

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
142 1/2 FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

March 12, 1940

Senator Ed Fletcher
Care, Ed Fletcher Company
1020 - 9th Avenue
San Diego, California

My dear Senator Fletcher:

I have at hand your letter of March 11, 1940, and in pursuance thereof have just completed a conference with Emery Harnden, attorney for Hans Miebach, the executor of the estate of Rowena Heald, deceased. In that conference I advised Mr. Harnden that I had submitted the information given to me by Mr. Miebach that the estate would be willing to make a sale of the property at San Diego to my attorney connection in Los Angeles, and was advised by him that his clients would be willing to make an offer on the property if it could be purchased at a reasonable price. I then pointed out that I was advised that property had recently sold at \$4.00 per acre, which property was close to or adjoining the property of the estate; that I was interested in knowing what sort of a deal the executor expected to make on the property.

Mr. Harnden stated that they had been advised that the property was valued at \$12.00 an acre, but that he had just this morning received word that at quick sale for cash the property would bring probably between \$5.00 and \$6.00 an acre net to the estate. I then advised Mr. Harnden that it was possible that the people with whom I had been in contact would lease the property with an option to purchase at a better figure, or might be willing to pay around \$5,000.00 on the basis of \$1,000.00 down and \$1,000.00 a year at five per cent interest.

Mr. Harnden advised that the estate was greatly in debt for inheritance taxes--as a matter of fact, in about the sum of \$10,000.00, and that therefore the estate was not interested in any proposition concerning time payments, because the estate was badly in need of ready cash. He said, however, that he felt that the executor of the estate would

#2 - Senator Ed Fletcher

March 12, 1940


make an immediate sale on the basis of \$5,000.00 cash, and in conformity therewith, phoned to Mr. Miebach to verify whether or not if such an offer was made it would be accepted by him. Mr. Miebach stated that he would accept such an offer if made. Mr. Harnden then suggested that if such an offer were made it be done in the following manner: That the parties desiring to buy determine from some title company in San Diego County the amount of the taxes due on the property and make a cash offer of a sum which would be less the amount of taxes due on the property and agree to assume said taxes. This would still net the estate the sum of \$5,000.00 less the taxes due, which would, by necessity, have to be paid by the estate for the purpose of clearing title to this property, but would not complicate the estate proceedings for the sale of this property by having to have the offer accepted and then obtaining a separate order for the payment of the taxes therefrom. Mr. Harnden stated that if the prospective buyer would make a written offer of this sum and deposit in escrow in cash the sum of ten per cent thereof, he would proceed immediately to petition the court for the sale of said property at said sum and have the sale confirmed as soon as possible. I advised him that I would communicate immediately with the attorney in Los Angeles to determine whether or not the prospective buyer wished to make such an offer.

It is my personal opinion, from this conference, that \$5,000.00 cash will be accepted immediately. It is also my opinion that because the estate is obviously badly in need of money, an offer of the sum of \$4500.00 might be readily accepted.

I am sending this information to you air mail, special delivery, and if you will give me your reaction thereto, I will proceed further in any manner you suggest.

With very best personal regards, and again with thanks for the grapefruit that both I and my family are still enjoying, I am

Yours very truly,


OF DECOTO AND HARDIN

JMH/LS

CLASS OF SERVICE
This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

1201

SYMBOLS	
DL	Day Letter
NT	Overnight Telegram
LC	Deferred Cable
NLT	Cable Night Letter
	Ship Radiogram

R. B. WHITE, PRESIDENT
NEWCOMB CARLTON, CHAIRMAN OF THE BOARD
J. C. WILLEVER, FIRST VICE-PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.

FA178 32=OAKLAND CALIF 13 1152A 1940 MAR 13 PM 12 10

SENATOR ED FLETCHER=
1020 9 AVE SANDIEGO CALIF=

RE WIRE EXECUTOR CANNOT MAKE FIRM PRICE PRIVATE SALE
IMPOSSIBLE SALE MUST BE ADVERTISED IN SANDIEGO AND CONFIRMED
BY COURT HERE ABOUT FOUR WEEKS REQUIRED TO CLOSE IF NO HIGHER
BIDS MADE=

J MARCUS HARDIN.

