICATION

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, To-Wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE TO CONTRACTORS

THE CITY OF NITRO will receive sealed proposals for the Permanent Public Improvement of a Public sidewalk along First Avenue in the City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repairing, constructing, guttering, draining, and paving and otherwise, improveing same; and permanent public improvement of Storm Sewers along Third Avenue and Blake's Drive by constructing, expanding and otherwise improving said Storm Sewers; and otherwise permanently improving said sidewalks and Storm Sewers, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with Grace Lewis, City Recorder. Payment for said work will be made by sale of Bonds, known as "Public Improvement Bonds". The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder on or before 5:00 o'clock P. M. EST the 20th day of April, 1959. Bids will be opened and publicly read at the City Hall, in the Council Chamber at a meeting of Council to be held on the 20th day of April, 1959, at 8:00 o'clock, P. M. EST. The City reserves the right to reject any and all bids or to waive any irregularities in bids.

Plans, sepcifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

Grace Lewis, City Recorder
City of Nitro

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

Notice to Contractors

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 10th day of April, 19 59 and ending with the issue of the 17th day of April, 1959 and was posted at the Court House of Kanawha County on

, 19

C. R. Walker
Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 17th day of

April, 19 59.

Zevel P. Yates

Notary Public for Kanawha County, West Virginia.

(My commission expires 1-21-65).

NOTICE TO CONTRACTORS

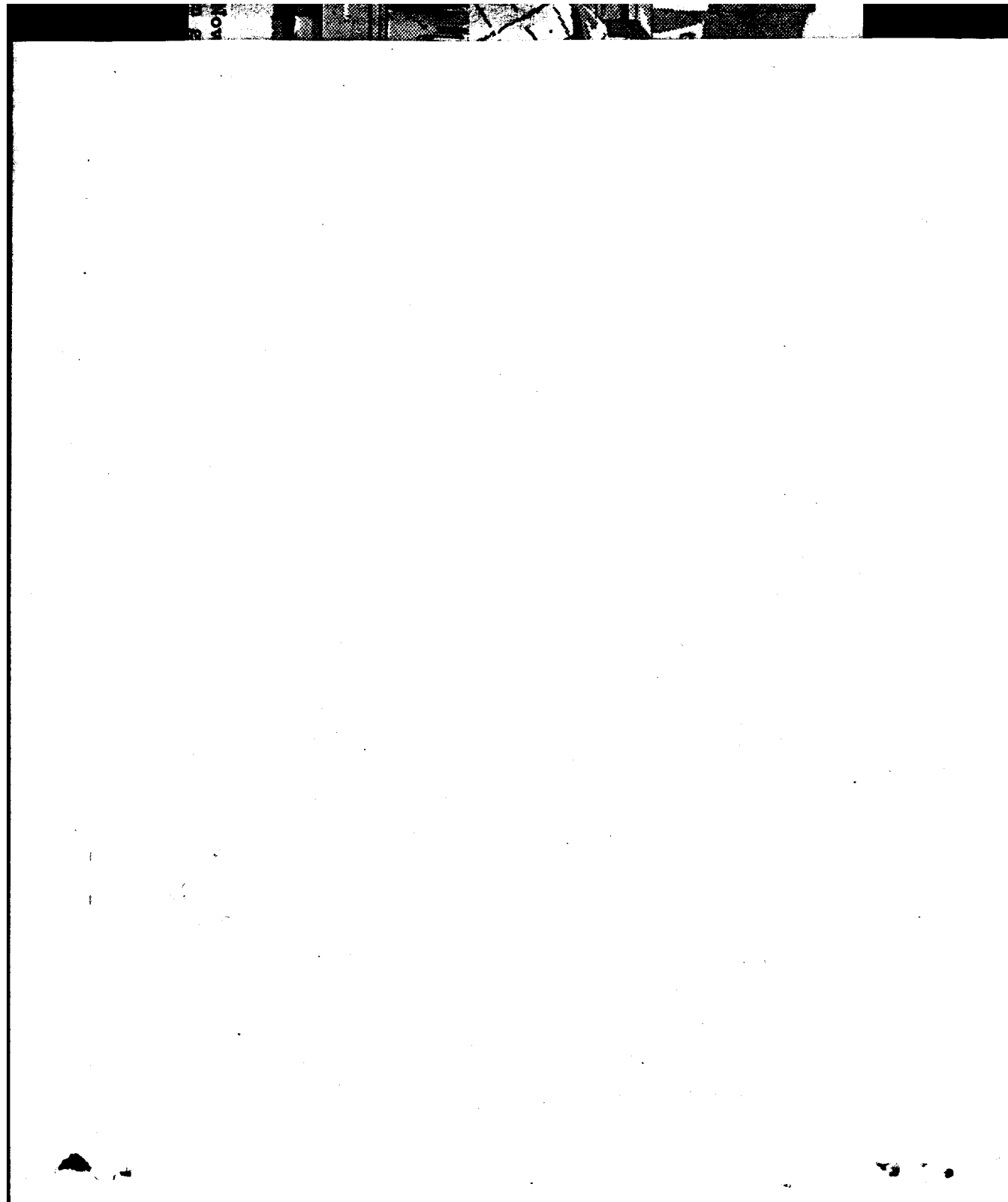
THE CITY OF NITRO will receive sealed proposals for the Permanent Public Improvement of a Public sidewalk along First Avenue in the City of Nitro from 8th Street to 20th Street, from 21st Street North to the Corporation line of said City of Nitro and from Kapoc Street to Blackwood Avenue by widening, repairing, constructing, guttering, draining, and paving and otherwise improving same; and permanent public improvement of Storm Sewers along Third Avenue and Blake's Drive by constructing, expanding and otherwise improving said Storm Sewers; and otherwise permanently improving said sidewalks and Storm Sewers, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with Grace Lewis, City Recorder. Payment for said work will be made by sale of Bonds, known as "Public Improvement Bonds". The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder on or before 5:00 o'clock, P.M. E.S.T. the 20th day of April, 1959. Bids will be opened and publicly read at the City Hall, in the Council Chamber at a meeting of Council to be held on the 20th day of April, 1959, at 8:00 o'clock P.M. E.S.T. The City reserves the right to reject any and all bids or to waive any irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

Grace Lewis, City Recorder
City of Nitro



was duly published in said paper once a week for Two successive weeks, commencing with the issue of the 10th day of April, 1959, and ending with the issue of the 17th day of April, 1959.

SS C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me the 17th day of April, 1959.

SS Zelda Yates
Notary Public for Kanawha County, West Virginia
(My commission expires 1-21-65).

Thereupon, the Recorder presented to the Council the sealed bids of Contractors, To-Wit:

O. K. Construction Company, Inc., John S. Billispie, Inc., and K. D. Sarrett, Mountain State Construction Company, Roane Construction Company, Inc., Clover Leaf Construction Company, Andersons' Inc. and Orange Construction Company.

Thereupon, the members of the Council proceeded to open and read publicly the foregoing bids and a tabulation of same was made.

Thereupon, J. A. Spence, Engineer, suggested that the City secure a commitment from all low bidders with regard to use of local labor, for said project.

Thereupon, Councilman Bush, seconded by Councilman Dunlap, moved that a letter be written to each of the low bidders requesting commitment on the use of local labor on said project, and that the commitment be made by April 28, 1959. Motion carried unanimously.

+ The Recorder then read the following options:

THIS AGREEMENT, Made this 15th day of March, 1959, by and between NITRO INDUSTRIAL CORPORATION, a West Virginia corporation, party of the first part, hereinafter sometimes referred to as "Optionor", and the CITY OF NITRO, a municipal corporation, party of the second part, hereinafter sometimes referred to as "Optionee";

W I T N E S S E T H:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the Optionor does hereby give and grant unto the Optionee the exclusive right or option to purchase at any time before twelve o'clock midnight on July 15, 1959, the following real estate, situate, lying and being in Putnam County, West Virginia, and more particularly described as follows:

Lot I

A tract of land situate on Kanawha River in Putnam County, West Virginia, a short distance below the City of Nitro, being a part of Plot No. 11, Area "M", as shown on the map of U. S. Government Explosive Plant "C", showing Plots 1 to 25, and more particularly bounded and described as follows:

BEGINNING at a point on the New York Central Railroad property, said point being 583 feet opposite New York Central Centerline Station PT 15493 + 3502, said point is also N. 129 + 75.49; E. 30 + 78.94 of the U. S. Government Data from the aforesaid map; thence with the west line of the New York Central Railroad property with a $0^{\circ} 54' 32''$ curve to the right with a chord N. $24^{\circ} 39' E.$, 86 feet to a point on said curve; thence continuing with the $0^{\circ} 54' 32''$ curve to the right, 1,322.61 feet; thence N. $47^{\circ} 57' W.$, 37.35 feet to a point at the original low water mark of Kanawha River; thence following the low water make of Kanawha River and the meanders thereof S. $60^{\circ} 13' W.$, 38 feet; thence S. $61^{\circ} 57' W.$, 195.4 feet; thence S. $61^{\circ} 21' W.$, 320.75 feet; thence S. $65^{\circ} 53' W.$, 393.38 feet; thence leaving the original low water mark of Kanawha River and running through the Nitro Industrial Corporation property S. $15^{\circ} 30' E.$, 703.43 feet; thence with a curve to the left with a chord S. $24^{\circ} 39' W.$, 86 feet; thence S. $23^{\circ} 45' W.$, 1,281.26 feet to a point in the east right of way line of the access road leading to W. Va. Route 25, Alternate; thence with the north line of the access road S. $57^{\circ} 35' E.$, 40.46 feet to a point, being a common point in the New York Central Railroad property of the northeast line of the access road right of way; thence with the west line of the New York Central Railroad property N. $23^{\circ} 45' E.$, 1,238.4 feet to the place of beginning, containing 6.5 acres, more or less,

reserving, however, an easement and right of way across the following part of the said lot for ingress, egress, public utility lines and other rights and privileges which the Optionor is to specify more fully in the deed conveying the said lot, for the benefit of the Optionor, its lessees and assigns, the said rights and privileges to be enjoyed in common with the Optionee and its assigns, without any duty on the Optionor, its lessees and assigns, to contribute to the cost of the construction or maintenance of the road thereon, the said part of the said lot being more particularly bounded and described as follows:

BEGINNING at a point on the New York Central Railroad property, said point being 583 feet opposite New York Central Centerline Station P. T. 15493 + 3502, said point is also N. 129° 49' E. 30 + 78.94 of the U. S. Government Date, and thence with the west line of the New York Central Railroad property with a $0^{\circ} 54' 32''$ curve to the right with a chord N. $24^{\circ} 39'$ E. 86 feet to a point on said curve; thence N. $15^{\circ} 30'$ W. 63.22 feet; thence with a curve to the left with a chord S. $24^{\circ} 39'$ W., 86 feet; thence S. $23^{\circ} 45'$ W., 1,281.26 feet to a point in the east right of way line of the access road leading to W. Va. Route 25, Alternate; thence with the north line of the access road S. $57^{\circ} 35'$ E., 40.46 feet to a point being a common point in the New York Central Railroad property of the northeast line of the access road right of way; thence with the west line of the New York Central Railroad property N. $23^{\circ} 45'$ E., 1,238.4 feet to the place of beginning, containing 1.2 acres, more or less.

A plat showing the said tract is attached hereto as a part hereof.

Lot II

A tract of land situate in the City of Nitro and partly in Kanawha County and partly in Putnam County, West Virginia, and being a strip of land 12 feet wide, known as the old streetcar right of way, lying adjacent to and paralleling the New York Central Railroad on the east side thereof, being a part of Areas P, R And S., as shown on map of U. S. Government Explosive Plan "C" of the Nitro Reservation, and being more particularly bounded and described as follows:

Parcel 1

BEGINNING at a point at the intersection of the north line of Lock Street, extended, with the east line of the New York Central Railroad right of way and running in a northern direction with the east line of the New York Central Railroad right of way a distance of 3122.5 feet, more or less, to a point in the southeast line of the New York Central Railroad depot property; thence in a northeastern direction with the said line of the New York Central Railroad depot property a distance of 12 feet to the western line of the right of way of West Virginia Route No. 25; thence in a southern direction and with the western line with West Virginia Route No. 25, a distance of 3122.5 feet, more or less, to a point in the north line of Lock Street, extended; thence in a western direction with the north line of Lock Street, extended, a

distance of 12 feet to the beginning, containing 0.86 acres, more or less, and being a part of Areas P AND R.

Parcel 2

BEGINNING At a point at the intersection of the east line of the New York Central Railroad right of way with the northeast line of the New York Central Railroad depot property and running in a northern direction with the east line of the New York Central Railroad right of way, passing the Kanawha-Putnam County line at 1163.75 feet, more or less, a distance of 2583.75 feet, more or less, to the north line of 35th Street, extended; thence in an eastern direction with the north line of 35th Street, extended, a distance of 12 feet to the western line of the right of way of West Virginia Route No. 25; thence in a southern direction with the western line of West Virginia Route No. 25 a distance of 2583.75 feet, more or less, to the north-eastern line of the New York Central Railroad depot property; thence in a northwestern direction with the said northeastern line of the New York Central Railroad depot property a distance of 12 feet to the beginning, containing 0.71 acres, more or less, and being a part of Areas R and S.

A plat showing the said tract is attached hereto as a part hereof.

Lot III

A lot 60 feet wide, situated in the City of Nitro and in Kanawha County, West Virginia, fronting on the western side of Third Avenue, being a part of Plot No. 15, as shown on map of U. S. Government Explosive Plant "C", showing Plots 1 to 25, and being more particularly bounded and described as follows:

BEGINNING at a point on the west side of Third Avenue, said point being 257.5 feet N. $23^{\circ} 45'$ E. from Twenty-first Street and at the corner of a lot of Nitro Industrial Corporation and thence with the north side of said lot N. $66^{\circ} 15'$ W. 68 feet; thence N. $23^{\circ} 45'$ E., 60 feet; thence S. $66^{\circ} 15'$ E. 68 feet to a point in the west line of Third Avenue; thence with the west line of Third Avenue, S. $23^{\circ} 45'$ W., 60 feet to the place of beginning, containing 0.094 acres, more or less.

A plat showing the said lot is attached hereto as a part hereof.

Lot IV

An easement and right of way, 10 feet in width, for the purpose of constructing, operating, maintaining, renewing, and repairing of a sewer line with right of ingress and egress to and from the same along the said 10-foot strip but not elsewhere, the center line of said easement and right of way being more particularly bounded and described as follows:

BEGINNING at a point in the west line of plot 2, Area "A", said point being N. 6° 40' W., 5 feet from the common corner of Nitro Industrial Corporation property, Plot 2, Area "A", from the southeast corner of the Kanawha County Board of Education Athletic Field and thence crossing Plot 2, N. 46° 00' E., 70 feet; thence N. 78° 10' E. paralleling the existing sewer and 6 feet south thereof 468 feet to a point in the east line of Plot 2, Area "A", said point being S. 0° 58' E., 311 feet from a stake in the south right of way line of 19th Street, West, the said stake being S. 45° 30' E. 264.14 feet from the intersection of the said south right of way line of 19th Street, West, with the south right of way line of Park Road.

The said easement and right of way shall be granted subject to the following terms, conditions, covenants and promises:

(a) The Optioner shall reserve the right to use the land, which is subject to the said easement and right of way, in any manner which does not interfere unreasonably with the operation of the said sewer line.

