

SPECIAL MEETING
MAYOR AND COUNCIL
DEC. 8th, 1936

Meeting called to order to 7:30 P. M.

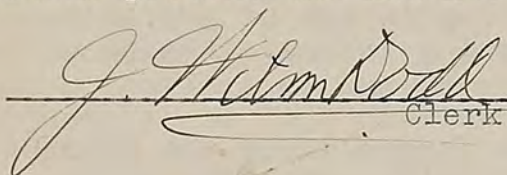
Those present were the Mayor, Councilmen Axtell, Conger, Duehring, Orcutt, Taft and Waters.

Mayor Adams stated that the meeting was called for the purpose of conducting a hearing in connection with the wrecking of the Town police car on the morning of Nov. 12th, 1936, same having been wrecked while in the hands of Sgt. Frank Lane of the Town Police force. Sgt. Lane was present, with his Counsel, Mr. Leo Rover. Mr. D. D. Lamond, Corporation Counsel, was requested by Council to question the various witnesses in connection with the case. The Town Clerk read the charges as preferred against Sgt. Lane by the Mayor and Council at their Special Meeting of Nov. 24th, 1936.

Various persons who had been requested to appear at the hearing and testify, were questioned during the evening, and at 11:55 P. M., due to the large number of witnesses yet to be heard, Mr. Conger moved that the hearing be adjourned, to convene again at the call of the Mayor. Motion was properly seconded and approved.

Mayor Adams stated that the hearing would be resumed at 7:15 o'clock on the evening of December 14th, 1936, and so advised all persons present who had not testified.

indexed


Clerk

Mayor

SPECIAL MEETING
MAYOR AND COUNCIL
DEC. 14th, 1936

Meeting called at 7:30 P. M.

Those present were the Mayor, Councilmen Axtell, Conger, Duehring, Orcutt, Taft and Waters.

Mayor Adams stated that the purpose of the meeting was to continue the hearing on the charges against Sgt. Frank Lane in connection with the wrecking of the Town Police car on the morning of Nov. 12th, 1936.

Mr. Conger, Chairman of the Finance Committee, requested that before Council proceed with the hearing that a report from the Finance Committee be heard on the general assessment of all real property in the Town, and Committee reported as follows:-

Your Committee on the evening of Dec. 9th, 1936, met with the three newly appointed Assessors to discuss the general re-assessment of all real property in the Town of Takoma Park, Md.,

and after going into the matter thoroughly, your Committee recommends to the Mayor and Council:-

First:- That all improvements be assessed at two-thirds of the sale value, as nearly as it is possible to estimate same.

Second:- That all lots be assessed at two-thirds of their estimated sale value, taking into consideration street improvements and location.

Third:- All other matters pertaining to the assessment, such as various types of construction, brick, frame or veneer, and properties of one or more families, to be left to the judgment of the assessors as to their value, taking into consideration, of course, both the sale value and the construction cost.

Mr. Conger moved the adoption of the report and the recommendations therein, and upon being seconded by Mr. Taft, same was adopted.

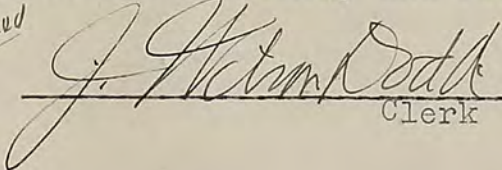
Mr. Axtell of the Municipal Works Committee, stated that it had become necessary for the grading of a portion of Jackson Ave. due to construction of property going on on this street, and the immediate necessity for the laying of sewer and water lines by the Sanitary Commission, and that his Committee had instructed the Supt. of Public Works to proceed with this grading, it being only a matter of a few days work with the scraper. Mr. Axtell asked the approval of the Council on this matter. Mr. Taft moved that the approval of the Council be given, and upon being properly seconded, the action of the Committee was approved.