*Sorry But told you so
Ed.*

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

Charge to the account of

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	ORDINARY
DAY LETTER	URGENT
SERIAL	DEFERRED
NIGHT LETTER	NIGHT LETTER
SPECIAL SERVICE	SHIP RADIOGRAM

WESTERN UNION

1206-B

R. B. WHITE, PRESIDENT
NEWCOMB CARLTON, CHAIRMAN OF THE BOARD
J. C. WILLEVER, FIRST VICE-PRESIDENT

CHECK
ACCOUNTING INFORMATION
TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

March 13, 1940

Mr. J. Marcus Hardin
c/o Decoto & Hardin
Financial Center Bldg
Oakland, California.

Re letter twelfth Confidentially will submit cash offer today
Wife if firm price can be made by executor without court allowing
anyone to come in and bid ten percent higher Desire private sale
No competition How quick final consummation of deal Rash answer

ED FLETCHER

Chg Fletcher Co

March 13, 1940

Mr. J. Marcus Hardin
c/o Decoto & Hardin
Financial Center Bldg.,
Oakland, California.

My dear Mr. Hardin:

Thanks for your letter of the 12th and your telegram of the 13th. You are authorized to make the offer of \$5,000.00, less the taxes, which are \$106.71 for the second half of 1939 taxes, and \$311.16 balance due under the installment plan, or a total of \$917.87 for taxes.

Enclosed find check for \$500.00 in your favor, which please cash and give your own check to them, or the cash, and expedite matters as much as possible, making the deed run to Mary R. Weitekamp, a single woman. The \$5000 offer is for a clear title, excepting the taxes which we are assuming, as stated in your letter. You have full authority to go ahead with this transaction at the earliest possible moment. The estate to furnish a policy of title insurance.

Keep my name out of it entirely, as I know you will. You are to be paid for your trouble in this matter.

When the executor, Mr. Miebach, signed the lease with Oliver Sexson on Dec. 1, 1939, he included all of Lot 27 when as a matter of fact the estate only owns the west 100 acres. He also included all of Lot 44 when the estate only owns the south 30 acres of Lot 44. We own the balance of these lots ourselves.

Enclosed find statements that you may show your people, but please have these statements by the County Auditor verified.

9
With kindest regards, I am
Yours sincerely,

EF M

*20717- 61.75
27- 70.20
35- 637.97 40 182.40
44- 452.52- 496.81*

EZRA W. DECOTO
J. MARCUS HARDIN
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
142 1/2 FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

March 15, 1940

Senator Ed Fletcher
Care, Ed Fletcher Company
1020 - 9th Avenue
San Diego, California

My dear Senator Fletcher:

Since receipt of your letter of March 13th, authorizing me to offer \$5,000.00 less the taxes, and enclosing check in the sum of \$500.00 on behalf of Mary K. Weidekamp, a single woman, I have taken up the matter with Mr. Emery Harnden, and the proceedings at the present time are in the following state:

I have given my personal assurance that if Mr. Harnden will proceed to advertise the property for sale, pursuant to the Probate Code, and complete his proceedings in that regard, I will appear at such sale and enter my bid in the sum of \$5,000.00 and deposit therewith my personal, certified check in the sum of \$500.00, subject, of course, to the taxes, and conditioned upon our being satisfied as to the state of the title.

I am advised by Mr. Harnden that this bid will be accepted by Mr. Miebach, as executor of the estate, and that thereupon he will proceed immediately to petition the court here for confirmation of the sale made pursuant to said bid. I have requested Mr. Harnden, before starting the proceedings for the sale, to obtain from the title company a preliminary search, in order that we may be sure that the proceedings for the sale of the property are not only in proper legal order, but that the description of the property that they purport to cover is correct in all details. This may delay the proceedings a few days, but it is

#2 - Senator Ed Fletcher

March 15, 1940


the only manner in which we can check the proceedings to determine that the property upon which we are bidding is the property upon which we can have issued title insurance when the proceedings are completed and the defects, if any, in the title shown by the preliminary report have been removed. In view of this fact, I think that the obtaining of a preliminary search by the estate is essential.

When publication of the notice of sale is commenced, it will require about two weeks before the sale can be held. Thereafter, the petition for confirmation must be given ten days' notice before it can be heard by the court. In view of these facts, you can see that it will be at least thirty days before there is any reasonable chance that the matter may be consummated.

I trust the above proceedings are in full accord with your wishes, and I will appreciate any comments or suggestions you may have in the matter.

With very best personal regards, I am

Yours very truly,


OF DECOTO AND HARDIN

JMH/LS

March 18, 1940

Mr. J. Marcus Hardin
Financial Center Building
Oakland, California.