(b) The Optionee shall compensate the Optioner, its successors or assigns, for all damage done to adjoining lands and property thereon by the operations of the optionee.

(c) When and if the Optionee disturbs the surface of the strip of land in connection with its operations thereon, promptly upon the completion of the work the Optionee shall replace the surface of the land in the same condition in which it was before the work was started, at the cost and expenses of the Optionee.

(d) In the event that this easement shall be abandoned or cease to be used for a period of twelve months or more, it shall revert to and again be vested in the Optioner, its successors and assigns.

A plat showing the center line of the said easement and right of way is attached hereto as a part hereof.

Lot V

An easement and right of way, 10 feet, in width, for the purpose of constructing, operating, maintaining, renewing, and repairing a sewer line, with right of ingress and egress to and from the same along the said 10-foot strip but not elsewhere, the center line of said easement and right of way being more particularly bounded and described as follows:

BEGINNING at a point in the west front line of Lot No. 3421 at a point 5 feet north of the common front lot corner of Lot Nos. 3421 and 3419, said point also being in the east right of way line of Second Avenue; thence S. 59° 00' E. 87 feet crossing the common lot line between Lots 3421 and 3419 to a point on the existing sewer, said point being 5 feet south of the common lot lines between Lots 3421 and 3419.

The said easement and right of way shall be granted subject to the following terms, conditions, covenants and promises:

(a) The Optionor shall reserve the right to use the land, which is subject to the said easement and right of way, in any manner which does not interfere unreasonably with the operation of the said sewer line.

(b) The Optionee shall compensate the Optionor, its successors or assigns, for all damage done to adjoining lands and property thereon by the operations of the Optionee.

(c) When and if the Optionee disturbs the surface of the strip of land in connection with its operations thereon, promptly upon the completion of the work the Optionee shall replace the surface of the land in the same condition in which it was before the work was started, at the cost and expense of the Optionee.

(d) In the event that this easement shall be abandoned or cease to be used for a period of twelve months or more, it shall revert to and again be vested in the Optionor, its successors and assigns.

A plat showing the center line of the said easement and right of way is attached hereto as a part hereof.

The price to be paid for the above-described property is Sixty-one Thousand Five Hundred Dollars (\$61,500.00), which is to be paid in cash upon delivery of an apt and proper deed, and in no event later than six (6) months after the date hereof.

If Optionee shall desire to exercise the rights and privileges of this option, it shall, at any time prior to twelve o'clock midnight on July 15, 1959, deliver to Optionor a written notice of its election to exercise such rights and privileges. Such notice may be delivered to A. A. Payne, Charleston, West Virginia, or G. C. Alderson, Nitro, West Virginia, and shall take effect from the date of delivery. Thereupon this option shall continue in force for a reasonable time after the date on or before which such notice must be given, sufficient for the preparation, examination and approval of an abstract of title to the above-described premises.

Upon examination of the abstract and correction by Optionor of any defects in title (which defects Optionor agrees to correct), and approval to title of said property by Optionee, Optionor does further agree, concurrently with the payment of the purchase price by check or currency, to execute and deliver a good and valid deed containing covenant of general warranty conveying the above-described property to Optionee in fee simple, free and clear of all liens and encumbrances whatsoever, except the right of way and easement to be reserved in Lot I.

In the event this option is exercised, all taxes for the year 1959 and succeeding years shall be paid by the Optionee.

Time is the essence of this option; and in the event Optionee shall not complete the purchase within the period of this option or the time to which any extensions hereof have been granted, then this agreement shall forthwith become null and void and of no effect.

Notwithstanding any other provision hereof, the Optionee shall not have the right to exercise this option unless the Optionee at the same time exercises an option granted to it by Nitro Sewer Company, bearing even date and covering the sewer system in the "Nitro Reservation"; and the Optionee shall not be entitled to a deed for the property herein optioned until it has paid to Nitro Sewer Company the purchase price set out in the said option granted to it by Nitro Sewer Company.

This option shall extend to and be binding upon the successors and assigns of the Optionor and the same shall extend and inure to the successors and assigns of the Optionee.

IN WITNESS WHEREOF, the party of the first part has caused its name to be signed and its corporate seal to be hereunto affixed by its officer, thereunto duly authorized, and the party of the second part has caused its name to be signed and its corporate seal to be hereunto affixed by its Mayor, thereunto duly authorized, as of the day and year first above written. Executed in duplicate.

NITRO INDUSTRIAL CORPORATION

By SS A. A. Payne
Its President

CITY OF NITRO

By SS W. W. Alexander
Its Mayor

THIS AGREEMENT, Made this 15th day of March, 1959, by and between NITRO SEWER COMPANY, A WEST VIRGINIA corporation, party of the first part, hereinafter, called the "Optionor," and the CITY OF NITRO, A municipal corporation, party of the second part, hereinafter called the "Optionee";

W I T N E S S E T H:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby give and grant unto the party of the second part the exclusive right or option to purchase, subject to the reservations herein set out, at any time prior to Twelve o'clock midnight on July 15, 1959, the following property, that is to say, all the truck-line sewers and mains in the sewer system constructed in and upon the property at Nitro, in Putnam and Kanawha Counties, West Virginia, formerly owned by the United States of America, and known as the "Nitro Reservation," with the right to enter upon the premises where the same are at all times to operate, keep, repair and maintain the same, and being the same property described in a deed made to the Optionor by Nitro Industrial Corporation dated February 18, 1948, recorded in the office of the Clerk of the County Court of Kanawha County, West Virginia, in Deed Book , page .

For a further description of the said property reference is made to the following deeds:

1. Deed made by Nitro Industrial Corporation to Nitro Sewer Company, dated July 1, 1937, recorded in the office of the Clerk of the County Court of Kanawha County, West Virginia, in Deed Book 434, at page 399, and in the office of the Clerk of the County Court of Putnam County, West Virginia, in Deed Book 66, at page 341;
2. Deed made by East View Land Company to Nitro Sewer Company, dated July 1, 1937, recorded in the office of the Clerk of the County Court of Kanawha County, West Virginia, in Deed Book at page .
3. Deed made by Nitro Industrial Corporation to Nitro Sewer Company, dated April 15, 1940, recorded in the office of the Clerk of the County Court of Putnam County, West Virginia, in Deed Book 72, at page 44; and
4. Deed made by R. G. Saunders, widower, to Nitro Sewer Company, dated April 15, 1940, recorded in the office of the Clerk of the County Court of Putnam County, West Virginia, in Deed Book 72, at page 49.

Subject, however, to the following rights which are to be reserved in the deed for the aforesaid property, if the Optionee elects to exercise this option, to-wit:

1. The rights now owned by others to use the said sewer system in common with other property owners requiring the use of said sewer system within the Nitro Reservation, which rights have heretofore been conveyed to individual owners of property situate within the said Nitro Reservation.
2. The right of Nitro Industrial Corporation, its successors or assigns, to connect to the said sewer system without the payment of a tap or connection fee, in order to obtain and enjoy the use of the said sewer system for all land now owned by Nitro Industrial Corporation which is within the "Nitro Reservation." It is understood, however, that Nitro Industrial Corporation, its successors and assigns, will have to pay such fees for the use of the said sewer system as are fixed by the Public Service Commission of West Virginia and as are paid by other users of the said sewer system. Nitro Industrial Corporation has heretofore reserved to itself the right to make connections to the said sewer system without the payment of any connection

fee or tap charge, and to make the aforesaid use of the said sewer system for land owned by it, and any grantee of the above-described property shall recognize the said rights and take the said property subject thereto; and

3. All sewers in the said sewer system, which are not ~~trunk-line~~ sewers and mains but are small sewers serving only the parcel of land on which the same are located;

and subject, further, to the express agreement that the rights to ~~all~~ sewers in the ~~streets~~ and alleys in the Nitro Reservation, which will be conveyed if this option is exercised, are to be limited to such rights as the Optionor may own.

The price to be paid for the above-described property is Twenty-five Thousand Dollars (\$25,000.00), which is to be paid in cash upon delivery of an apt and proper deed, and in no event later than six (6) months after the date hereof.

If Optionee shall desire to exercise the rights and privileges of this option, it shall, at any time prior to twelve o'clock midnight on July 15, 1959, deliver to Optionor a written notice of its election to exercise such rights and privileges. Such notice may be delivered to John V. Ray, Charleston, West Virginia, attorney for the Optionor, who is hereby designated the agent of the Optionor for that purpose, and shall take effect from the date of delivery. Thereupon this option shall continue in force for a reasonable time after the date on or before which such notice must be given, sufficient for the preparation, examination and approval of an abstract of title to the above-described premises.

Upon examination of the abstract and correction by Optionor of any defects in title (which defects Optionor agrees to correct), and approval to title of said property by Optionee, Optionor does further agree, concurrently with the payment of the purchase price by check or currency, to execute and deliver a good and valid deed containing covenant of general ~~warrenty~~ conveying the above-described property to optionee in fee simple, free and clear of ~~all~~ liens and encumbrances whatsoever, but subject to the reserved rights hereinablve set out and the other terms and provisions hereof.

In the event this option is exercised, all taxes for the year 1959 and succeeding years shall be paid by the Optionee.

Time is the essence of this option; and in the event Optionee shall not complete the purchase within the period of this option of the time to which any extensions hereof have been granted, then this agreement shall forthwith become null and void and of no effect.

Notwithstanding any other provision hereof, the Optionee shall not have the right to exercise this option unless the Optionee at the same time exercises an option granted to it by Nitro Industrial Corporation bearing even date and covering certain tracts of land and easements therein described; and the Optionee shall not be entitled to a deed for the property herein optioned until it has paid to Nitro Industrial Corporation the purchase price set out in the said option granted to it by Nitro Industrial Corporation.

This option shall extend to and be binding upon the successors and assigns of the Optionor and the same shall extend and inure to the successors and assigns of the Optionee.

IN WITNESS WHEREOF, the party of the first part has caused its name to be signed and its corporate seal to be hereunto affixed by its officer, thereunto duly authorized, and the party of the second part has caused its name to be signed and its corporate seal to be hereunto affixed by its Mayor, thereunto duly authorized, as of the day and year first above written. Executed in duplicate.

NITRO SEWER COMPANY

By SS John V. Ray

Its Attorney

CITY OF NITRO

By SS W. W. Alexander

Its Mayor

The Mayor and Council proceeded to discuss the foregoing options to some extent.

Thereupon, Councilman Bush moved, seconded by Councilman, Gewin, that the Mayor be authorized to sign said options with the Nitro Industrial Corporation and the Nitro Sewer Company. Motion carried unanimously.

There being no further business to come before the Council at this time a motion for adjournment by Councilman Bush carried.

The meeting was adjourned until April 21, 1959.


W. W. Alexander, Mayor


Grace Lewis, Recorder

April 21, 1959

The City Council met in a regular session Tuesday, April 21, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order.

The minutes for meetings held March 17th, April 7th and April 20th were read. Councilman Bush moved, seconded by Councilman Gandee, the minutes be approved. Motion carried.

Councilman Estep moved, seconded by Councilman Bush, the financial statement for the month of March be accepted. Motion carried.

Street paving petitions for Reeves Drive, Kapoc Street and Lee Avenue were presented.

Thereupon Councilman Dunlap moved, seconded by Councilman Bush, that Kapoc Street be paved 26 foot width, from its intersection with Main Avenue to Benamati Street and 20 foot width from Benamati Street to dead end at Kanawha Avenue. Motion carried.

Thereupon, Councilman Dunlap moved, seconded by Councilman Grover, that Reeves Drive be paved 20 foot in width, from its intersection with Lee Avenue to dead end at Kanawha River Bank. Motion carried.

Thereupon, Councilman Grover moved, seconded by Councilman Bush, that Lee Avenue be paved 20 foot width, from its intersection with Walker Avenue North to Reeves Drive. Motion carried.

Thereupon, Councilman Bush moved, seconded by Councilman Gewin, that all street petitions be submitted by the May council meeting. Motion carried.

The Council discussed resurfacing 15th Street, 34th Street, 39th Street and paving of Lock Avenue.

Councilman Dunlap moved, seconded by Councilman Grover, that the aforementioned streets be checked. Motion carried.

The Mayor announced that the Zoning Commission had concurred with the Planning Commission on the Planning Commission's recommendation as follows:

"That the Council designate the property starting at Third Avenue, abutting on Twenty-first Street and North Twenty-first Street, and all the land owned by Nitro Land Company be declared AA residential.

The the cost of the construction of houses in this area be Fifteen Thousand Dollars (\$15,000.00) minimum, based on 1959 prices, and single dwelling only.

That all streets be a minimum of Twenty-eight (28') feet wide, and all houses be set back Twenty-five (25') feet from property line.

That lots must contain Six Thousand-five Hundred (6,500) square feet and only one house can be built on a lot."

Thereupon, Councilman Dunlap moved, seconded by Councilman Hogshead, that the Planning Commission's recommendation be approved and adopted. Motion carried.

Several members of the Boy Scout Troop 151 were present at the meeting and Jack Welton presented to the Council a Disaster Plan for the Scout Troop. The Mayor and Council discussed the need of plans for

the City in case of disaster and the re-organizing of the Civilian Defense.

Councilman Gewin moved, seconded by Councilman Dunlap, that the Mayor be directed to write a letter to the Boy Scout Troop 151, commending the Scout Troop for their forward thinking and well devised disaster plan. Motion carried.


The Mayor and Council entered into a discussion of width of alley in the property in the Sattes area, along First Avenue (New W. Va. Route No. 25) next to the hill.

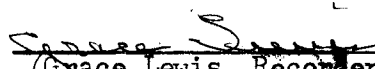
Councilman Estep moved, seconded by Councilman Bush, that the City aske the owner of the said property to enlarge alley to Twenty feet. Motion carried.

Councilman Dunlap moved, seconded by Councilman Estep, that the City go on record in protest of the rate increase as requested the the United Fuel Gas Company and that the City contribute \$250.00 to \$500.00 toward the finances of protesting the rate increase, and in the event additional fees are needed, that the City Council be requested to take further action. Motion carried.

Councilman Grover moved, seconded by Councilman Bush, that a Stop sign be erected on Third Avenue at 31st Street. Motion carried.

There being no further business to come be fore the council, a motion for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

NOTICE

TO: M. L. BUSH, DR. GEORGE W. HOGSHEAD, BORDEN GEWIN,
J. L. DUNLAP, GRENFALL L. ESTEP, HOWARD M. GANDEE,
and FRANK E. GROVER, Members of the Council of the
City of Nitro, Kanawha and Putnam Counties, West
Virginia.

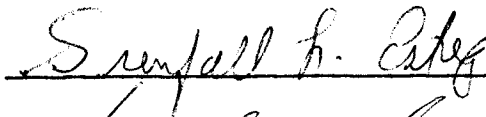
You, and each of you, will please take notice that a
special meeting of the Council of the City of Nitro, West
Virginia, is hereby called and will be held in the Council
Chambers of the City Hall of said City on the 28th day of
April, 1959, at 8:00 o'clock p.m. for the purpose of con-
sidering the following:


1. To consider the awarding of contract in regard to
the construction of sidewalks and storm sewers within the
City of Nitro.
2. To consider any other matters that may properly come
before the Council.


W. W. ALEXANDER, MAYOR


Service of the within notice is considered both timely
and sufficient.


M. L. Bush


Grenfall L. Estep


Howard M. Gande


J. L. Dunlap Jr.


Frank E. Grover

Handwritten marks and scribbles, possibly a signature or initials.