There being no other urgent business to come before the Council, Mayor Adams stated that the hearing for which this meeting had been primarily called, would get under way.

Various witnesses were called during the evening, and the hearing of testimony was completed at 12:40 A. M.

Mr. Conger at this time moved that the Council go into executive session. Motion seconded by Mr. Orcutt and approved.

After a short discussion, on motion properly seconded and approved, Council adjourned at 12:55 A. M., to meet at a later date to review testimony and render its decision.

Indexed

 Clerk

 Mayor

SPECIAL MEETING
MAYOR AND COUNCIL
DEC. 19th, 1936

Meeting called to order at 8:10 P. M.

Those present were Mayor Adams, Councilmen Axtell, Conger, Duehring, Orcutt, Taft and Waters.

Meeting called for the purpose of discussion of the testimony, and decision by the Mayor and Council, in the matter of the wrecking of the Town Police Car on the morning of Nov. 12th, 1936, and other matters requiring immediate attention.

The Clerk presented to the Council for approval and execution agreement between the Town and the Takoma Park Volunteer Fire Department covering the fire protection appropriation for the fiscal year of 1936, and the use of the fire hall by the Town. After discussion, Mr. Duehring moved that the Mayor be authorized to sign the agreement with the Takoma Park Volunteer Fire Department, on behalf of the Town, and that same be delivered to the Fire Department upon receipt of certified information showing the granting of authority by the Fire Dept. to the President and Secretary to sign said agreement with the Town. Motion seconded by Mr. Orcutt and approved.

After a lengthy review of the testimony in connection with the police car accident, Mr. Orcutt moved that Sgt. Lane be found not guilty of the charges preferred against him on Nov. 24th, 1936, and that he be acquitted as charged. Motion seconded by Mr. Waters. Motion was not approved. Councilmen Axtell, Duehring, Conger and Taft, voting "NO", and Mayor Adams, Councilmen Orcutt and Waters voting "YES".

After further discussion of separate charges in the specification of charges, Mr. Duehring moved that Sgt. Lane be found guilty of failing to make a reasonable and proper report of said accident. On a "yes" and "no" vote, this motion was not approved, Mayor Adams, Councilmen Axtell, Orcutt and Waters, voting "NO", and Councilmen Conger, Duehring and Taft voting "YES".

Motion was then made by Mr. Taft that Sgt. Lane be found guilty of operating the Town Police Car No. 1 in a negligent manner, thereby damaging same, (for his own use. On a "yes" and "no" vote this motion was not approved. Mayor Adams, Councilmen Conger, Orcutt and Waters voting "NO" and Councilmen Axtell, Duehring and Waters voting "YES".

Mr. Orcutt moved that the charges be dismissed. Motion seconded by Mr. Duehring. Mr. Conger offered an amendment to this motion, as follows:- "That Sgt. Lane be acquitted of the charges" This was seconded by Mr. Waters. After discussion, vote was taken on the amendment, and same was not approved, Mayor Adams, Councilmen Axtell, Duehring and Taft voting "NO" and Councilmen Conger, Orcutt and Waters voting "YES". Vote then was taken on the original motion to dismiss

charges, and motion was approved by a unanimous vote.

Indexed On Motion Council adjourned at 11:50 P. M.

J. William Dodd

 Clerk.

 Mayor

REGULAR MEETING
 MAYOR AND COUNCIL
 DEC. 21-1936

Meeting called to order at eight o'clock P.M.

Those present were Mayor Adams, Councilmen ~~Axtell~~ Conger, Duehring, Orcutt, Taft and Waters. Councilman Extell absent due to illness.

On motion unanimously approved the minutes of the last regular meeting of Nov. 16th, 1936, were not read, Minutes of Special meetings of Nov. 24th, Dec. 8th, Dec. 14th and Dec. 19th, 1936, were read and approved.