My dear Mr. Hardin:

Thanks for your letter of the 15th. My understanding is that the price is \$5,000.00, less the taxes against the property, and that it will be about 4 weeks before the money will be required.

I will be East then and would like to know about what date the property will come up in court. I do not expect to get back until about the 20th to 25th of April.

I understand this matter will be handled in the courts in Oakland and if there is any competition in bidding it will be done there. Is this correct? I do not anticipate any competition, and as I understand it the increase will have to be 10 percent.

I would like to know before I leave, if possible, what date I can have final decision as to whether my bid is accepted, because I must make some financial arrangements in relation thereto.

With kindest regards, I am

Yours sincerely,

RM

SOUTHERN TITLE
& TRUST COMPANY

940 Third Avenue
San Diego, California

March 23, 1940

In Reply Refer To
No. 124395-EAS

Alameda County-East Bay Title Insurance Co.
14th and Franklin Streets
Oakland, California

Attention: Mr. Courtney Hickman

Gentlemen: Re: Your No. 275941

We have completed our preliminary examination of the title to the property listed under the above numbered order, as of date March 21, 1940 at 8:00 A.M., and find same is vested in -

Rowena Heald,
as her separate property.

Free from all encumbrances except:

1. County taxes for the fiscal year 1940-41, now a lien but not payable until November.
2. Second installment of the County taxes for the fiscal year 1939-40, now due and payable.
3. A sale to the State of California for delinquent County taxes for the year 1934; also subsequent delinquent County taxes for the years 1935 to 1938, inclusive, which have been placed on the 10-year plan and one payment made.
4. An easement affecting Lots 49 and 52 for the purpose of a right of way 80 feet wide for use as a public highway, as granted by Rowena Heald to the County of San Diego, dated October 9, 1929 and recorded December 3, 1929 in Book 1708, page 403 of Deeds.

Description

Lot 17; all of Lot 27 Except the East 937 feet thereof;
Lots 35, 36, 37, 39 and 40; the Southerly 30 acres of
Lot 44; and Lots 45 to 52 inclusive; all being in

124396-EAS
3-23-40
2.

Rosedale Tract, in the County of San Diego, State of California, according to the Map thereof No. 825, filed in the office of the Recorder of said San Diego County January 21, 1897.

ALSO all that portion of the Easterly Half of the unnamed street lying Westerly of and adjoining said Lots 42, 43, 49 and 52, as vacated and closed to public use on December 1, 1930, by order of the Board of Supervisors of San Diego County, a certified copy of said vacation having been filed on December 4, 1930 in Book 1839, page 217 of Deeds, in the office of the County Recorder.

The liability under this report is limited to \$1000.00.

This property is located in San Diego Township, therefore the legal newspaper to publish your notice is either The San Diego Union, Union Building, which is published daily and weekly; or the Daily Transcript, 734 First Avenue, which is published daily except Sunday; however, they will publish a notice once a week if so requested.

Second installment of the County taxes for the fiscal year 1939-40, now

Awaiting your further instructions, we are,

Sincerely yours
Taxes for the year 1939; also subsequent delinquent County taxes for the years 1939 to 1939, inclusive, which have been added to the 1939-40 installment.

Ed A. Sears
Vice President
& Title Officer

EAS:cv

Lot 17; all of Lot 17 except the East 1/2 thereof;
Lots 35, 36, 37, 38 and 39; the Southern 10 acres of
Lot 44; and Lot 45; all being in

EZRA W. DECOTO
J. MARCUS HAF
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
142 1/2 FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

March 26, 1940

Senator Ed Fletcher,
1020 - 9th Avenue,
San Diego, California.

Dear Senator Fletcher:

I have just returned from a conference at the office of Emery Harnden, at which conference we were going over the preliminary title examination received this day by Mr. Harnden.

The title appears to be in about the state which we assumed it would be, but I am having copied and enclosing herewith the letter received in this regard from Southern Title & Trust Company. I am airmailing it to you, special delivery, inasmuch as I understand you are leaving San Diego tomorrow. I would like to have you see it before you leave, in order that if you have any comments or suggestions concerning the same you may have an opportunity to forward them to me.

Mr. Harnden has also prepared a notice of private sale of real property, following the description set forth in the enclosed preliminary title report. This notice of private sale will be published pursuant to law in one of the San Diego papers. I enclose also a copy of said notice of private sale for your attention.