April 28, 1959

The City Council met in a special session April 28, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, F. E. Grover and George W. Hogsehad, M. D. members of the Council.

Mayor Alexander called the meeting to order and presented the call for the meeting.

Letters were read to the Council from Mountain State Construction Company, O. K. Construction Company, Inc. and Roane Construction Company, Inc. stating that the said firms were willing to use all qualified local labor, possible on the sidewalk and sewers project..

The total tabulated bids were presented and read to the Council, and the Council proceeded to consider and discuss the bids.

Thereupon, Councilman Bush moved, seconded by Councilman Estep, that the bid be awarded to the Roane Construction Company, Inc., it being the lowest and best bid for said work and further ordered that the work proceed in accordance with plans, profiles and specifications prepared by the City Engineer and approved by Council, and moved further to give the City Engineer the authority to use metal pipe or concrete pipe at his discretion. Motion carried.

Councilman Bush moved, seconded by Councilman Estep, that the Mayor be authorized and directed to execute proper contracts, bonds, and all instruments necessary for the undertaking and completion of said work, upon a vote being taken, motion carried unanimously.

A petition for the resurfacing of 34th Street, from its intersection with First Avenue to its intersection with Second Avenue was presented.

Thereupon, Council proceeded to consider and discuss the requests, proposals and petitions of the abutting property owners for grading, paving, surfacing, re-surfacing, widening, curbing, re-curbing and guttering, and otherwise permanently improving the following named streets:

WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25) TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE.

Thereupon, Councilman Bush moved, that the Council accept the above named petitions and that it accept the proposals of interested persons and of council for said improvements of said above named streets, and that the City proceed to make said improvements under and pursuant to the procedure set forth and provided in Article 8, Chapter 8, of the Code of West Virginia, as amended, and further moved that Council fix May 20, 1959, at 8:00 o'clock P. M. in its Council Chambers in the City Hall of said City as the time and place, of a public meeting of Council for the hearing of protests and objections of property owners or interested persons, and for any adjournment thereof; and further that the City Recorder be authorized and directed to publish the following notice

once a week for three successive weeks in the Kanawha Valley Leader, the only newspaper published within the City of Nitro and having general circulation therein, said notice being as follows:

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25) TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE.

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, repaving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, and otherwise permanently improving said Streets or public ways, and by constructing, providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways. The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 20th day of May, 1959, at 8:00 o'clock P. M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Don by action of the Council of the City of Nitro on the 28th day of April, 1959.

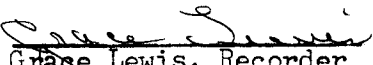
Grace Lewis, Recorder, City of Nitro, West Va.

Said motion was duly seconded by Councilman Gandee and upon a vote being taken, the Council voted unanimously in favor of said motion and the Mayor declared the said motion having received an affirmative vote was so ordered.

Councilman Bush moved, seconded by Councilman Estep, to dispense with committee meeting for May. Motion carried.

There being no further business, a motion by Councilman Bush for adjournment carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

NOTICE

TO: M. L. BUSH, DR. GEORGE W. HOGSHEAD, BORDEN GEWIN, J. L. DUNLAP, GRENFALL L. ESTEP, HOWARD M. GANDEE, AND FRANK E. GROVER, Members of the Council of the City of Nitro, Kanawha and Putnam Counties, West Virginia.

You, and each of you, will please take notice that a special meeting of the Council of the City of Nitro, West Virginia, is hereby called and will be held in the Council Chambers of the City Hall of said City on the 11th day of May, 1959, at 1:30 o'clock p.m. for the purpose of considering the following:

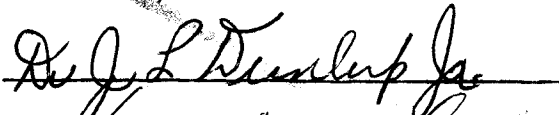
1. To consider the operation of a garbage, rubbish and other refuse collection system in the City of Nitro, by the City of Nitro, Kanawha and Putnam Counties, West Virginia.
2. To consider any other matters that may properly come before the Council.

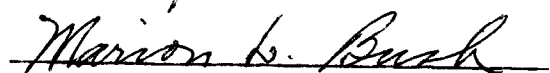

W. W. ALEXANDER, MAYOR

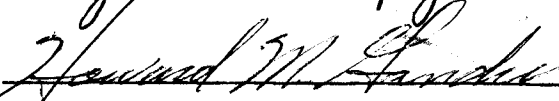
Service of the within notice is considered both timely and sufficient.













1. The first part of the report is a general
description of the project and its objectives.
2. The second part is a detailed description of the
methodology used in the study.

3. The third part is a description of the results
of the study. 4. The fourth part is a discussion
of the results and their implications. 5. The fifth
part is a conclusion and a list of references.

6. The sixth part is a list of references. 7. The
seventh part is a list of references. 8. The eighth
part is a list of references. 9. The ninth part is
a list of references. 10. The tenth part is a list
of references.

11. The eleventh part is a list of references. 12.
The twelfth part is a list of references.

13. The thirteenth part is a list of references. 14.
The fourteenth part is a list of references.

15. The fifteenth part is a list of references. 16.
The sixteenth part is a list of references.

17. The seventeenth part is a list of references. 18.
The eighteenth part is a list of references.

May 11, 1959

The City Council met in a special called meeting Monday, May 11, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, and George W. Hogshead, M. D. members of the Council.

Mayor Alexander called the meeting to order and presented the call for the meeting, which call has been attached and made a part of these minutes.

The Mayor and Council entered into a discussion of the present garbage collection system in the City.

Thereupon, the following ordinance was introduced and read:

AN ORDINANCE ESTABLISHING A MUNICIPAL SERVICE FOR THE COLLECTION AND DISPOSAL OF ALL GARBAGE, RUBBISH AND OTHER REFUSE ACCUMULATED IN THE CITY; PROVIDING FOR A DIRECTOR OF THE REFUSE COLLECTION SERVICE; PRESCRIBING REGULATIONS FOR THE STORAGE AND COLLECTION OF GARBAGE AND OTHER REFUSE; PROVIDING FOR THE MAINTENANCE OF SANITARY CONDITIONS OF PUBLIC AND PRIVATE PREMISES IN THE CITY; PROVIDING FOR THE COLLECTION OF ALL GARBAGE, RUBBISH AND OTHER REFUSE BY THE CITY OF NITRO, FROM PRIVATE AND PUBLIC PREMISES IN THE CITY OF NITRO AND PRESCRIBING THE TERMS THEREOF; AND PRESCRIBING FOR VIOLATION OF CERTAIN PROVISIONS OF THIS ORDINANCE.

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

1. Short Title: This ordinance shall be known and may be cited as the "Municipal Refuse Collection Service Ordinance of the City of Nitro."

2. Definitions: For the purpose of this Ordinance the following terms, phrases, words and their derivations shall have the meaning given herein.

(a) "Garbage" is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

(b) "Rubbish" is nonputrescible solid wastes (excluding ashes), consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

(c) "Refuse" is all putrescible and nonputrescible solid wastes (except body wastes) including garbage, rubbish, ashes, street cleaning, dead animals, abandoned automobiles, and solid market and industrial wastes.

(d) "City" is the City of Nitro.

(e) "Director" is the Director of the Municipal Refuse Collection Service of the City of Nitro and as such shall have authority to administer the service and to prescribe reasonable rules and regulations under the provisions hereof.

(f) "Superintendent" is the person who shall be in charge and responsible to the Director for the proper operation of the Municipal Refuse Collection Service and collection of fees.

3. Collection: All refuse accumulated in the City shall be collected, conveyed and disposed of by the City of Nitro, and subject to all the provisions hereof and all reasonable rules and regulations at any time adopted by the Director or by Council. No person other than the City of Nitro, shall collect or convey over any of the streets or alleys of the City, or dispose of, any refuse accumulated in the City, except that the actual producers of refuse, or the owners of premises upon which refuse has accumulated, may personally collect, convey and dispose of such refuse providing such producers or owners comply with the provisions of this ordinance and other governing laws.

4. Precollection practices:

(a) All garbage shall be placed and stored in closed containers, and shall have drained from it all free liquids and wrapped in paper. All rubbish shall be drained of liquid before being deposited for collection. All cans and bottles which have contained food shall be cleaned and washed before being deposited for collection.

(b) Duty to Provide and Maintain Refuse Containers:

Refuse containers shall be provided by the owner, tenant, lessee or occupant of the premises. Refuse containers shall be maintained in good condition. The Director shall have the authority to refuse collection services for failure to comply herewith.

(c) Garbage containers shall be made of metal, equipped with suitable handles and tight fitting covers, and shall be water tight.

(d) No person shall place any refuse in any street, alley or other public place, or upon any private property whether owned by such person or not, within the City except it be in proper containers for collection or under express approval granted by the Director. Nor shall any person throw or deposit any refuse in any stream or other body of water.

(e) Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within thirty days after the effective date of this Ordinance shall be deemed a violation of this Ordinance.

(f) No person shall cast, place, sweep or deposit anywhere within the City any refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, park-

way or other public place, or into any occupied premises within the City.

(g) No person shall suffer or permit any garbage to accumulate and remain on the premises in containers, or otherwise, longer than a period of one week in any event.

5. Collection Practices:

(a) Refuse accumulated by residences shall be collected at least twice each week, unless less frequent collection be approved by the Director because of weather conditions or other emergency conditions.

(b) Commercial establishments may enter into an agreement for a greater frequency of collection. Where deemed necessary to protect the public health, the Director shall have the authority to require that more frequent collections be made.

(c) A reasonable collection of refuse of each family shall be collected during the collection period for a standard charge.

(d) The collection charge for commercial establishments shall be based upon the average volume.

(e) The Director shall have the authority to refuse to collect unreasonable amounts or to make an additional charge for such amounts.

6. Collection by Actual Producers: Disposal of refuse by persons who are the actual producers as hereinbefore provided shall be made outside the City limits. The Director shall have the authority to permit the disposal of such material on the City dump and to charge a reasonable fee therefor.

7. Ownership of refuse material set out for collection or

deposited on the City dump shall be vested in the City.

8. The Director shall have the authority to promulgate reasonable rules and regulations in connection with the collection and disposal of refuse accumulated in the City. The Director shall be the Mayor or some person designated by him for the performance of such service.

9. The Director shall designate and appoint a superintendent who shall have the responsibility for the proper operation of this Ordinance including the collection of accounts from customers. The Superintendent shall execute a bond in the penal sum of \$3,500.00, conditioned for the faithful performance of the obligation imposed by the terms of this ordinance.

The Superintendent shall be directly responsible to the Director, and receive a salary approved by Council.

10. The City shall have the exclusive right to collect garbage within the corporate limits of the City of Nitro. The Director shall collect a service charge for such services from each owner, tenant or occupant of any premises, both residential and commercial, located in the City of Nitro, which service charge shall be approved by the Director and Council. No person other than the City of Nitro, or person as herein provided, shall collect or transport over the streets and alleys of the City, or otherwise, dispose of any refuse accumulated in the corporate limits of the City of Nitro.

11. The Mayor shall proceed forthwith to purchase the necessary equipment for the carrying out of this ordinance, provided however, that all purchases must be approved by Council; and also, the Mayor is hereby directed to serve notice upon all persons

now collecting garbage in the City of Nitro, that their contract will
be terminated as ^{of} the 15th day of June, 1959.

12. DELINQUENT ACCOUNTS: All accounts shall be considered delinquent if not paid by the last day of the month for which the service is rendered. All delinquent accounts are subject to stoppage of service without notice. The Director shall cease all refuse collections for the delinquent accounts.

13. PENALTY. Any person, firm or corporation who shall violate any of the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed One Hundred (\$100.00) Dollars.

14. Each of the provisions of this Ordinance are severable, and if any provision shall be declared to be invalid, the remaining provisions shall not be deemed affected, but shall remain in full force and effect.

15. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Thereupon, after considerable discussion, Councilman Bush moved, seconded by Councilman Estep, that the foregoing ordinance be adopted. Upon a vote being taken those voting in favor of the motion were : Councilmen Bush, Estep, Gandee, Hogshead, Grace Lewis, Recorder and Mayor Alexander. Councilman Dunlap did not vote.

The Mayor declared the motion carried and so ordered.


The Council instructed the Mayor to contact distributors

of sanitary garbage trucks with regard to having truck brought in for inspection of the Council.

There being no further business to come before the Council at this time, a motion by Councilman Estep for adjournment carried.



W. W. Alexander, Mayor



Grace Lewis, Recorder

May 19, 1959

The City Council met in regular session Tuesday, May 19, 1959.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and F. E. Grover, member of the Council.

Mayor Alexander called the meeting to order..

Councilman Bush moved, seconded by Councilman Estep, the minutes for meeting held April 21st, April 28th, and May 11th be approved. Motion carried.

Councilman Dunlap moved, seconded by Councilman Gewin, the financial statement for the month of April be accepted. Motion carried.

Councilman Dunlap moved, seconded by Councilman Grover, the City enter into an agreement with the Kanawha-Charleston Health Department for the Vector Control program, effective June 1st through September 15th and moved further that the expenses for the month of June, 1959 be charged to the Street Department and expenses from July 1st through September 15th be charged to Health Department of the budget. The motion carried.

Councilman Dunlap informed the Mayor and Council that he and Councilman Gandee had checked the towns of Dunbar and St. Albans on the garbage collection system, and that the ordinance passed by Council on May 11th did not provide for permanent records and a billing method and that the towns they checked did have a complete billing system and permanent records. The Mayor informed the Council that the Superintendent would furnish the City with permanent records of collections made and accounts in arrears. The Mayor and Council then entered into a discussion of garbage trucks. The Mayor informed the Council that one truck would be on display at 10:30 A.M. on Wednesday


and that he would try to get other makes of garbage trucks in for the Council's inspection.

Councilman Dunlap asked if the City could request the Builders Lumber and Supply Company to take care of the drainage problem on their property in the east end of town, as this situation had created a health problem. The Mayor said he had talked with one of the stock holders of the company and he had agreed to take care of the situation.

In the discussion of the rise in the pavement on 11th Street West, the Mayor informed the Council that officials of the United Fuel Gas Company had told him that the company would take the pavement out and replace it at any time, however, they could not give assurance that the problem would not occur again.

There being no further business, a motion by Councilman Bush, seconded by Councilman Estep, to recess the meeting until Wednesday, May 20th at 8:00 P.M. carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

May 20, 1959

The Council of the City of Nitro met in a Special Session in the Council Chambers in the City Hall of Nitro, West Virginia, on the 20th day of May, 1959, pursuant to an order duly made on April 28, 1959, by said Council and pursuant to a call by the Mayor.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin and F. E. Grover members of the Council.

Thereupon the Mayor announced that this was a duly called and advertised public meeting held for the purpose set forth in the legal notice for the hearing of objections and protests from property owners and other interested persons relative to the permanent improvements of the Streets and portions of streets set out in the legal notice, copy of which was presented to the Council and which is hereinafter set out as a part of these minutes; and for which improvements the plans, specifications, profiles and estimates were on file and available for inspection by any interested persons.

Thereupon, the Recorder advised the Council that the notice to abutting property owners of the proposed permanent improvements had been duly published for three successive weeks in the Kanawha Valley Leader as directed by Council in an order duly made at a Special Session on April 28, 1959.