At this time Councilman Orcutt advised the Mayor and Council of the death of Jewell J. Adams, Justice of the Peace for the Town in the Prince George's County section of the Town, and offered the following Resolution:--

RESOLUTION

WHEREAS, it has pleased Almighty God, in His Infinite Wisdom, to take from our midst our esteemed and beloved friend and neighbor, and our honored and distinguished public official, the Honorable Jewell J. Adams:--

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Takoma Park, Maryland, that there be inscribed upon the records of the Town this our Memorial that the citizens of the Town have lost a true, tried and noble friend, as well as a valued and efficient public servant;

AND BE IT FURTHER RESOLVED, that the sincere and heartfelt sympathy of the Mayor and Council of the Town be extended to his bereaved widow as a token of esteem and sorrow;

AND BE IT FURTHER RESOLVED, that a copy of these Resolutions be conveyed to the respected widow of our departed friend, and that a copy of these Resolutions be spread upon the records of the Town.

Mr. Taft moved the adoption of the Resolution, and upon being seconded by Mr. Waters, same was unanimously adopted.

Financial Statement for the Month of November, 1936, was presented by the Treasurer and approved as follows:--

RECEIPTS:-

General Taxes-----	\$1,581.61	
Less Discounts-----	<u>4.87</u>	\$ 1,576.74
Interest and penalties-----		51.72
Charges-----		6.75
Special Assessments-----		416.23
Building Permits-----		26.00
Electrical Permits-----		31.00
Excavation Permits-----		12.00
Dog Tax-----		2.00
Fines-----		92.70
Mont. County Bank Share Tax-----		234.85
Lumber sold to J. Tenley-----		4.66
Prince George's County Gas Tax-----		<u>1,004.32</u>
	<u>Total</u>	\$ <u>3,458.97</u>

BANK STATEMENTGENERAL ACCOUNT

Oct. 31st - On hand Citizens Bank	\$6,190.46	
Deposits in November	<u>1,336.26</u>	
	7,526.72	
	No withdrawals In Nov.	
Nov. 30th - On hand		7,526.72
Oct. 31st - On hand Takoma Park Bank	9,080.59	
Deposits in November	<u>2,122.71</u>	
	11,203.30	
	Withdrawn in Nov.	<u>3,566.93</u>
Nov. 30th - On hand		<u>7,636.37</u>
Nov. 30th - On hand both banks		\$ <u>15,163.09</u>

REVOLVING FUND

Oct. 31st - On hand Takoma Park Bank	7,096.98	
No deposits in November		
Nov. 30th - On hand		7,096.98
Oct. 31st - On hand Citizens Bank	7,465.90	
No Deposits in November		
Nov. 31st - On hand		<u>7,465.90</u>
Nov. 30th - On hand both banks		<u>14,562.88</u>

DISBURSEMENTS:-

STREETS:-

Labor	399.00	
Material	55.47	
Gas-Oil-Auto Upkeep-Supplies	<u>78.02</u>	532.49

SERVICE:-

Trash-Labor	94.90	
" Gas-Oil	10.42	
Garbage-Labor	180.00	
" Gas-Oil-Auto Upkeep-Supplies	55.03	
Ash-Labor	174.20	
Gas-Oil	31.41	
Street Lights	<u>463.40</u>	\$ 1,009.36

POLICE:

Salaries	518.00	
Clothing Allowance	40.00	
Printing-Traffic Books	10.78	
Gas-Oil-Auto Upkeep	108.73	
Tels. - Lights - Coal	47.76	
Misc. Supplies	5.32	
Equipment-Badges	<u>6.00</u>	736.59

OFFICE:

