

Foes Of Cedar-Vine Project File Suit To Block Any Action

By Alan Jones
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Opponents of the proposed Cedar-Vine street link have asked the superior court to block the project. Attorney Frank Murphy filed yesterday afternoon an all-purpose document asking the court for a writ of review, a writ of mandate, or a restraining order to halt the project.

Murphy filed for no less than 45 plaintiffs, downtown property owners who oppose the project. The document charges the city council as a group and individually with exceeding its authority

in ordering the \$550,000 project to proceed.

Murphy charged that the project, which would make Cedar-Vine a continuous street paralleling Pacific avenue, will be of no benefit to the plaintiffs. The document also says the project is not required by "public necessity and convenience," challenges the city's jurisdiction to order the project, claims the project was abandoned at a September 24, 1964, hearing, and said no notices were sent of new hearings this year.

It further charges that several properties in the propos-

ed assessment district have changed hands, and no new owners have received notice of the Cedar-Vine proceedings, and said the proceedings are invalidated by that shortcoming.

The document also charges the council knew the plaintiffs' lands would not benefit, and said assessments have been spread in "a grossly unjust manner" because the plaintiffs are remote from the improvement.

It is also charged that the council knowingly diverted the street route from a direct line "to insure the purchase of certain obsolete property owned by one of the proponents of said project." The complaint does not specify which property is meant. Major properties in the right-of-way include The Sentinel plant, the former Salinas Valley Savings building, and the old telephone building now leased to the county government for office use.

The proposed route was laid out by the city public works department in drawing up plans for the link. Other proposed routes were rejected because right-of-way purchase costs would have been higher.

The council ordered the project to proceed on May 24, after two years of hearings and wrangles over the project. The city agreed to put up \$100,000 of the estimated \$550,000 cost, and city parking lots will pay another \$29,000 or so. The remaining money will be raised in an assessment district divided into benefit zones, the nearest properties being rated at 100 per cent and concentric zones spreading out at 65 per cent, 50

per cent, 25 per cent and 10 per cent.

The complaint asks the court for a writ of review commanding the council to return a record of the proceedings for the court to examine, and asks the court to rule the council exceeded its jurisdiction.

It also asks for an order prohibiting the council from making any levy on the plaintiffs' land resulting from the May 4 order, or for an order to show cause why the city should not be restrained from levying the assessment.

It also asks, alternatively, a writ of mandate be issued to the council to exclude the plaintiffs from any levy or assessment for Cedar-Vine.

And it asks the city be restrained from buying any property or building any works in relation to the Cedar-Vine project.

The list of complainants: Arcade Associates (a partnership), Secondo and Lena Bosso, Alice Neary, David Ferrari, Bernard and Kay Zwerling, John and Fredna Gustavson, A. V. and Virginia Brenkwitz, Baldo and Ruth Puccinelli, Mario Bertolucci, Eleanor Spezia, Elissa Rosselini, Leonard and Filomena Cimarrelli, Robert and Grace Shephard, Dennis and Alexandra Cavadias, Helen Wilson, B. F. and Alice Kelley, W. F. and Jean Wapelhorst, Ilma Howe, Eleanor Cleveland, Robert Howe, Helen Aylor, Dorothy Davis, Bank of America as trustees for the estate of F. R. Howe, Elsa Bottger, M. W. Lotts, Fred Hihn, Hyman and Eva Abrams, Rita Alexander, Rosalyn Whitehill, Dora Goldberg, Cyril and Annette Litchman, and Samuel and Charlotte Blatteis.

Dodd Asks Perjury Charges Be Brought Against Secretary

Washington (AP)—A blonde secretary testified today she overheard "speculation" that Sen. Thomas J. Dodd, D-Conn., "must have" been paid at least \$10,000 by Julius Klein, registered agent for West German business interests, for a 1964 trip Dodd made to Germany.

The testimony by Marjories Carpenter before the Senate Ethics committee brought a prompt protest from Dodd, who said he will ask the Justice Department to bring perjury charges against her. Mrs. Carpenter formerly was Dodd's personal secretary, but was discharged late in 1964.

Dodd demanded immediate chance to show, he said, that the testimony was false. He criticized the committee's tactics in permitting it to be heard, and said "irreparable damage" is being done to him.

Sen. John Stennis, D-Miss., chairman of the committee, ruled that the testimony must be stricken from the record as lacking "probative" value. But he said rebuttal testimony will be heard later.

Mrs. Carpenter was asked about a 1964 trip Dodd made to West Germany after, she said, Klein urged him to go. This is one of the episodes on which columnists Drew Pearson and Jack Anderson based their charge that Dodd acted as "errand boy" for Klein, and was otherwise guilty of misconduct.

She said that on the trip, Dodd carried with him a memo from Klein listing German officials Dodd was to see.

The Pearson-Anderson charge is that Dodd was trying to bail Klein out with German clients who had become concerned because Klein had figured in a Senate investigation of foreign agents.