Thereupon Councilman Dunlap, seconded by Councilman Estep, moved that the Publisher's Affidavit and certificate of publication of said notice, by Cecil Walker, publisher of said paper, be made a part of the minutes of this meeting by being set out herein. Upon a vote being taken, the Council voted unanimously in favor of said motion and the Mayor directed the same passed and so ordered

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of
Kanawha Valley Leader, a Weekly Newspaper of general circu-
lation, published in the City of Nitro, Kanawha County, West Vir-
ginia, do solemnly swear that the annexed

Legal Notice

was duly published in said paper once a week for 3
successive weeks, commencing with the issue of the 1st
day of May, 19 59 and ending with the
issue of the 15th day of May, 19 59

~~and was posted at the Court House of Kanawha County, or~~

, 19

С. Р. Вальтер

Manager,

Kanawha Valley Leader.

Subscribed and sworn to before me this 9th day of July 1945

June , 19 59

Feldt Gates

Notary Public for Kanawha County, West Virginia

(My commission expires Jan. 21, 1965).

POWER TO ALL PERSONS
 PROPERTY ABUTTING
 STREET OF PUBLIC HIGH
 KENTON AND PUTNAM COUNTRIES
 THE CITY OF KENTON, KY.
 ITS COMMISSIONERS, IN
 ITS ORDINANCE, NO. 100,
 THE CITY OF KENTON, KY.
 KENTON COUNCIL, CHAIRMAN
 AVENUE, IN DEED OF
 BANK, KENTON, KY.
 FROM THE INTEREST
 WHERE VIRGINIA HIGHWAY
 KENTON AVENUE, IN
 SECTION WITH WAY
 100 AVENUE, IN
 KENTON, KY.
 KENTON STREET, IN
 ITS INTEREST, IN
 STREET, KENTON, KY.
 TO ITS INTEREST, IN
 PROVIDED HAVE BEEN
 CITY OF KENTON TO
 STREETS AND PUBLIC
 KENTON AND PUTNAM
 TRAILING, DRAINING
 ING, CHANGING, CHANGING
 PERMANENTLY IMPROVING
 CONSTRUCTING, PROVIDING
 OR OTHER PERSONS
 ABOVE NAMED STREETS
 AND INDIVIDUALS
 THE CITY OF KENTON
 OF THEIR INTERESTS
 OF THE STREETS
 IMPROVEMENTS, AND
 ORDINANCES, AND
 CITY OF KENTON
 OF MAY, 1900
 CITY OF KENTON
 BE, AND
 CITY OF KENTON
 CITY OF KENTON
 24th day of April, 1900

AFFIDAVIT OF PUBLICATION

State of West Virginia,
County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

LEGAL NOTICE

NOTICE TO ALL PERSONS OR CORPORATIONS OWNING PROPERTY ABUTTING ON THE FOLLOWING NAMED STREETS OR PUBLIC WAYS IN THE CITY OF NITRO, KANAWHA AND PUTNAM COUNTIES, WEST VIRGINIA: WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25) TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE:

Proposals have been made to the Common Council of the City of Nitro to permanently improve the portions of the Streets and public ways described above in the City of Nitro, Kanawha and Putnam Counties, West Virginia, by grading, re-grading, draining, paving, re-paving, surfacing, re-surfacing, widening, curbing, re-curbing, guttering, and otherwise permanently improving said Streets or public ways, and by constructing providing and renewing any such improvements or other permanent public improvements in and on said above named streets and public ways, or portions thereof, and including any intersections, as the Common Council of the City of Nitro may deem proper and to assess the cost of such improvements on the property abutting said portions of said streets and public ways. The proposals to make such improvements and the plans, specifications, profiles, and estimates will be considered by the Common Council of the City of Nitro at a public meeting to be held on the 20th day of May, 1959, at 8:00 o'clock P.M. at the City Building in said City of Nitro. Any abutting owners or interested parties will be given an opportunity to protest or be heard at said meeting or any adjournment thereof.

Done by action of the Council of the City of Nitro on the 28th day of April, 1959.

Grace Lewis, Recorder, City of
Nitro, Nitro, W.Va.

was duly published in said paper once a week for 3 successive weeks, commencing with the issue of the 1st day of May, 1959 and ending with the issue of the 15th day of May, 1959.

C. R. Walker,
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 9th day of June, 1959.

Zelda Yates

Notary Public for Kanawha County, West Virginia.
(My commission expires Jan. 21, 1965).

The Council then proceeded to consider the permanent improvement of Reeves Drive (Formerly Reeves Court), from its intersection with Lee Avenue to Dead End near the Kanawha River Bank.

Thereupon, there being no protest, Councilman Dunlap moved, seconded by Councilman Bush, that improvement of Reeves Drive (formerly Reeves Court) from its intersection with Lee Avenue to Dead End near the Kanawha River Bank be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of Kapoc Street (formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Routs No. 25) to Dead End near Kanawha Avenue.

Thereupon, there being no protest, Councilman Dunlap moved, seconded by Councilman Gewin, that improvement of Kapoc Street, (formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25) to Dead End Near Kanawha Avenue be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of Lee Avenue from its intersection with Walker Street, North to end of Lee Avenue.

Thereupon, there being no protest, Councilman Bush moved, seconded by Councilman Grover, that improvement of Lee Avenue, from its intersection with Walker Street, North to end of Lee Avenue be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of Benamati Avenue, (formerly Benamati Street), from its intersection with Kapoc Street (formerly 11th Avenue), South to its intersection with Walker Street.

Thereupon, there being no protest, Councilman Gewin moved, seconded by Councilman Grover, that improvements of Benamati Avenue,

(formerly Benamati Street), from its intersection with Kapoc Street, (formerly 11th Avenue), South to its intersection with Walker Street be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of Gravely Court, from its intersection with Lee Avenue to Dead End near Kanawha River Bank.

Thereupon, there being no protest from property owners of Gravely Court and all property owners of Gravely Court having accepted service in lieu of advertisement, Councilman Estep moved, seconded by Councilman Bush, that improvement of Gravely Court from its intersection with Lee Avenue to Dead End near Kanawha River Bank be ordered. Upon a vote the motion carried and was so ordered.

The Council then proceeded to consider the permanent improvement of 34th Street, from its intersection with First Avenue to its intersection with Second Avenue.

Thereupon, there being no protest, Councilman Bush moved, seconded by Councilman Estep, that improvement of 34th Street, from its intersection with First Avenue to its intersection with Second Avenue be ordered. Upon a vote the motion carried and was so ordered.

Upon the advise of the Engineer, Councilman Estep moved, seconded by Councilman Gewin, that the permanent improvement street program be divided into three units - Unit A - New Construction, Unit B - Resurfacing, Unit C - New sidewalks. Upon a vote being taken the motion carried.

Thereupon the following Ordinance was introduced to Council.

RESOLUTION OF THE COUNCIL OF THE CITY OF NITRO DECLARING THE NECESSITY AND CONVENIENCE OF PERMANENTLY IMPROVING CERTAIN DESIGNATED STREETS OR PORTIONS THEREOF IN THE CITY OF NITRO, WEST VIRGINIA; PROVIDING FOR THE PERMANENT IMPROVEMENT OF SAID STREETS OR PORTIONS THEREOF; APPROVING PLANS AND SPECIFICATIONS; PROVIDING FOR COMPETITIVE BIDS, CONTACT AND SUPERVISION; PROVIDING FOR PAYMENT BY ASSESSING THE TOTAL COST ON ABUTTING PROPERTY AND THE ISSUANCE OF ASSESSMENT CERTIFICATES; ALL AS PROVIDED BY ARTICLE 8, CHAPTER 8 OF THE CODE OF WEST VIRGINIA, AS AMENDED BY THE ACTS OF THE LEGISLATURE OF 1949.

WHEREAS, the Council of the City of Nitro, has caused notice to be given to abutting property owners as provided in Section 3, Article 8, Chapter 8, of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, by publication in the Kanawha Valley Leader, the only newspaper of general circulation in said City, once a week for three successive weeks, commencing on the 1st day of May, 1959, and ending on the 15th day of May, 1959, that a public meeting would be held at the Municipal Building in said City on the 20th day of May, 1959, for the purpose of considering a resolution of ordinance declaring the necessity or convenience of the permanent improvement of certain streets or portions thereof in said City, and giving an opportunity to abutting owners and other interested persons to protest and be heard concerning the adoption or rejection of same, which streets and portions thereof are described as follows:

WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE; LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25) TO DEAD END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE, (FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE TO ITS INTERSECTION WITH SECOND AVENUE; GRAVELY COURT, FROM ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK.

WHEREAS, prior to said public meeting there have been prepared plans, specifications and estimates of the proposed improvements by Municipal Engineering Corporation, for said City of Nitro, showing the proposed grade and sufficient data for any owner of abutting property to calculate approximately what proportionate part of the estimated cost thereof might be assessed against his property, and said plans, specifications and estimates have been on file with the Recorder of said City and open to the inspection of all interested persons; and

WHEREAS, a hearing was duly held pursuant to said notice, at which all abutting owners and interested persons were given an opportunity to protest and be heard concerning the adoption or rejection of said resolution or ordinance; and

WHEREAS, acting under the authority of the last paragraph of Section 2 of Article 8 or Chapter 8 of the Code of West Virginia as amended in 1949, and regardless of the validity or invalidity of any petitions which may have heretofore been submitted to the Council, the Council, by vote of more than three-fourths of its members, deems it advisable, necessary and convenient to provide for such improvements and to assess the entire cost thereof upon abutting property and the owners thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NITRO, WEST VIRGINIA:

SECTION 1. That the certificate of publication of the notice of said meeting by the Kanawha Valley Leader, the only newspaper of general circulation in said City of Nitro, and a copy of said notice be, and the same are hereby, made a part of the minutes of the Council and the Recorder is hereby ordered to spread the same upon the record of said meeting.

SECTION 2. That following its own independent investigation and upon its own authority as provided by law, the Council, by the affirmative vote of more than three-fourths of its members, hereby declares it to be necessary and convenient to permanently improve by grading, regrading, paving and repaving, surfacing and resurfacing, with base and drainage, and by building and renewing sidewalks and making other incidental permanent improvements in accordance with the plans, specifications and profiles heretofore filed, as modified and amended, the following described streets and portions thereof in the City of Nitro as provided by said plans, specifications and profiles:

WALKER STREET, FROM ITS INTERSECTION WITH MAIN AVENUE (OLD WEST

VIRGINIA ROUTE NO. 25), TO ITS INTERSECTION WITH LEE AVENUE;
LEE AVENUE, FROM ITS INTERSECTION WITH WALKER STREET, SOUTH TO
THE WEST SATTES SCHOOL; REEVES DRIVE (FORMERLY REEVES COURT), FROM
ITS INTERSECTION WITH LEE AVENUE TO DEAD END NEAR THE KANAWHA
RIVER BANK; KAPOC STREET (FORMERLY 11TH AVENUE), FROM ITS INTER-
SECTION WITH MAIN AVENUE (OLD WEST VIRGINIA ROUTE NO. 25) TO DEAD
END NEAR KANAWHA AVENUE; LEE AVENUE FROM ITS INTERSECTION WITH
WALKER STREET, NORTH TO END OF LEE AVENUE; BENAMATI AVENUE,
(FORMERLY BENAMATI STREET), FROM ITS INTERSECTION WITH KAPOC
STREET (FORMERLY 11TH AVENUE), SOUTH TO ITS INTERSECTION WITH
WALKER STREET; 34TH STREET, FROM ITS INTERSECTION WITH 1ST AVENUE
TO ITS INTERSECTION WITH SECOND AVENUE; AND GRAVELY COURT FROM ITS
INTERSECTION WITH LEE AVENUE TO DEAD END NEAR KANAWHA RIVER BANK.

which said plans, specifications, profiles and estimates are on file with the
City Recorder and are referred to in the recitals to this resolution; and
the said plans, specifications, profiles and estimates are hereby approved and
adopted for the permanent improvement of said streets and portions thereof,
and said improvements are hereby authorized and shall be made under the super-
vision and direction of Municipal Engineering for said City.

SECTION 3. The grades of said streets or portions there-
of shall be the same as shown on said plans.

SECTION 4. After independent investigation by the Council,
each respective lot or parcel of real estate abutting on any part of any
portion of said streets and public ways above described is hereby found and
declared to be specially benefited by the proposed improvements abutting such
lot or parcel of real estate to an extent substantially greater than the
costs to be assessed against such abutting lot or parcel of land.

SECTION 5. The total cost of the improvements, including
the cost of improvements at and within intersections, and including all items

of costs mentioned in Section 5, Article 8, Chapter 8, of the Code of West Virginia, as amended by the Acts of the Legislature of 1949, shall be apportioned to and assessed against and borne by the lots or parcels of land and other properties abutting upon the respective portions of streets or other public ways hereby authorized to be improved, and upon which said improvements shall have been made. Each lot or parcel of land so abutting said portions of streets or other public ways shall be assessed with that portion of the total cost of the improvements on the entire portion of any street or public way herein authorized to be improved, which is represented by the proportion which the abutting frontage in feet of said lot or parcel of land bears to the total frontage in feet of all the assessable lots or parcels of land abutting on any respective portion of a street or public way herein authorized to be improved as provided by Chapter 8, Article 8, or said Code, as amended in 1949.

SECTION 6. The cost so apportioned shall be assessed against the respective abutting lots or parcels of land and shall be paid in ten (10) equal annual installments, the first to be and become due thirty (30) days after levying of the assessment for the improvements, and the other nine (9) installments to be and become due one (1) each year for nine (9) years thereafter, all at the rate of six per centum (6%) per annum from the date of the assessments, provided that on failure of the owner of the property assessed to pay any installment as and when due, and such default continuing for sixty (60) days, then at the option of the holder of the certificate evidencing any such assessment the entire balance thereof may be declared immediately due and payable, and the holder of the certificates may forthwith proceed to enforce the collection thereof.

SECTION 7. Certificates shall be issued evidencing said assessments and each installment of principal and interest payable. Said certificates shall be payable to the bearer and be signed by the Mayor and Recorder and shall refer to the ordinance of resolution laying the assessments,

and shall each show the amount and date of the assessment and describe the property against which the assessment is laid, describing the same as to ownership, amount, frontage and briefly as to location. The property abutting the portion of the street, alley, easement or public way improved shall be subject to a lien, from the date of the ordinance or resolution laying the assessment, for the payment of the costs of the improvements assessed against said property, and said assessments shall be and constitute liens in the hands of the holders of said certificates upon the respective lots and lands assessed and shall have priority over all other liens except those for land taxes due the state, county and municipality and except liens for pre-existing special assessments; and the said assessments shall be levied and paid, with interest thereon, and said certificates shall be issued, enforceable and otherwise, in all respects, subject to the provisions of said Chapter 8, Article 8, of the Code of West Virginia, as amended by Acts of 1949.

Each installment of said assessment on each certificate shall be evidenced by a coupon attached to the principal certificate, which coupon shall evidence such installment, shall refer to the date of the resolution levying said assessment and the time when said installment is due, and shall be signed in the name of the City of Nitro, by the facsimile signature of the Mayor, attested by the facsimile signature of the Recorder.

SECTION 8. The Recorder shall forthwith advertise for bids for said improvements to be made in accordance with said plans and specifications therefor. Such advertisement shall be made by publication at least once a week for two successive weeks in the Kanawha Valley Leader, a newspaper of general circulation in the City of Nitro, but not necessarily published therein. The contract shall be let to the lowest responsible bidder, but the advertisement for bids shall reserve to the City the right to reject any and all bids therefor. The work done under such contract, when let, shall be paid for by delivering to the contractor assessment certificates as above provided in lieu of cash.