Salaries	480.00	
Tels. and Supplies	77.38	
Postage	<u>7.50</u>	564.88

ASSESSABLE IMPROVEMENTS

	<u>308.90</u>	308.90
--	---------------	--------

MISCELLANEOUS:-

Library Assn.	125.00	
New General Assessment Exp.	39.05	
Lumber Chgd. to J. Tenley	4.66	
Dog. Expense	15.00	
Recording Fee	.75	
Transit Meeting Expense	11.25	
Mont. County Transfers	4.00	
Iustice of Peace Salaries	70.00	
E.E.Blodgett-Retirement Pension	25.00	
Office Rent	55.00	
Comp. Corporation Counsel-Nov.	50.00	
Bldg. Inspector Exp.	<u>15.00</u>	
		<u>414.71</u>
	<u>Tot al</u>	\$ <u>3,566.93</u>

COMMUNICATIONS:--

Letter from Md. Nat. Capital Park and Planning Comm. enclosing petition of J. W. Grant and F. C. Blue, asking re-zoning from Residential "A" to Residential "B" of a portion of Block 53, Gilberts Sub-Division, was referred to the Civic Improvement and Education Committee.

Petition from Earl C. Heffner, Mrs. Nettie Horton and Walter C. Griffin, requesting the laying of sidewalk in front of their properties on Lincoln Avenue, and requesting Curb and Gutter on the opposite side of Lincoln Avenue, fronting their properties. Referred to Municipal Works Committee.

Letter from R. M. Kennedy requesting that Trash Collection be made oftener than once each month. Referred to Public Welfare and Health Committee.

Petition from 12 residents of Block 53, Gilberts Sub-Division, requesting the improvement of street bordering lots 37 to 45 inclusive. Referred to Municipal Works Committee.

Letter from the Takoma Park Vol. Fire Dept. requesting the Town to forward to the Secretary of the Montgomery County Assn. of Vol. Firemen a letter containing the endorsement by the Town of our present Fire Marshall, Mr. E. B. Fetty, for the position of Deputy State Fire Marshall. Referred to Municipal Service Committee.

Letter from H. H. Cobban, Asst. Treas. of General Conference of S. D. A. regarding conditions existing at the Taxi Stand at the corner of Carroll and Laurel Avenues. Referred to Municipal Service Committee.

Petition from property owners on Holly Avenue requesting improvement to that street between the existing concrete pavement on this street through to Phila. Avenue, by the installation of sidealks on the South side, and curb and gutter of broken stone on the roadway. Referred to Municipal Works Committee.

Letter from residents of Allegheny Avenue requesting that the "No Parking" signs be discontinued on the West side of Allegheny Avenue. Referred to Municipal Service Committee.

Petition from several residents of Hodges Lane asking permission to plant sugar maple trees in the parking in front of their dwellings. Referred to Civic Improvement and Education Committee.

Mr. Walker of Holly Avenue addressed the Council regarding the improvement of that street.

Mr. D. D. Lamond addressed the Council regarding the application for re-zoning filed by Mr. Grant and Mr. Blue, and asked that the matter be expedited all possible, and Councilman Orcutt, Chairman of the Civic Improvement and Education Committee advised Mr. Lamond that the Committee would take prompt action.

Mr. Jno. W. Coffman addressed the Council regarding the expediting of these re-zoning applications. Quite a lengthy discussion of this matter was held by Council, but no new method of procedure was agreed upon at this time.

A number of property owners appeared before Council in support of the petition for the improvement of streets abutting lots 37 to 45 inclusive in Block 53, Gilberts Sub-Division.

Mr. Harmon Nicodemus appeared before Council in support of petition of residents of Hodges Lane for the planting of Sugar Maple Trees.

Mr. H. C. Davis of the Diamond Taxi Cab Service appeared before Council and asked that the Taxi Stand at Carroll and Laurel Avenues be increased to accommodate two more cars.

Mr. C. C. Butler of 114 Allegheny Ave., addressed Council regarding the parking situation on Allegheny Avenue, stating that the parking on the West side of the street interfered with cars going in and out of his driveway. This matter was left for further investigation.

FINANCE COMMITTEE:- Mr. Conger, Chairman, presented bills in amount of \$1019.39 for payment, and payment was approved.