Trusting I may have the benefit of any suggestion you may have before you leave, and with best wishes for a most pleasant and successful journey, I am

Yours sincerely,



OF DECOTO AND HARDIN

JMH:vf
Enclosures (2)

EZRA W. DECOTO
J. MARCUS HAF
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
142 1/2 FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

March 27, 1940

Ed Fletcher Company,
1020 - 9th Avenue,
San Diego, California.

Attention Katherine May

Re: Purchase of Rowena Heald property

Dear Miss May:

I have just received Senator Fletcher's letter of March 25th, 1940, to the effect that it was his desire that the advertisement in the above captioned matter appear in the San Diego Herald, 716 First Avenue, San Diego.

Immediately upon receipt of the letter I got in touch with Mr. Emery Harnden, Attorney for the Heald Estate. He advised me that the advertisement had been given last night to a Mr. Stivers of the Saturday Press of this County for forwarding to a San Diego paper for publication. I communicated with Mr. Stivers, who advised me that the copy had been sent for publication last evening by airmail to the San Diego Daily Transcript and that it was too late to recall it from publication in that paper.

I am sorry not to be able to comply with Senator Fletcher's request but it appears that his letter arrived too late for me to arrange the publication in the Herald. I thought, however, I would advise you immediately by airmail, even though I do not believe it would be wise for you to take any action down there.

Yours very truly,



OF DECOTO AND HARDIN

JMH:vf

March 28, 1940

Mr. J. Marcus Hardin
Decoto & Hardin
Financial Center Building
Oakland, California.

My dear Mr. Hardin:

Your letter of March 26th to Senator Fletcher was not received until late in the afternoon and the Senator and Mrs. Fletcher left at 11:30 for Los Angeles where they took the plane, at 4:30 p. m.

Thank you for advising us about the advertising being done in the Transcript instead of the San Diego Herald.

Relative to the report of the Title Company it seems to be all right, excepting that the taxes are being picked up on the five year plan instead of ten. I called Mr. Sears of the title company and he checked it and said that they were first started under the ten year plan and later changed to the five year plan. I told him I would advise you of this so he will not write you.

Mr. Ed Fletcher, Jr. read your letter and the papers you sent and verified what I have written above.

Yours very truly,

KLM

EZRA W. DECOTO
J. MARCUS HARDIN
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
145 & FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

April 4, 1940

Ed Fletcher Company,
1020 Ninth Avenue,
San Diego, California.

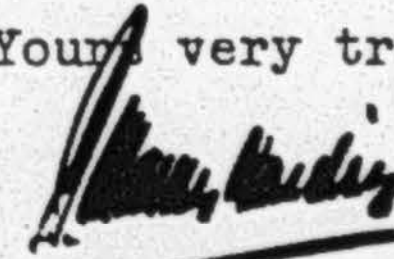
Attention Katherine May

Dear Miss May:

I am advised that the notice of private sale of the property in which we are interested, now being published in the San Diego Transcript, is set for April 16th, 1940, at the hour of 9:30 o'clock A.M., and that said notice calls for written bids for said property.

Accordingly, I have prepared a written bid to be executed by Mary R. Weitekamp. If you find the enclosed bid in proper order it should be executed by Miss Weitekamp and returned to me promptly. Upon my receiving the same I will file it with the executor together with my certified check in the sum of \$500.00.

Yours very truly



OF DECOTO AND HARDIN

JMH:vf
Enclosure

April 8, 1940

Mr. J. Marcus Hardin
Financial Center Building
Oakland, California.

My dear Mr. Hardin:

Answering your letter of April 4th,
enclosed find written bid which has been signed by Mary R.
Weitekamp. We are retaining one copy for our files.

Yours sincerely,

ED FLETCHER CO.

By

klm

EZRA W. DECOTO
J. MARCUS HARDIN
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
140 & FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

April 11, 1940

Ed Fletcher Company
1020 - 9th Avenue
San Diego, California

Attention Miss Catherine May

Gentlemen:

I have this day delivered to Mr. Emery Harnden, as attorney for Hans Miebach, Executor of the Estate of Rowena Heald, deceased, the bid of Mary K. Wietekamp, which you had executed and returned to me, together with my personal, certified check in the sum of \$500.00.