SECTION 9. Upon the completion of the improvements, the City Engineer is hereby directed to prepare and submit to the Council his report showing the cost of such permanent improvements, the numbers and descriptions of the lots and parcels of land abutting same, the names of the owners of such lots and parcels, and such other matters as may be necessary in order to levy an assessment against said abutting property in accordance with the provisions of Chapter 8, Article 8, of the Code of West Virginia, as amended by the Legislature of West Virginia, Regular Session 1949. Upon the filing of said Engineer's report with the Recorder, the Recorder is hereby directed to give notice in the name of the City to the owners of the property to be assessed according to said Engineer's report that on or after a date named in said notice an assessment may be laid against the property so improved as embodied in said Engineer's report. Said notice shall state that the owner or owners whose property is to be assessed, or other interested party, May on said date appear before the Council to move the revision or correction of such proposed assessment, such notice shall be by publication once a week for two successive weeks in a newspaper of general circulation in the county and shall show the total cost of the improvements, the several frontage abutting thereon and the respective amounts to be assessed against the abutting property, with a description of the respective abutting lots and lands as to ownership, frontage and location.

SECTION 10. The attorney for the City is hereby directed to prepare and submit to the Council thereof, such notices, ordinances and information as may be required by the Council for the laying of the assessments and issuance of the certificates as aforesaid.

Thereupon Councilman Bush, seconded by Councilman Estep, moved the adoption of the foregoing ordinance and upon a vote by Council, the Council voted ^{UNANIMOUSLY} in favor of said motion and was so ordered.

Thereupon Councilman Bush, moved, seconded by Councilman


Estep, that bids be received from contractors until 4:30 o'clock P.M. on June 2, 1959, and that the contractors be required to deposit with his bid a certified check or bidders bond in the amount of five per centum of total contract, and that the bids be considered by Council at a Special meeting to be held at 8:00 o'clock P.M. on June 2, 1959, in the Council Chambers of Council in the City Hall by the City of Nitro and at any adjournment or recess thereof. Motion carried.

The Attorney informed the Council that John R. Plank of 1238 Main Avenue had hedge which he requested to be moved back from the line of the sidewalk. The Attorney further informed that the consideration for moving back from the line of the sidewalk would be Mr. Plank's giving the City the right to use his property on the upper side for sloping purposes from sidewalk out and over his lawn.

Thereupon Councilman Gewin moved, seconded by Councilman Bush, that the City be authorized to expend up to \$100.00 to move Mr. Plank's hedge back from the sidewalk line and further moved that waiver be obtained from Mr. and Mrs. Plank absolving the City of Nitro and contractor of any liability for damage to hedge resulting from transplanting. Motion carried.

There being no further business to come before the Council at this time a motion for adjournment by Councilman Bush, seconded by Councilman Grover, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

June 2, 1959

The City Council met in a special session in the Council Chambers in the City Hall of Nitro, West Virginia on the 2nd day of June, 1959, at 8:00 o'clock P.M.

There were present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr. Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover and George W. Hogshead, M.D. members of the Council.

The meeting was called and held pursuant to Ordinance adopted by Council on the 20th day of May, 1959, and also pursuant to advertisement for bids for permanent improvement of certain streets named in said advertisement which was duly published in the Kanawha Valley Leader, and by notice given to members of Council.

The meeting was called to order by Mayor Alexander.

Thereupon the Recorder reported that she had compiled with direction of Council by Ordinance heretofore adopted and had duly advertised for bids on the permanent improvement of Walker Street, from its intersection with Main Avenue (Old West Virginia Route No. 25), to its intersection with Lee Avenue; Lee Avenue, from its intersection with Walker Street, South to the West Sattes School; Reeves Drive (formerly Reeves Court), from its intersection with Lee Avenue to Dead end near the Kanawha River Bank; Kapoc Street (formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25) to Dead End near Kanawha Avenue; Lee Avenue from its intersection with Walker Street, North to end of Lee Avenue; Benamati Avenue, (formerly Benamati Street), from its intersection with Kapoc Street (formerly 11th Avenue). South to its intersection with Walker Street; 34th Street, from its intersection with First Avenue to its intersection with Second Avenue, in the Kanawha Valley Leader, a newspaper of general circulation

in the City of Nitro, for two successive weeks as required by said Ordinance, and tendered Publisher's Affidavit of said publication.

Councilman Bush, seconded by Councilman Estep, moved that the notice to contractors, notice asking for bids on said proposed improvements, together with Publisher's Affidavit of due publication be made a part of the minutes of this meeting by being attached hereto and incorporated herein. All Councilmen, the Mayor and Recorder voted for this motion and was so ordered.

AFFIDAVIT OF PUBLICATION

State of West Virginia,
County of Kanawha, to-wit:

I, Cecil R. Walker, Manager of Kanawha Valley Leader, a Weekly Newspaper of general circulation, published in the City of Nitro, Kanawha County, West Virginia, do solemnly swear that the annexed

NOTICE TO CONTRACTORS

THE CITY OF NITRO will receive sealed proposals for the paving, re-paving, widening, surfacing, re-surfacing, grading, draining, curbing and guttering and otherwise permanently improving same, and for the construction of sidewalks therein, upon and along Walker Street, from its intersection with Main Avenue (Old West Virginia Route No. 25), to its intersection with Lee Avenue; Lee Avenue, from its intersection with Walker Street, South to the West Sattes School; Reeves Drive (Formerly Reeves Court), from its intersection with Lee Avenue to dead end near the Kanawha River Bank; Kapoc Street (Formerly 11th Avenue), from its intersection with Main Avenue (Old West Virginia Route No. 25) to dead end near Kanawha Avenue; Lee Avenue from its intersection with Walker Street, North to end of Lee Avenue; Benamati Avenue, (Formerly Benamati Street), from its intersection with Kapoc Street (Formerly 11th Avenue), South to its intersection with Walker Street, Gravely Court in its entirety; 34th Street, from its intersection with 1st Avenue to its intersection with Second Avenue; and otherwise permanently improving said streets, all in the City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with forms furnished by the City Recorder. Work must be performed in accordance with plans, specifications, profiles and estimates on file with Grace Lewis, City Recorder. Payment for said work will be made by certificates in the manner set out in the bid proposal forms. The contractor shall deposit a certified check or bidder's bond in the amount of 5% of the bid price and furnish letter committing performance bond.

All bids shall be sealed and in the hands of Grace Lewis, City Recorder on or before 4:30 o'clock, P.M. EST, June 2, 1959. Bids will be opened and publicly read at the City Hall, in the Council Chamber at a meeting of Council to be held on the 2nd. day of June, 1959, at 8:00 o'clock, P.M. EST. The City reserves the right to reject any and all bids or to waive any

Printer's Fee \$

AFFIDAVIT OF PUBLICATION

State of West Virginia,

County of Kanawha, to-wit:

I, Cecil R. Walker, Manager
Kanawha Valley Leader, a Weekly Newspaper of general circ
lation, published in the City of Nitro, Kanawha County, West Vi
ginia, do solemnly swear that the annexed

Notice To Contractors

was duly published in said paper once a week for 2
successive weeks, commencing with the issue of the 22nd
day of May, 19 59 and ending with th
issue of the 29th day of May, 19 59
and was posted at the Court House of Kanawha County o

19
C. R. Walker
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 7th day
June, 19 59

Notary Public for Kanawha County, West Virginia.

(My commission expires Jan. 21, 1965).

NOTICE TO CONTRACTORS

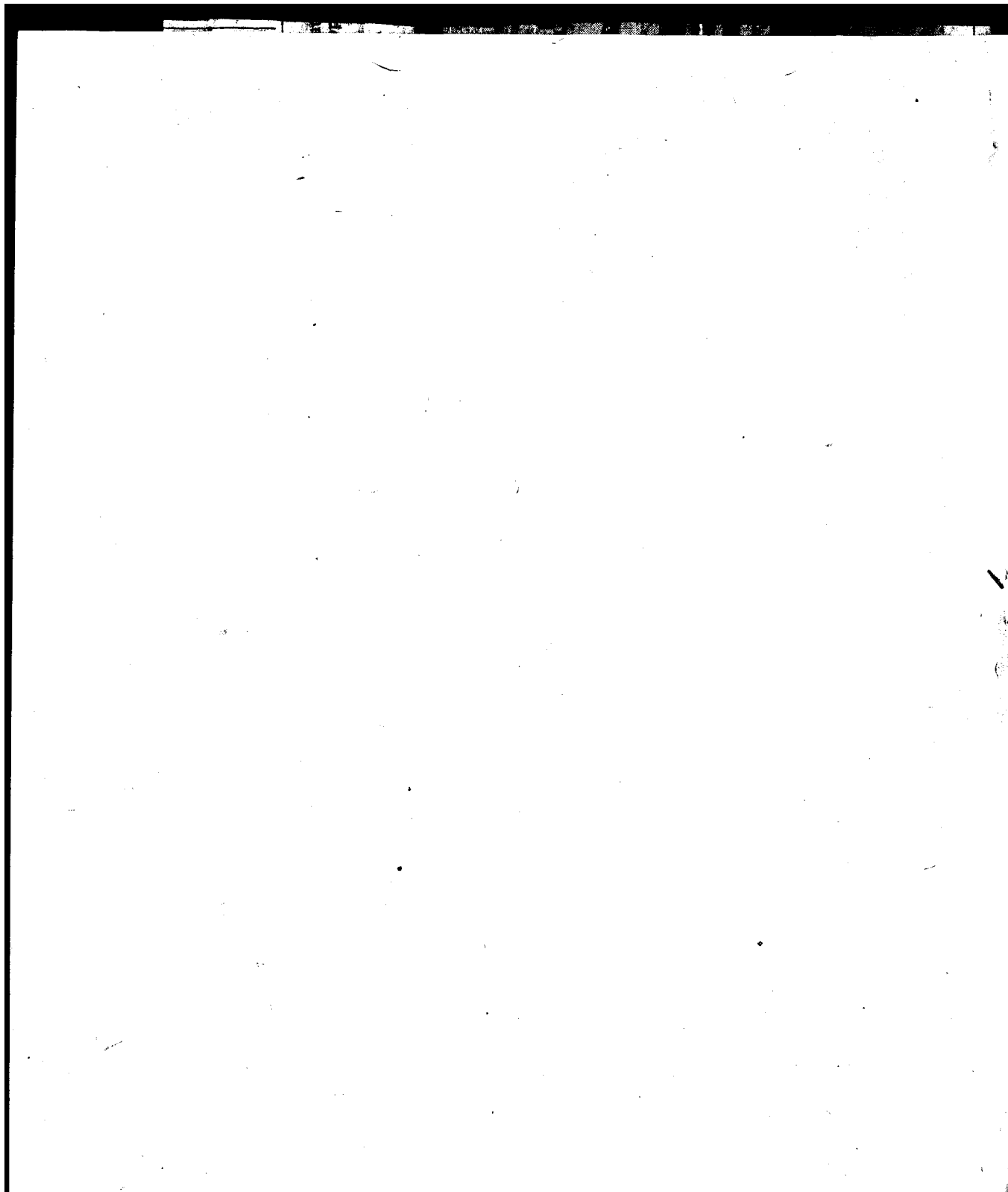
THE CITY OF NITRO will receive sealed proposals for the
paving, re-paving, widening, curbing, resurfacing, grading,
drainage, curbing and gutters, and otherwise permanently
improving same, and for the construction of sidewalks
therein, upon and along Walker Street, from its intersection
with Main Avenue (Old West Virginia Route No. 25), to its
intersection with Lee Avenue; Lee Avenue from its inter-
section with Walker Street, South to the West Gates School
Reeves Drive (Formerly Reeves Court), from its intersection
with Lee Avenue to dead end near the Kanawha River Bank;
Kapor Street (Formerly 11th Avenue), from its intersection
with Main Avenue (Old West Virginia Route No. 25) to
dead end near Kanawha Avenue; Lee Avenue from its inter-
section with Walker Street, North to end of Lee Avenue;
Benamati Avenue, (Formerly Benamati Street), from its
intersection with Kapor Street (Formerly 11th Avenue),
South to its intersection with Walker Street, Gravelly Court
in its entirety; 34th Street, from its intersection with
1st Avenue to its intersection with Second Avenue; and
otherwise permanently improving said streets, all in the
City of Nitro, Kanawha and Putnam Counties, West Virginia.

Proposals will be received only on and in accordance with
forms furnished by the City Recorder. Work must be per-
formed in accordance with plans, specifications, profiles and
estimates on file with Grace Lewis, City Recorder. Payment
for said work will be made by certificates in the manner
set out in the bid proposal forms. The contractor shall de-
posit a certified check or bidder's bond in the amount of
5% of the bid price and furnish letter committing perfor-
mance bond.

All bids shall be sealed and in the hands of Grace Lewis,
City Recorder on or before 4:30 o'clock, P.M. EST, June 2,
1959. Bids will be opened and publicly read at the City Hall,
in the Council Chamber at a meeting of Council to be held
on the 2nd day of June, 1959, at 1:30 o'clock, P.M. EST. The
City reserves the right to reject any and all bids or to waive
any irregularities in bids.

Plans, specifications and proposal sheets may be obtained
at the Office of Grace Lewis, City Recorder.

GRACE LEWIS, CITY RECORDER
CITY OF NITRO



NOTICE


TO: M. L. BUSH, DR. GEORGE W. HOGSHEAD, BORDEN GEWIN,
J. L. DUNLAP, GRENFALL L. ESTEP, HOWARD M. GANDEE,
and FRANK E. GROVER, Members of the Council of the
City of Nitro, Kanawha and Putnam Counties, West
Virginia.


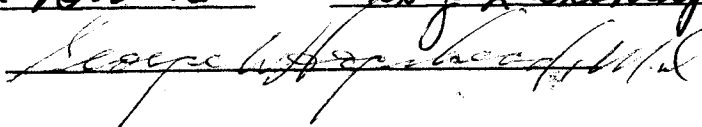
You, and each of you, will please take notice that a special
meeting of the Council of the City of Nitro, West Virginia,
is hereby called and will be held in the Council Chambers
of the City Hall of said City on the 2nd day of June,
1959, at 8:00 o'clock p.m. for the purpose of considering
the following:

1. To consider bids and letting of contract in regard
to the street paving project.
2. To consider bids and purchase of a garbage truck
for the City of Nitro.
3. To consider any other matters that may properly come
before the Council.


W. W. ALEXANDER, MAYOR

Service of the within notice is considered both timely
and sufficient.


Grenfall L. Estep
Marion L. Bush


Frank E. Grover
Dr. J. L. Dunlap Jr.


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10

irregularities in bids.

Plans, specifications and proposal sheets may be obtained at the Office of Grace Lewis, City Recorder.

GRACE LEWIS, CITY RECORDER
CITY OF NITRO

was duly published in said paper once a week for 2 successive weeks, commencing with the issue of the 22nd. day of May, 1959 and ending with the issue of the 29 day of May, 1959.

C. R. Walker,
Manager,
Kanawha Valley Leader.

Subscribed and sworn to before me this 9th day of June, 1959.

Zelda Yates

Notary Public for Kanawha County, West Virginia.
(My commission expires Jan. 21, 1965).

The Mayor announced that this was the meeting at which bids on the proposed improvements to streets and public ways in said City were to be opened and publicly read, and considered by the Council.