MUNICIPAL SERVICE COMMITTEE:-- Mr. Duehring, Chairman, moved that Town Fire Marshall, Mr. E. B. Fetty, be endorsed by Council for the position as Deputy State Fire Marshall. Motion seconded by Mr. Orcutt and approved.

MUNICIPAL WORKS COMMITTEE:- Mr. Conger, Vice Chairman, reported that the petition of H. R. Remington and others regarding the condition of streets in the vicinity of Maple and Erie Avenue would be given attention, and that the Supt. of Public Works would be given instructions to attend to same immediately.

Regarding the request of Earl C. Heffner, Nettie Horton and Walter C. Griffin, for sidewalks in front of their properties, and curb and gutter across the street from same, Committee recommends the approval of the request for the sidewalk, but not for the curb and gutter until the final determination as to the dedication of a new strip of land at the intersection of Lincoln and Jackson Avenues, which might probably effect Lincoln Avenue, and Mr. Conger offered the following Ordinance:--

ORDINANCE NO. 599

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF TAKOMA PARK, MARYLAND:-

Section 1. The owners of Pt. of Lot 14, Lot 15 and Lot 16, in Block 37, Gilberts Sub-Division, facing on Lincoln Ave., having petitioned the Mayor and Council for the construction of Cement Concrete Sidewalks in front of their properties as above, thereby waiving all legal requirements as to advertising and hearing, the Mayor and Council under authority granted by the Town Charter, are of the opinion that the health, safety and comfort of the public require the laying of the sidewalk abutting these lots, and hereby authorize the work to be done, and that the Superintendent of Public Works be authorized to proceed with this work, and to employ any additional help necessary in the construction of same. See 12:40

Section 2. That assurance is made that the sidewalk be laid to proper grade, and that the cost of the work be held to a sum not to exceed one thousand dollars.

Section 3. That the cost of the construction of this sidewalk be assessed in the regular manner against the property owners abutting the improvement.

Mr. Conger moved the adoption of this Ordinance, and upon being seconded by Mr. Waters, same was adopted by a Yea and Nay Vote. Voting Yea, Mayor Adams, Councilmen Conger, Duehring, Orcutt, Taft and Waters. Voting Nay- None.

In regard to the improvement of Holly Avenue, Mr. Conger stated that Committee was prepared to recommend that sidewalks be laid on the ~~So.~~ Side of this street from the end of the present concrete pavement to Philadelphia Avenue, and recommended that a hearing be held on this improvement at the next regular meeting of the Council, and offered the following Ordinance:--

ORDINANCE NO. 600

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF TAKOMA PARK, MARYLAND:--

Sec 1214
Section 1. In accordance with the provisions of Section 965 of the Town Charter, the Mayor and Council have under consideration the laying of cement concrete sidewalks, at an estimated cost of \$1.50 per linear ft. on the South side of Holly Avenue, in the Town of Takoma Park, Maryland, abutting lots 36 and 24 in Block 6, B. F. Gilberts Sub-Division, and lots 1, 2, 3, 4, 5, 6, 7, Block 84, Petty Sub-Division. The cost of said improvement to be assessed against the abutting property owners in the usual manner.

Section 2. The Mayor and Council at their regular meeting on Jan. 18th, 1937, in the Fire Department Building, at Carroll and Denwood Avenues, convening at eight o'clock P. M. will hear all persons desiring to be heard with respect to the construction herein proposed.

Mr. Conger moved the adoption of this Ordinance, and upon being seconded by Mr. Taft same was adopted by a Yea and Nay vote. Voting Yea, Mayor Adams, Councilmen Conger, Duehring, Orcutt, Taft and Waters. Voting Nay, none.

Mr. Conger stated that the Committee was of the opinion that the name of Maple Avenue should be changed to some other name from a point where it intersects with Erie Avenue and running thence to Flower Ave., and that Maple Ave. should be continued through to Kennebec Avenue, eliminating the name "Albemarle Ave.", and a portion of the name "Erie Ave.", and recommended that a hearing be held on this matter at the next regular meeting of the Council.

Mr. Conger moved that a hearing be held on these proposed changes, and that said hearing be advertised for the next regular meeting of the Mayor and Council. Motion seconded by Mr. Duehring and approved.

Council was advised that an earnest effort would be made by Committee to obtain funds from P.W.A. for improvement of streets during 1937, and streets suggested for improvement were as follows:--

WILLOW Avenue, from Carroll to Tulip, widening to 30 ft. and repaving same.

MAPLE A venue, from D. C. line to a point where new concrete was laid in 1923, by widening to 30 ft. and repaving same.

TULIP Avenue from Carroll to Maple Avenue, widening to 30 ft. and repaving same.

CHESTNUT Avenue, from Philadelphia Avenue to Hodges Lane, by paving same a width of 24 ft.

ALLEGHENY Avenue from 2nd Avenue to Highland Avenue, by repaving to a width of 24 ft.

WESTMORELAND Avenue from 2nd Ave. to Highland Avenue, by paving same to a width of 24 ft.

LEE Avenue. between Carroll and Hancock Avenues, constructing concrete curb and gutter and filling intervening space with bituminous concrete (Tar and Stone).

HANCOCK Avenue, between Granr and Sheridan Avenue, constructing concrete Curb and Gutter, and filling intervening space with bituminous concrete.

LINCOLN Avenue, between Carroll and Maple Avenue, concrete curb and gutter and bituminous concrete.

JEFFERSON Avenue, between Carroll and Lincoln Avenue, concrete curb and gutter and bituminous concrete.

MAPLE Avenue, between Flower And Sligo Avenue, concrete curb and gutter and bituminous concrete.

KENNEBEC Ave. Between Flower and Albemarle Avenue concrete curb and gutter and bituminous concrete.

HOUSTON Avenue, between Flower and Roanoke Avenue, concrete curb and gutter and bituminous concrete.

WABASH Avenue, between Flower Avenue and Sligo Branch concrete curb and gutter and bituminous concrete.

DOMER Avenue, between Flower Avenue and Sligo Branch, concrete curb and gutter and bituminous concrete.

GREENWOOD Avenue, between Carroll and Division Avenue, concrete curb and gutter and bituminous concrete.

DAVIS Avenue, between Flower and Garland Avenue, concrete curb and gutter and bituminous concrete.

JACKSON Avenue, between Flower and Central Avenue, concrete curb and gutter and bituminous concrete.

CENTRAL Avenue, between Davis and Carroll Avenue, concrete curb and gutter and bituminous concrete.

HOLLY Avenue, between Philadelphia Ave. and end of existing concrete pavement, constructing concrete pavement a width of 30 ft.

CEDAR Avenue, between Eastern Avenue and new pavement, widening to 30 ft. and resurfacing same with bituminous concrete.

CLEVELAND Avenue, from Baltimore Avenue to end, concrete curb and gutter and bituminous concrete.

BALTIMORE Avenue, from New York Avenue to Philadelphia Avenue, paving with concrete to a width of 30 ft.

TAKOMA Avenue, between Philadelphia and Richmond Avenue, paving with concrete to a width of 30 ft.

BOSTON Avenue, between Takoma and Chicago Avenue, concrete curb and gutter and bituminous concrete.

Committee advised that within the next few weeks a complete report will be prepared by the Supt. of Public Works, with the assistance of the Town Engineer, as to the estimated cost of the contemplated improvements, as well as the legal requirements to obtain these funds.

On motion of Mr. Waters, seconded by Mr. Orcutt, Committee was authorized to go ahead with matter and report further to Council.