The Recorder reported that four contractors had submitted sealed bids for the proposed work, they being Charleston Concrete Floor Company, Anderson's Inc., The R. N. Hewitt Corporation and O.K. Construction Company, Inc.

Thereupon Councilman Dunlap, seconded by Councilman Gandee, moved that the foregoing Contractors' bids be listed. Motion carried.

The Mayor then announced that bids would be publicly opened and read, and thereupon said bids were opened by members of the Council and publicly read, and a tabulation thereof was begun by the City Engineer in order to ascertain the best and lowest bid.

While the Engineer was making said tabulation the Council proceeded with other business at hand.

The Council then proceeded to open and consider bids on Sanitary Garbage Trucks from Baker Equipment Engineering Company, Inc. (the Garwood Load-Packer), Truck Equipment Corporation (Pak-Mor), Stewart Equipment Company (Hydro-EZ-Pack), and also opened bids for cab and chassis from Holman Motor Sales, Inc. and Childers Chevrolet Company.

The Mayor and members of the Council then discussed the type and size of trucks.

Thereupon, Councilman Bush moved, seconded by Councilman Gewin, that the City purchase one Model A-16 Herculese Hydro-EZ-Pack refuse body complete with marker lights, reflectors and mud flaps, from Stewart Equipment Company at their quoted price of \$3,855.00. Upon a vote by the Council, those voting in favor of motion were Councilmen Bush, Gewin, Hogshead, Grace Lewis, Recorder, W. W. Alexander, Mayor, those voting against the motion were Councilmen Dunlap, Gandee and Grover. The motion was so ordered.

Thereupon Councilman Dunlap moved, seconded by Councilman Bush, that the City purchase a Chevrolet, Series 6503 Six Cylinder Chassis Cab WB, 174 $\frac{1}{2}$ CA 102 1/8 GVW 19000 at the quoted price of \$2,873.50, from Childers Chevrolet Company, providing they could deliver within three days, and moved further that if Childers could not deliver the cab and chassis within the three days, that the City purchase the available Ford cab and chassis. Upon a vote being taken motion carried and was so ordered.

The Mayor informed council that A. L. Markham had asked the City to pay him Two Hundred(\$200.00) Dollars for right of way for the sidewalk in front of the Markham property. After some discussion it was consensus of opinion of Council that Mr. Markham did not own property where the sidewalk was to be located.

Thereupon Councilman Estep moved that no payment for right of way on Main Avenue be made. Motion seconded by Councilman Bush. Motion carried.

Thereupon, J. A. Spence, City Engineer, presented a tabulation and analysis of the Contractors bids, total aggregate sums being:

Unit A - Charleston Concrete Floor Company \$93,983.00, Andersons' Inc. \$98,808.10, The R. N. Hewitt Corporation \$106,596.00, O. K. Construction Company \$98,368.50.

Unit B - Andersons' Inc. \$2,733.00,

Unit C - Charleston Concrete Floor Company \$4,531.00,
Andersons' Inc. \$4,925.76, R. N. Hewitt Corporation \$4,622.00, O. K.
Construction Company \$4,390.68.

Thereupon Councilman Dunlap moved, seconded by Councilman Grover, that all new street construction be concrete. Motion carried.

The Engineer announced that Charleston Concrete Floor Company had presented the low bid on Unit A.

Thereupon Councilman Grover moved, seconded by Councilman Hogshead, that bid of Charleston Concrete Floor Company in the total aggregate sum of \$93,983.00 be accepted, it being the best and lowest bid for said permanent improvement, which said improvements had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with the plans, profiles and specifications; and further that the Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to Ordinance authorizing said improvements heretofore enacted. Motion carried.

The Engineer announced that O.K. Construction Company had presented the low bid for Unit C. Sidewalks. Representative of the O.K. Construction Company was present and advised the Engineer and Council that he felt that his Company would rather the bid be granted to Charleston Concrete Floor Company since Unit C was a small job.

Thereupon Councilman Dunlap, seconded by Councilman Gewin, Moved that bid of Charleston Concrete Floor Company in the total aggregate sum of \$4,531.00 be accepted for said sidewalk improvements, which said improvements had heretofore been authorized by Council and plans, specifications, and profiles approved by Council, and further that work proceed in accordance with the plans, profiles and specifications; and further that Mayor be authorized and directed to execute proper contracts, bonds and all instruments

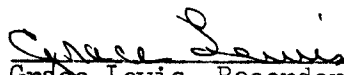
necessary for the undertaking and completion of said work, all pursuant to ordinance authorizing said improvements herefore enacted. Upon a vote by the Council, motion carried.

The Engineer announced that Andersons' Inc. had presented the only bid for Unit B - Reconstruction.

Thereupon Councilman Estep moved, seconded by Councilman Grover, that bid of Andersons' Inc. in the total aggregate sum of \$2,722.00 be accepted, it being the only bid for said permanent improvement, which said improvement had heretofore been authorized by Council and plans, specifications and profiles approved by Council, and further that work proceed in accordance with the plans, profiles and specifications, and further that Mayor be authorized and directed to execute proper contracts, bonds and all instruments necessary for the undertaking and completion of said work, all pursuant to Ordinance authorizing said improvements heretofore enacted. Upon a vote by the Council, motion carried.

There being no further business to come before the Council at this time, a motion for adjournment by Councilman Grover, seconded by Councilman Estep, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

June 16, 1959

The City Council met in regular session Tuesday, June 16, 1959.

There present: W. W. Alexander, Mayor, Grace Lewis, Recorder, M. L. Bush, Dr. J. L. Dunlap, Jr., Grenfall L. Estep, H. M. Gandee, B. E. Gewin, F. E. Grover, and George W. Hogshead, M. D. members of the City council.

Mayor Alexander called the meeting to order.

Councilman Bush moved, seconded by Councilman Estep, the minutes for meetings held May 19th, May 20th and June 2nd be approved. Motion carried.

Councilman Estep, seconded by Councilman Hogshead, moved the financial statement for the month of May be accepted. Motion carried.

Councilman Gandee moved, seconded by Councilman Dunlap, that the Builder's Lumber and Supply Company be notified by letter to take care of drainage problem on their property in the east end of town, within three weeks. Motion carried.

Councilman Dunlap asked about an abandoned pole on Bank Street. This matter will be checked.

Councilman Bush informed the Council that the Fire Committee would meet to discuss requests made by the firemen and would make their recommendations at the next meeting of Council.

Councilman Bush moved, seconded by Councilman Estep, that City pay the expenses of one fireman to the Fire School in Morgantown, selection of fireman to be made by members of the fire department. Motion carried.

Mayor and Council discussed the number of employees and pay rate for garbage department. Councilman Gewin moved, seconded by Councilman Bush, that garbage truck driver be paid \$1.45 per hour and the laborers of the garbage department be paid \$1.25 per hour. Motion carried.

Councilman Bush moved, seconded by Councilman Gewin, that the Superintendent of the garbage department be paid \$400.00 per month. Those voting in favor of the motion were:

Councilmen Bush, Estep, Gewin, Hogshead, Grace Lewis, Recorder, those voting against the motion were Councilmen Dunlap, Gandee and Grover. Motion carried.

Councilman Dunlap moved, seconded by Councilman Grover, that the Street Sweeper be junked. Those voting for motion were Councilmen Dunlap and Grover. Those voting against the motion were Councilmen Bush, Estep, Gandee, Gewin, Hogshead, Grace Lewis, Recorder and Mayor Alexander. Motion did not carry.

Councilman Gewin moved, seconded by Councilman Hogshead, that \$750.00 be authorized expended for repairs to the Street Sweeper. Those voting in favor of Motion were Councilmen Bush, Estep, Gandee, Gewin, Hogshead, Grace Lewis, Recorder and Mayor Alexander. Motion carried.

The Mayor informed the Council that the Public Service Commission had approved the rates for sewage fees for the City and that the Sanitary Board had met with representatives of Bonding Companies with regard to financing the sewage system and a resolution from the Nitro Sanitary Board was submitted as follows:

RESOLUTION

BE IT RESOLVED by the Sanitary Board of the City of Nitro, Nitro, West Virginia, that the offer of purchase of Sewer Revenue Bonds submitted by SEASONGOOD, & MAYER, YOUNG, MOORE AND COMPANY, INC., being the lowest and best bids, be accepted by said Sanitary Board, said offer reads as follows:

Cincinnati, Ohio
June 16, 1959

The Honorable Mayor, Sanitary Board, and City Council
City of Nitro, West Virginia

Honorable Sirs:

For \$700,000 more or less, First Lien, Sewer Revenue Bonds of the City of Nitro, West Virginia, to be dated as soon as possible and to mature over a period of 40 years in such a manner that the annual charges for principal and interest shall be substantially equal.

Said bonds to be callable on and after ten years from date of issue at a premium of 3%, in inverse order of maturity. For the aforesaid bonds, we will pay you a price calculated such that the interest cost computed said interest cost shall be calculated by multiplying the bond years by the coupon rate and adding discount (or subtracting premium) and then dividing this total by the bond years.

The interest cost specified by the purchaser shall be placed in direct ratio to the 20 Bond Buyer's Index of Municipal Bonds as of this date so as to vary proportionately upward or downward as the case may be to said 20 Bond Buyer's Index on the date of delivery of said bonds.

Said Bonds and interest thereon will be payable solely from net revenues to be received from the operation of the Sewerage System of the City. The revenues of the system after deducting operation expenses shall be sufficient to cover the average annual principal and interest requirements of this issue and the outstanding bonds by at least 150 times as certified by your engineers, with supporting data satisfactory to us.

The bond ordinance will provide for the issuance of additional parity bonds providing the net operating earnings of the system as customarily computed (without any consideration of depreciation) for the twelve months immediately preceeding the issuance of additional parity bonds will equal 140 times the maximum debt service on the outstanding bonds plus the bonds about to be issued.

We agree to employ at our expnese Messrs. Chapman and Cutler of Chicage, to draw the necessary legislation and to render the legal opinion on this issue of bonds. It is understood and agreed, however, that the purchasers shall be required to take up andpay for these bonds only if said attorneys render an unqualified legal opinion approving all proceedings pursuant to the issuance of bonds. We shall also furnish, at our cost, the necessary bond forms ready for signature.

From the proceeds of this bond issue not less than 1 1/2 years capitalized debt service will be immediately deposited at the state sinking fund commission in Charleston, West Virginia.

It is mutually understood and agreed that your acceptance of this proposal and the execution thereof by

your authorized officials shall constitute a contract for the purchase and sale of said bonds.

It is further mutually understood and agreed that this proposal is for immediate acceptance or rejection.

In consideration that the city owes us nothing, if no bonds are delivered to us; consistent with sound banking practice as regards open commitments, it is understood that if said bonds are not delivered to us within 120 days of the date of acceptance, indicated in the acceptance clause set forth below, then we reserve the right of withdrawing from our undertaking and obligation hereunder at any time after that date by giving the Mayor and Council 10 days written notice. In the event of any such withdrawal, such expense and in no way chargeable to the City of Nitro, or any of its elected officials.

Respectfully submitted,

SEASONGOOD AND MAYER,
YOUNG, MOORE AND COMPANY, INC.

By _____

By _____

Accepted for and on behalf of the City of Nitro, Nitro, West Virginia, pursuant to authorization by its governing body on this date _____, 1959.

RECORDER

MAYOR

BE IT FURTHER RESOLVED that the Sanitary Board of the City of Nitro, West Virginia, hereby petitions and requests that the City Council of said City of Nitro accept the said offer as set out above and that the Mayor and Recorder be directed and authorized to sign said offer of acceptance by affixing their signatures thereto on behalf of the City of Nitro.

Thereupon Councilman Dunlap moved, seconded by Councilman Estep, that the City accept the foregoing offer and that the foregoing resolution of the Sanitary


Board be adopt ed. Motion carried unanimously.

Councilman Dunlap moved that signs reading "No Backing across Double Line", and **Park** on Right Side **Only**" be erected on First Avenue between 20th Street to 25th Street. Motion carried.

Councilman Dunlap reported that cars were continuing to be parked on sidewalk on Hickory Street beside Dunlap-Osborne Esso Station. This matter is to be looked into.

There being no further business to come before the Council at this time, a motion for adjournment by Councilman Grover, seconded by Councilman Dunlap, carried.


W. W. Alexander, Mayor


Grace Lewis, Recorder

6/30/59
J. H. Taylor
3

Nitro, West Virginia

July 7, 1959

The Council of the City of Nitro, West Virginia, met in special session at the City Building in said city at 8:00 o'clock, P.M. The meeting was called to order and there were present W. W. Alexander, Mayor, presiding, and the following named Councilmen: Marion L. Bush, Dr. J. L. Dunlap, Grenfell L. Estep, Borden E. Gewin, Frank E. Grover, Geo. W. Hogshead, M.D.; also present Grace Lewis, City Recorder.

Absent: Howard M. Gandee

Councilman Borden E. Gewin introduced and caused to be read in full a proposed ordinance, next hereinafter set out, entitled:

"AN ORDINANCE establishing just and equitable rates or charges for the use of and service rendered by the municipal sewage system of the City of Nitro, West Virginia, and providing for the collection of such rates or charges."

N O T I C E

The following proposed ordinance establishing rates or charges for use of and service rendered by the municipal sewage system of the City of Nitro, West Virginia, was introduced and read at a meeting of the Council of said city on the 7th day of July, 1959, and a public hearing in connection therewith, preliminary to consideration of final adoption thereof will be held at the City Building in said city on July 28, 1959, at 8:00 o'clock P.M., at which time and place all persons interested are now and hereby notified that they may appear before said Council and then and there may present protests against said proposed ordinance.

Grace Lewis

City Recorder

AN ORDINANCE establishing just and equitable rates or charges for the use of and service rendered by the municipal sewage system of the City of Nitro, West Virginia, and providing for the collection of such rates or charges.

WHEREAS, the City of Nitro, in the Counties of Kanawha and Putnam and State of West Virginia, is by concurrent proceedings

providing for the issuance of Sewer Revenue Bonds of said City, in the principal amount of \$750,000, under the provisions of Article 13 of Chapter 16 of the West Virginia Code, for the purpose of paying the cost, or acquiring and constructing extensions and improvements to the municipal sewage system of said city; and

WHEREAS, it is required and provided by said law that just and equitable rates or charges be established for the use of and the service rendered by such sewage system in order to produce revenues for the expenses of operation, repair and maintenance of said system, and to pay when due the principal and interest of all such bonds as may be outstanding from time to time; and

WHEREAS, said city has been collecting rates or charges for the use of and services rendered by said system pursuant to an ordinance heretofore adopted by said Council on February 17, 1959 but it has been deemed advisable by said Council to reestablish the present schedule of rates or charges in accordance with the provisions of Section 1409(30) of said Article 13 of Chapter 16 of the West Virginia Code;

NOW, THEREFORE, Be It Ordained by the Council of the City of Nitro, West Virginia, as follows:

Section 1. That there is hereby established a schedule of just and equitable rates or charges for the use of and service rendered by the municipal sewage system of the City of Nitro, West Virginia, which shall be paid by the owner of each and every lot, parcel of real estate or building connected with, served by, or using such sewage system, as follows:

Sewer Service Rate:

The rates and charges shall be based insofar as possible upon the quantity of water supplied each month to the respective premises as the same is measured by the West Virginia Water Service Company water meter or meters therein used. There shall be charged monthly to the owners of each lot, parcel of real estate or building for the services of said sewage system the following rates based upon said water meter readings.

INSIDE CORPORATE LIMITS CITY OF NITRORate

First	2,000 gallons used per month	\$0.70 per thousand gal.
Next	3,000 gallons used per month	.60 per thousand gal.
Next	25,000 gallons used per month	.50 per thousand gal.
Next	70,000 gallons used per month	.44 per thousand gal.
Next	100,000 gallons used per month	.35 per thousand gal.
Next	100,000 gallons used per month	.27 per thousand gal.
All over	300,000 gallons used per month	.18 per thousand gal.

MINIMUM MONTHLY CHARGE \$2.60 per month

All apartment buildings will be charged not less than the minimum monthly rate for each apartment unit.

OUTSIDE CORPORATE LIMITS CITY OF NITRORate

First	2,000 gallons used per month	\$0.875 per thousand gal.
Next	3,000 gallons used per month	.75 per thousand gal.
Next	25,000 gallons used per month	.625 per thousand gal.
Next	70,000 gallons used per month	.55 per thousand gal.
Next	100,000 gallons used per month	.437 per thousand gal.
Next	100,000 gallons used per month	.338 per thousand gal.
All over	300,000 gallons used per month	.22 per thousand gal.

MINIMUM MONTHLY CHARGE \$3.00 per month

All apartment buildings will be charged not less than the minimum monthly rate for each apartment unit.

The above schedule is subject to a penalty of ten (10) per cent if the account is not paid in full within ten (10) days after due date of bill.

In the event a building or premises discharging sewage, water or other liquid wastes into the municipal sanitary sewage system uses water supplied on other than a metered basis from the West Virginia Water Service Company or from any other source of water supply the owner or occupant may be required to cause a water meter or other measuring device to be installed but pending such installation the sewer service rates

and charges to such building or premises shall be at least equivalent to the average water bill based on the above rates and charges in the previous year of similar buildings or premises with similar occupancy which are served by the West Virginia Water Service Company.

Section 2. All bills for sewer service shall be rendered monthly by the Sanitary Board or in the discretion of the Sanitary Board, by a designated agent of the Sanitary Board and all bills shall be due when mailed. All moneys as collected shall be deposited in the "Sewer Revenue Fund" created in and by the ordinance authorizing the issuance of Sewer Revenue Bonds referred to in the preamble hereof. No free services of said municipal sewage system shall be allowed or permitted.

Section 3. Responsive to Section 1409(30) of the West Virginia Code, the rates or charges for the use of and service rendered by the municipal sewage system shall be paid by or on behalf of the owner of each and every lot, parcel of real estate, or building connected with, served by, or using such sewage system, and the amount of all such rates or charges, if not paid when due, shall be a lien upon the premises served by such system, and if the bill for such rates or charges is not paid within thirty days after due it shall be deemed delinquent and the amount thereof shall be recovered by the Sanitary Board of said city in a civil action in the name of the city, together with a penalty of 10% and the lien procured in connection with any such action shall be foreclosed in due course against the lot, parcel of land or building charged with the amount due, provided, however, if the water bills are in the name of a party other than the owner of the lot, parcel of real estate or building connected with, served by or using the municipal sewage system, and consequently, the bill for sewer service rates or charges shall be directed to such party, then in the event any such bill shall not be paid within the allotted time and shall become delinquent, the Sanitary Board shall mail such

delinquent bill to the owner of such lot, parcel of real estate or building at the last known address of such owner, together with a notice that such owner is the party charged by law with the liability for the payment of same, and if such bill is not paid within thirty days after such mailing, the amount thereof shall be recovered by the Sanitary Board, together with the penalty aforesaid, as in the case of other delinquent bills and the lien procured in connection with any such action shall be foreclosed in due course against the lot, parcel of land or building charged with the amount due. The foregoing sewer service rates or charges shall be put into effect and collection from and after the adoption of this ordinance, provided that said rates or charges for sewer services and the basis for computing or imposing same shall be revised from time to time as may be required and provided by law or by the ordinance authorizing the issuance of said Sewer Revenue Bonds.

Section 4. That this ordinance having been introduced at a meeting of the Council on July 7, 1959, and after having been published once each week for two successive weeks in the Kanawha Valley Leader, the only newspaper published in the City of Nitro, West Virginia, and an opportunity having been afforded any person or persons interested in the matter to appear before said Council at a public hearing held at the City Building in said City of Nitro on July 28, 1959, at 8:00 o'clock P.M., shall become effective immediately upon its final adoption.

Section 5. That all ordinances, resolutions or orders or parts thereof in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Introduced July 7, 1959.

Adopted July 28, 1959.

W. W. Alexander
Mayor

Attest:

Grace Lewis
City Recorder

Recorded July 7, 1959.

Grace Lewis
City Recorder

Councilman Marion L. Bush moved that said proposed ordinance be placed on file with the City Recorder pending its final adoption and that the City Recorder be directed to publish said proposed ordinance in the manner provided by law with a notice of hearing and of consideration of final adoption thereof at a meeting of this Council to be held at the City Building in said city on July 28, 1959, at 8:00 o'clock P.M. Councilman Grenfall L. Estep seconded the motion and after due consideration thereof by the Council the Mayor put the question and upon the roll being called the following voted:

Aye: Marion L. Bush, Dr. H. L. Dunlap, Grenfall Estep, Borden E. Gewin, F. E. Grover, George W. Hogshead, Grace Lewis, W. W. Alexander.

Nay: None.

Thereupon the Mayor declared the motion duly carried and the City Recorder was authorized and directed to publish said proposed ordinance, together with the notice of hearing thereon as aforesaid.

On motion and vote the meeting adjourned.

W. W. Alexander

Attest:

Mayor

Grace Lewis
City Recorder

Nitro, West Virginia

July 7, 1959

The Council of the City of Nitro, West Virginia met in special session at City Building in said city at 8:00 o'clock P.M. The meeting was called to order and there were present W. W. Alexander, Mayor, presiding, and the following named Councilmen: Marion L. Bush, Dr. J. L. Dunlap, Jr. Grenfall L. Estep, Borden E. Gewin, Frank E. Grover, George W. Hogshead, M.D.; also present Grace Lewis, City Recorder.

Absent: Howard M. Gandee

There was presented to this Council a petition by the Sanitary Board requesting enactment of an ordinance for extensions and improvements to the municipal sewage system of said city and the issuance of revenue bonds in connection therewith. To-Wit:

Nitro, West Virginia

July 7, 1959.

To the Council of the
City of Nitro, West Virginia
Gentlemen:

The undersigned, constituting the Sanitary Board of the City of Nitro, West Virginia, do hereby certify that the attached proposed ordinance providing for extensions and improvements to the municipal sewage system of said city and the issuance of bonds in connection therewith has been duly considered and approved as to form and substance by said Sanitary Board, and the Council of the city is hereby petitioned to adopt same and take all appropriate action in connection therewith, all as required

and provided by Article 13 of Chapter 16 of the West Virginia Code.

Respectfully submitted,

SANITARY BOARD OF NITRO,
WEST VIRGINIA

By W. W. Alexander
Mayor and Chairman

By William R. Pritchard
Engineer and Member

By William H. Heater
Member

Attest:

Grace Lewis
Secretary-Treasurer

Thereupon Councilman George W. Hogshead introduced and caused to be read in full a proposed ordinance, next hereinafter set out, entitled:

"AN ORDINANCE making provisions for the issuance of Sewer Revenue Bonds of the City of Nitro, West Virginia, for the purpose of defraying the cost, not otherwise provided, of acquiring and constructing extensions and improvements to the sewage system and providing for the collection, segregation and distribution of income and revenues from the operation of the sewage system of said city so as to pay said bonds and interest thereon."

N O T I C E

The following ordinance providing for the acquisition and construction of extensions and improvements to the sewage system of the City of Nitro, West Virginia, and making provisions for the issuance and sale of Sewer Revenue Bonds to pay the cost thereof not otherwise provided was adopted at a meeting of the Council of said City on the 7th day of July, 1959.

Said city contemplates the issuance of said bonds and a public hearing in connection therewith will be held at City Building in said City on July 28, 1959, at 8:00 o'clock P.M. at which time and place all persons interested are now and hereby notified that they may appear before the Council of said City and then and there may present protests against the said ordinance and the issuance of said bonds.

Grace Lewis
City Recorder

AN ORDINANCE MAKING Provisions for the issuance of Sewer Revenue Bonds of the City of Nitro, West Virginia, for the purpose of defraying the cost, not otherwise provided, of acquiring and constructing extensions and improvements to the sewage system and providing for the collection, segregation and distribution of income and revenues from the operation of the sewage system of said city so as to pay said bonds and interest thereon.

WHEREAS, the City of Nitro, in Kanawha and Putnam Counties, West Virginia, presently owns and operates the sewage system works and facilities (hereinafter in this ordinance referred to as "sewage system") supplying sewer service in and to a portion of said city and surrounding territory; and

WHEREAS, the Sanitary Board of said city has deemed it advisable and necessary in the public interest that said city acquire and construct extensions and improvements to the municipal sewage system, together with appurtenances necessary or useful, in connection therewith, all as contemplated and provided by the report dated March 1, 1959 and June 16, 1959 of Robert R. Anderson, Consulting Engineer retained by said Board and generally described as follows:

The purchase from the Nitro Sewer Company of certain rights, rights of way and certain sewers and mains located in the City of Nitro, and the purchase of certain property from the Nitro Industrial Corporation; the Construction of a primary sewage treatment plant with sufficient lands to later construct, if necessary, a secondary sewage treatment plant, construction of an interceptor sewer throughout the length of the City of Nitro, the necessary lift and four pumping stations, force mains with all the appurtenances necessary thereto, and it is also deemed advisable and necessary and in the public interest by this Council that said extensions and improvements be so acquired

and constructed; and

WHEREAS, the cost of said extensions and improvements, including financing, engineering, incidentals, and other pertinent costs has been estimated by the engineer aforesaid to be \$870,000, and said Sanitary Board has petitioned this Council to enact an ordinance ordering the acquisition and construction of such extensions and improvements and providing for the issuance of revenue bonds to pay the cost thereof; and

WHEREAS, pursuant to the provisions of Article 13 of Chapter 16 of the West Virginia Code, said city is now authorized and permitted to issue revenue bonds for the purpose of paying the cost, not otherwise provided, of said extensions and improvements and it is necessary at this time that provision be made for the issuance of such bonds to the amount of \$750,000 for the purpose aforesaid and to set forth the conditions and restrictions upon which such bonds and any additional bonds ranking on a parity therewith are to be and may be issued and outstanding:

NOW, THEREFORE, Be It Ordained by the Council of the City of Nitro, West Virginia, as follows:

Section 1. That all proceedings heretofore taken relating to the creation and organization of the Sanitary Board of said City of Nitro and to the acquisition and construction of extensions and improvements to the sewage system of said City, be and the same are hereby in all respects ratified and confirmed.

Section 2. That the acquisition and construction of the extensions and improvements referred to in the preamble of this ordinance with all necessary appurtenances is hereby ordered, and for the purpose of paying the cost thereof not otherwise provided, there be issued the bonds of said city to be known as "Sewer Revenue Bonds", in the principal amount of \$750,000, which bonds shall bear date of September 1, 1959, be of the

denomination of \$1,000 each, numbered consecutively 1 to 750, inclusive, and mature in numerical order on September 1 of the respective years as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1962	\$ 7,000	1981	\$ 18,000
1963	8,000	1982	19,000
1964	8,000	1983	20,000
1965	9,000	1984	21,000
1966	9,000	1985	21,000
1967	9,000	1986	22,000
1968	10,000	1987	23,000
1969	10,000	1988	24,000
1970	11,000	1989	26,000
1971	11,000	1990	27,000
1972	12,000	1991	28,000
1973	12,000	1992	30,000
1974	13,000	1993	31,000
1975	13,000	1994	32,000
1976	14,000	1995	34,000
1977	15,000	1996	36,000
1978	16,000	1997	37,000
1979	16,000	1998	39,000
1980	17,000	1999	42,000

provided, however, said bonds numbered 71- 750, inclusive, shall be redeemable before maturity at the option of said city on September 1, 1969, and on any interest payment date thereafter in whole or from time to time in part in the inverse order of their maturities (less than all of a single maturity to be selected by lot) upon terms of par and accrued interest to the date fixed for redemption, plus a redemption premium of three per cent (3%) of the principal amount thereof; and in the event of such redemption said city will cause notice identifying the bonds to be redeemed to be given by publication at least once in a newspaper or financial journal of general circulation published in the City of New York, New York, not less than thirty days prior to such redemption date. All such bonds thus called for redemption, and for the payment of which funds are provided on the redemption date will cease to bear interest thereafter.

Said bonds shall bear interest at the coupon rate of six per cent (6%) per annum or at such lesser coupon rate or rates as may be fixed by supplemental ordinance or ordinances prior to the delivery of said bonds to the purchaser in accordance with the provisions of the agreement for the same of the bonds hereby authorized as hereinafter referred to in Section 10 of this ordinance. All interest as aforesaid shall be evidenced by proper interest coupons attached to each of said bonds and to be payable semi-annually on the first days of March and September in each year.

Both principal and interest shall be payable in lawful money of the United States at the office of the State Sinking Fund Commission of West Virginia, in the City of Charleston, West Virginia, or at the option of the holder of the respective bonds and interest coupons, at the principal office of The First National City Bank of New York in the City of New York, New York. Said bonds shall be signed by the Mayor and attested by the City Recorder of said city and sealed with its corporate seal, and the interest on said bonds shall be evidenced by coupons attached thereto, which shall be executed with the facsimile signatures of said Mayor and City Recorder, and said officials by the execution of said bonds shall adopt as and for their own proper signatures their respective facsimile signatures on said coupons. All of said bonds, and the interest thereon, together with any additional bonds ranking on a parity therewith issued under conditions and restrictions hereinafter set forth, shall be payable out of the special fund hereinafter referred to and the portion of the net revenues of the sewage system of said city pledged to said fund.

Section 2. That upon presentation at the office of the City Recorder of said city of any of said bonds same may be registered as to principal in the name of the owner on the books in his office, such

registration to be noted on the reverse side of the bonds by the City Recorder, and thereafter the principal of such registered bonds shall be payable only to the registered holder, his legal representatives or assigns. Such registered bonds shall be transferable to another registered holder, or back to bearer, only upon presentation to said City Recorder with a legal assignment duly acknowledged or proved. Registration of any of such bonds shall not affect the negotiability of the coupons thereto attached, but such coupons shall be transferable by delivery merely.

Section 4. That said bonds and coupons and provisions for registration shall be in substantially the following form, to wit:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF WEST VIRGINIA

COUNTIES OF KANAWHA AND PUTNAM

CITY OF NITRO

SEWER REVENUE BOND

No. _____

\$1,000

KNOW ALL MEN BY THESE PRESENTS: That the City of Nitro, in the Counties of Kanawha and Putnam and State of West Virginia, for value received, hereby promises to pay from the special fund provided therefor as hereinafter set forth, to the bearer or, if this bond be registered as to principal, to the registered holder hereof, on the first day of September, 19____, the sum of One Thousand Dollars (\$1,000) and from said special fund to also pay interest on said sum from the date hereof until paid at the rate of _____ per cent (____%) per annum semi-annually on the first days of March and September in each

year, except as the provisions hereinafter set forth with respect to redemption may be and become applicable hereto, all such interest as may accrue on and prior to the maturity date hereof to be payable only upon presentation and surrender of the coupons hereto appertaining as they severally become due, both the principal of and interest on this bond being payable in lawful money of the United States of America, at the office of the State Sinking Fund Commission of West Virginia, in the City of Charleston, West Virginia, or at the option of the holder hereof, at the principal office of The First National City Bank of New York in the City of New York, New York.