CIVIC IMPROVEMENT AND EDUCATION COMMITTEE:- Mr. Orcutt, Chairman, reported that a hearing had been held on the petition of A. W. Alderman and others, for the re-zoning of a portion of Carroll Avenue from Residential "A" zone to Residential "C" zone, and stated that fourteen property owners appeared, all of whom were in favor of the re-zoning as proposed, and Committee recommended that the said application be approved, and that the Maryland National Capital Park and Planning Commission be so advised, and that a copy of Committee report be sent to the Maryland National Park and Planning Commission and the County Commissioners of Montgomery County.

Mr. Taft moved that the report and the recommendation therein be approved. Upon being seconded by Mr. Conger, same was approved.

Mr. Conger suggested to Council that some steps should be taken to prevent automobile trailers from parking in the woods or unoccupied lots, unless they can show that they have rented the property from some responsible owner. This matter was referred jointly to the Municipal Service Committee and the Social Welfare and Public Health Committee.

LAW AND ORDINANCE COMMITTEE:- Mr. Taft, Chairman, read an opinion from Corporation Counsel, D. D. Lamond, in connection with the Real Estate Company sign erected on property on Denwood Avenue, in which Mr. Lamond stated that there was no violation of the Town Ordinances or Zoning Ordinances.

Mayor Adams stated that he would like to find some way to the commercializing of residential zones, and requested the Law and Ordinance Committee to look into the matter further.

SOCIAL WELFARE AND PUBLIC HEALTH COMMITTEE:- Mr. Waters, Chairman, in connection with the letter from R. M. Kennedy regarding trash collection, moved that the Town Clerk be authorized to write Mr. Kennedy and advise him that the Town finances at the present time are such that they will not permit of any additional trash collections. Motion seconded by Mr. Conger and approved.

Mayor Adams called to the attention of Council that a bad condition existed on Tulip Avenue, adjacent to the Filling Station, caused by water from the Filling Station running over the sidewalk, and asked the Social Welfare and Public Health Committee to look into the matter, and take steps to have this condition remedied.

There being no further business, Council on motion adjourned at 11:15 P. M.

J. H. Dodd
Clerk

Mayor

SPECIAL MEETING
MAYOR AND COUNCIL
JAN. 13, 1937

Meeting called to order at eight o'clock P.M.

Those present were the Mayor, Councilmen, Axtell, Conger, Duehring, Orcutt, Taft and Waters.

Principal purpose of the meeting was discussion and action in connection with the Dogwood Avenue dedication line, same having been in controversy for many years. Miss Vivian Simpson and Mr. Joseph Simpson, Attorneys for Margaret Petty Dodge and Harry E. Dodge, appeared before Council in connection with this matter. After a lengthy discussion of the matter by the Mayor and Council and Attorneys for the Dodge interests, Councilman Orcutt made the following motion:-

" Counsel for the abutting property owners on both sides of Dogwood Avenue having appeared before and submitted to the Mayor and Council the proposition of Stephen W. Williams to deed to the Town of Takoma Park, Maryland, that part of his land West of Cedar Ave. and South of Dogwood Ave., which is contained within the limits of Dogwood Ave., as shown on a plat of the subdivision of part of the Petty Estate, dated March, 1923, duly recorded in Plat Book 3, at Folio 257, among the Land Records of Montgomery County, upon the condition that any assessments which may be made, on account of the original construction of said Dogwood Ave., against the said Stephen W. Williams, or Mattie K. Williams, be waived, so long only as the title to the said abutting Williams property remains in the ownership of said Stephen W. Williams, or Mattie K. Williams, their heirs and devisees; and also the companion proposition of the Margaret Petty Dodge, Harry E. Dodge, and Henry W. Petty interests to convey to the said Stephen W. Williams all of their right, title and interest in and to the triangular piece of land at the Northeast corner of said Stephen W. Williams' property, and to join in said conveyance, releasing to the Town all of their right, title and interest in and to Dogwood Avenue, as shown on said plat; Now, therefore, in view of the fact that the true location of Dogwood Avenue has been in controversy for