This bond is one of a series of bonds numbered consecutively 1 to 750, inclusive, issued by said city pursuant to ordinance duly enacted for the purpose of defraying the cost, not otherwise provided, of acquiring and constructing extensions and improvements to its sewage system under and in full compliance with the Constitution and statutes of the State of West Virginia, including among others, Article 13 of Chapter 16 of the West Virginia Code.

Bonds numbered 71 to 750, inclusive, of the series of which this bond is one shall be optional for redemption by said city prior to maturity on September 1, 1969, and on any interest payment date thereafter in whole or from time to time in part in the inverse order of their maturity (less than all of a single maturity to be selected by lot) upon terms of pay and accrued interest to the date fixed for redemption, plus a redemption premium of three per cent (3%) of the principal amount thereof, and in the event of such redemption it is hereby agreed that notice identifying the bonds to be redeemed will be given by publication at least once in a newspaper or financial journal of general circulation published in the City of New York, New York, not less than thirty days prior to such redemption date. All such bonds thus called for redemption, and for the retirement

of which funds are duly provided will cease to bear interest on the redemption date.

This bond and the series of which it is one, together with any additional bonds ranking on a parity therewith that may be issued and outstanding under the conditions and restrictions set forth in said ordinance, are payable only from and secured by net income and revenues to be derived from the operation of the municipal sewage system of said city, which shall be sufficient to pay the principal of and interest upon said bonds as and when the same become due and payable, and which shall be set aside as a special fund and is hereby pledged for that purpose. This bond does not constitute a corporate indebtedness of the City of Nitro within the meaning of any constitutional or statutory provisions or limitations, nor shall said city be obligated to pay this bond or interest thereon from any other funds. Said city covenants it will fix such rates for service of said sewage system and will collect and account for income and revenues therefrom sufficient to promptly pay all expenses of operation, repair and maintenance thereof and the principal of and interest on this bond and the series of which it is one as the same will become due.

This bond is fully negotiable but may be registered as to principal only in the name of the holder on the books of said city in the office of its City Recorder, such registration to be evidenced by notation on the back hereof by the City Recorder, after which no transfer shall be valid unless made on said books and similarly noted hereon, but it may be discharged from such registration by being transferred to bearer, after which it shall be transferable by delivery but it may be again registered as before. The registration of this bond as to principal shall not restrain the negotiability of the coupons by delivery merely.

This bond is exempt from taxation by the State of West Virginia and any county or municipality therein.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this bond, have existed, have happened and have been performed in due time, form and manner as required by law, and that the amount of this bond, together with all other obligations of said city, does not exceed any limit prescribed by the Constitution or statutes of the State of West Virginia, and that a sufficient amount of the net income and revenues of the sewage system of said city has been pledged to and will be set aside into said special fund by said city for the prompt payment of the principal of and interest on this bond and the series of which it is one.

IN WITNESS WHEREOF, the City of Nitro has caused this bond to be signed by its Mayor, attested by its City Recorder, and its corporate seal to be hereunto affixed, and the coupons hereto attached to be executed with the facsimile signatures of said Mayor and City Recorder, which officials by the execution of this bond do adopt as and for their own proper signatures their respective facsimile signatures appearing on said coupons, and this bond to be dated as of the first day of September, 1959.

Mayor

Attest:

City Recorder

(Form of Coupon)

No. _____ \$ _____

On the first day of _____, 19 _____, the City of Nitro, West Virginia, will pay to bearer _____ Dollars (\$ _____) out of the special fund provided therefor, at the office of the State Sinking Fund Commission of West Virginia, in Charleston, West Virginia, or at the option of the holder hereof, at the principal office of The First National City Bank of New York, in the City of New York, New York, as provided in and for interest then due on its Sewer Revenue Bond, dated September 1, 1959, Number _____.

Mayor

Attest:

City Recorder

(Form for Registration to be printed
on the back of each bond)

Date of Registration	In Whose Name Registered	Signature of City Recorder
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:
:	:	:

Section 5. That from and after the issuance of any of the bonds herein authorized, the municipal sewage system of said City of Nitro shall be operated as a revenue producing and self-liquidating undertaking and the revenues derived from the rates and charges for sewer services shall be set aside into a separate and special fund hereby created and designated as the "Sewer Revenue Fund" to be used (1) to pay the reasonable expenses of operation, repair and maintenance of the system; (2) to pay when due

the interest on and principal of the bonds hereby authorized and any additional bonds ranking on a parity therewith from time to time outstanding; and to pay the fiscal agency charges for paying all such interest and principal; and to accumulate and maintain a margin of safety and reserve for payment of all of said bonds and interest thereon; and (3) to provide proper funds for a depreciation account.

(1) There is hereby created a special fund to be designated "Operation and Maintenance Fund", into which there shall be paid each month from said revenues the amount of the reasonable expenses of operation, repair and maintenance of the municipal sewage system of said city, and said special fund shall be used and disbursed only for that purpose.

(2) There is hereby created a special fund to be designated "Sewer Revenue Bond Interest and Sinking Fund" (hereinafter sometimes referred to as the "sinking fund ") into which there shall be paid all or such portion of the balance of said revenues as shall be sufficient to pay, when due, (a) the interest upon all of the bonds outstanding under the provisions of this ordinance including any bonds ranking on a parity with the bonds herein authorized, (b) the necessary fiscal agency charges for paying all of said bonds and interest thereon, (c) the principal amount of all of said bonds, and (d) to provide a margin for safety and reserve for the payment of all of said bonds and interest thereon, and it is hereby determined that the minimum amounts so to be paid into the special fund for account of the bonds herein authorized during the respective years shall be not less than as follows:

All sums received as accrued interest in the issuance and sale of the bonds hereby authorized together with a portion of the bond proceeds in an amount equal in the

aggregate to all interest to accrue on the bonds hereby authorized for two years but in no event to exceed an amount equal to one and one-half times the average annual debt service on the bonds hereby authorized, shall be paid into said sinking fund as representing interest on the bonds hereby authorized during the acquisition and construction of the extensions and improvements to the municipal sewage system of said city. From and after the issuance of any of the bonds hereby authorized there shall be paid into said sinking fund each month an amount equal to at least (1) one-fifth of the amount of interest becoming due on the bonds hereby authorized then outstanding on the next succeeding interest payment date, plus (2) one-tenth of the amount of principal (if any) of the bonds hereby authorized then outstanding becoming due on the next succeeding September 1, provided that when there shall have been accumulated and maintained in said sinking fund sufficient moneys to pay the amount of interest and principal becoming due on said bonds then outstanding during the next succeeding twenty-four months then the amount to be so set aside and paid into said sinking fund may be reduced to one-sixth of the amount of interest and one-twelfth of the amount of principal, as hereinbefore otherwise provided. No further payments need be made into said sinking fund after and so long as such amount of the bonds shall have been retired that the amount then held in said sinking fund is equal to the entire amount required for the retirement of the bonds and to pay all interest that will have accrued and become due at the time of such retirement.

Whenever and to whatever extent additional bonds ranking on a parity with the bonds herein specifically authorized are hereafter issued under the conditions and restrictions hereinafter set forth provisions shall be made at or before the time of such issuance for

additional monthly payments into said sinking fund for meeting the interest and principal requirements of such additional bonds, paying the additional fiscal agency charges thereon, and to accumulate and maintain a margin of safety and reserve therefor in like manner and proportion as such provisions are herein made for the bonds herein specifically authorized.

The amount by which any balance in said sinking fund exceeds the current interest and principal requirements shall be held in said sinking fund as a reserve for contingencies and used solely as herein provided. If in any month the city shall for any reason fail to pay into said sinking fund the respective minimum amounts, then an amount equivalent to such deficiency shall be set apart and paid into said fund from the first available revenues of the following month or months, as the case may be, and same shall be in addition to the amount otherwise herein provided to be so set apart and paid during such succeeding month or months.

If for any reason the city shall fail to make any such payment into said sinking fund, as aforesaid, any sums then held as a reserve for contingencies shall be used for the payment of any portion of the interest on or principal of said bonds as to which there would otherwise be default, but such reserve shall be reimbursed therefor from the first available payments made into the sinking fund in the following month or months in excess of the required payments.

Such payments into said fund shall be made on the first day of each month except that when the first day of any month shall be a Sunday or a legal holiday then such payments shall be made on the next succeeding secular day and all such payments shall be remitted to the State Sinking Fund Commission of West Virginia with appropriate instructions

as to the custody, use and application thereof consistent with the provisions of this ordinance.

Said sinking fund shall be used solely and only and is hereby pledged for the purpose of servicing the bonds herein authorized to be issued and any additional bonds ranking on a parity therewith that may be issued and outstanding under the conditions and restrictions hereinafter set forth. No funds in said sinking fund shall be used to purchase or retire bonds in advance of maturity except that part in excess of actual principal and interest requirements for twenty-four months on bonds then outstanding unless all bonds then outstanding are to be so purchased or retired.

(3) There is hereby created a special fund to be designated "Depreciation Fund", into which there shall next be set apart and paid from said Sewer Revenue Fund quarterly, after making the payments hereinbefore specified into the operation and maintenance fund and sinking fund, a sum equal to two and one-half per cent of the annual debt service on all outstanding bonds which by their terms are payable from the revenues of said sewage system until the amount in said fund shall Equal ten per cent of the par value of all such outstanding bonds and whenever withdrawals are made from said fund so as to reduce the balance therein to less than said minimum balance the payments shall continue so as to restore the amount therein to at least said minimum balance. All funds in said Depreciation Fund shall be kept apart from all other municipal funds, or all or any part of said fund may be invested in bonds or other direct or fully guaranteed obligations of the United States of America maturing or being subject to retirement at the option of the holder within not more than ten years from the date of such investment. Withdrawals and disbursements may be made from said

Depreciation Fund for renewals or replacements to the municipal sewage system or for improvements or extensions thereto, and provided also that withdrawals and disbursements shall be made from said Depreciation Fund to meet the payment of the interest on or principal of any bonds to whatever extent and if for any reason, funds in the sinking fund are insufficient for that purpose.

Any funds in the Depreciation Fund in excess of the minimum balance may be used to purchase or retire bonds payable from the revenues of said system in advance of maturity.

Whenever all of the required and provided transfers and payments from said Sewer Revenue Fund into the several special funds, as hereinbefore provided, are current and there remains in said Sewer Revenue Fund a balance in excess of the estimated amounts required to be so transferred and paid into said Operation and Maintenance Fund during the succeeding twelve months and into said sinking fund and Depreciation Fund during the next succeeding six months such excess may be transferred and paid into the sinking fund or may be withdrawn and used for extensions and improvements to the municipal sewage system, or to purchase or retire bonds payable from the revenues of said system in advance of maturity, and such excess shall not be subject to withdrawal for any other purpose.

In the event any excess funds in the sinking fund, Depreciation Fund or Sewer Revenue Fund are used to purchase bonds in advance of maturity as hereinbefore authorized no such purchase shall be made at a price exceeding the market price of said bonds nor exceeding the price at which such bonds may be redeemable on their next succeeding redemption date. All bonds so purchased or redeemed shall be cancelled and shall not again be issued.

All moneys as paid into said Sewer Revenue Fund or Depreciation Fund shall be deposited in a bank or banks which are members of the Federal Deposit Insurance Corporation.

Section 6. The rates for all services rendered by the sewage system of said city shall be reasonable and just, taking into account and consideration the cost and value of said system and the cost of maintaining, repairing and operating the same and the proper and necessary allowances for depreciation thereof and the amounts necessary for the retirement of all bonds and the accruing interest on all such bonds, and there shall be charged such rates and amounts as shall be adequate to meet the requirements of this and the preceding section thereof. Compensation for services, if any, rendered to said city shall in like manner be charged against the city and payment for same shall be made from its corporate funds. The proceeds or income from all charges and contracts for sewers and sewage service furnished by said sewage system within or outside the corporate limits of said city shall be included and accounted for as other income and revenues of said system. No free services of said sewage system shall be allowed or permitted

To the full extent permitted by law the city upon or prior to the date of completion of the extensions and improvements to the municipal sewage system as generally described in the preamble hereof shall adopt an appropriate ordinance requiring that all sanitary sewage drain pipes of buildings or structures of any kind situated upon lots abutting on a street, alley or easement in which a sewer line of said sewage system is located shall be connected to said sewer line and providing that the use of septic tanks or other methods of sewage disposal by such premises is unlawful and constitutes a nuisance.

In so far as consistent with the laws of West Virginia, said city agrees that so long as any of the bonds hereby authorized remain outstanding it will keep proper books of record and account, separate from all other municipal records and accounts, showing complete and correct entries of all transactions relating to said sewage system, and will cause such books of record and account to be audited annually by an independent certified public accountant. A copy of each such audit shall be furnished to the original purchaser of the bonds hereby authorized and copies thereof shall be made available for any bondholder requesting same. The holders of any of said bonds shall have the right at all reasonable times to inspect the system and all records, accounts and data relating thereto. The city hereby further agrees to furnish monthly to the original purchaser of the bonds hereby authorized a copy of each letter of transmittal from the city to the State Sinking Fund Commission accompanying the remittance of said city of its monthly payment into the sinking fund, as hereinbefore provided, but only if and to the extent the forms of such letter of transmittal are supplied by said purchaser.

It is hereby represented and certified that a sanitary board for said city has heretofore been lawfully created and organized and placed in charge of the operation of its municipal sewage system and that prior to the issuance of any of said bonds equitable rates or charges for the use of and service rendered by said sewage system will be established pursuant to a public hearing, all in the manner and form required by Section 1409(30) of the West Virginia Code; that copies of such rates or charges so established will be continuously on file in the office of t said Sanitary Board and in the office of the City Recorder, each of which copies will be open to inspection by all parties interested. The schedule of rates or charges shall at all times be adequate to produce gross

revenues and income from said sewage system to pay the expenses of operation, repair and maintenance thereof and leave a balance of net revenues and income sufficient to make the prescribed payments into the sinking fund and depreciation fund as hereinbefore set forth. Such schedule shall be changed and readjusted whenever necessary so that the aggregate of the rates or charges will be sufficient for such purposes. In order to assure full and continuous performance of this covenant with a margin for contingencies and temporary unanticipated reduction in income and revenues the city hereby covenants and agrees that the schedule of rates or charges from time to time in effect shall be sufficient to provide for all expenses of operation, repair and maintenance of said municipal sewage system and leave a balance each year equal to at least 1.40 times the maximum amount required in any succeeding year to pay when due all bonds and interest thereon for the payment of which such income and revenue is or shall have been pledged, charged or otherwise encumbered.

All rates or charges if not paid when due shall constitute a lien upon the premises served, and if not paid within thirty days after the same become due, the amount thereof, together with a penalty of ten per cent and reasonable attorney's fees may be recovered and shall be enforced by the Sanitary Board in a civil action in the name of the municipality, and as a part of such action the lien of aforesaid shall be foreclosed in accordance with the laws relating to the enforcement of such liens all as permitted and provided by Section 1409(30) of the West Virginia Code.

Section 7. The City of Nitro hereby covenants and agrees with the holder or holders of the bonds herein authorized to be issued, or any of them, that it will faithfully and punctually perform all duties