I had some discussion with Mr. Harnden concerning the matter at the time I delivered these documents, during which time the subject of the lease of the property to Mr. Sexton came up. As you will recall, this lease is not cancellable until June 1, 1940, at which time it can be cancelled by the return of the payment of \$25.00 per month for the remaining three months of the lease. Harnden states that he is holding off all other offers on the property by virtue of this lease, stating that the lease is not cancellable and, therefore, anyone who purchases the property must take it subject to the lease. He claims this is distinctly to our advantage, because parties learning of the lease are less anxious to bid for the property. Because he believes that the party buying the property and the party to whom the lease was made at at least of some joint interest, he asks that we take the property subject to the lease and do whatever we wish with the lease after we have acquired the property. I am inclined to think that for the small amount of rent we could possibly get back (as I see it, \$75.00 at the most) it might be well to proceed on this basis and simply forget the lease and use it for what coercive effect it may have against

#2 - Ed Fletcher Company

April 11, 1940

other bidders and to swing the deal to us.

I told Mr. Harnden that I could only submit the bid as it was written, but that I would communicate with my connection in Los Angeles to determine what should be done about the lease. I would appreciate it if you could see that I am advised in this regard at the earliest possible moment.

Yours very truly,



~~OF DECOLO AND HARDIN~~

JMH/LS

April 12, 1940

Mr. J. Marcus Hardin
Financial Center Building
Oakland, California.

My dear Mr. Hardin:

It is agreeable to me to make the bid on the Rowena Heald property subject to the lease with Mr. Sexton, and you may so advise the attorney for the Heald estate.

Yours truly,

April 12, 1940

Mr. J. Marcus Hardin
Financial Center Building
Oakland, California.

My dear Mr. Hardin:

Answering your letter of April 11th,
it is all right to bid in the property subject to the
lease with Mr. Sexson, and I am enclosing herewith
a letter signed by Mary R. Weitekamp to that effect.
I trust this is in the order you want it.

Yours very truly,

Secretary

KLM

EZRA W. DECOTO
J. MARCUS HARDIN
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
1422 & FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

April 16, 1940

Ed Fletcher Company,
1020 Ninth Avenue,
San Diego, California.

Attention Miss Katherine May

Gentlemen:

I have just returned from the office of
Emery Harnden, at which place the sale of the property
for which we bid was noticed for 9:30 this morning. No
one else appeared at the sale; consequently our bid was
accepted by the administrator. There had already been
prepared a petition for confirmation of sale, which will
be filed this morning and the earliest possible date for
hearing obtained. I enclose a copy of this petition for
your files.

Mr. Harnden advised me that he had received
a wire from a party in San Diego who had been communicating
with him concerning the sale of this property, requesting
that the sale be postponed for a period of one week for the
reason that said party had a good prospective purchaser for
the property at a figure in excess of \$5,800.00. The request
for postponement of the sale was denied by Mr. Harnden but
he called it to my attention for the reason that he believed
it was possible that the party might appear at the confirma-
tion hearing and bid on the property in said amount. Mr.
Harnden did not show me the telegram but during my conver-
sation with him it was lying on his desk, and for your
private information, it appeared to be signed by one H. D.
Nichols.

Incidentally, Mr. Harnden has been telling
all prospective purchasers that it would be necessary to
bid in excess of \$5,800.00, on the theory that it would be
necessary to pay commissions from the amount bid and that
the net must be increased ten percent. This, of course,

Ed Fletcher Company

Page 2
4-16-40

has helped protect our bid.

I trust the above meets with your entire approval. I will know in a very short time the date set for the confirmation of the sale, which date I will forward to you immediately.

I notice in the California Republican that Ed Fletcher, Jr. is named as a delegate to the California Republican Assembly Convention in Hollywood on April 19th, 20th and 21st. I expect to be a delegate from this County at that Convention and would like very much to see Ed if he is to be there. I will be staying and can be contacted at the Georgian Hotel, Santa Monica. I expect to be there from Friday until Monday.

Yours very truly,



OF DECOTO AND HARDIN

JMH:vf
Enclosure

April 18, 1940

Mr. J. Marcus Hardin,
Financial Center Building
14th & Franklin Streets
Oakland, California.

My dear Mr. Hardin:

Your letter of April 16th received enclosing copy of petition for our files. I will show this to Mr. Fletcher as soon as he returns, which will be Tuesday or Wednesday of next week. As he is coming home via San Francisco you may see him.

Ed, Jr. will be in Hollywood Friday and Saturday and is intending to look you up.

Yours sincerely,

KLM

Secretary

CHECK SERVICE DESIRED OTHERWISE MESSAGE WILL BE SENT AT FULL RATE	
DOMESTIC	FOREIGN
FULL RATE	FULL RATE
DAY LETTER	XX CODE RATE
NIGHT LETTER	URGENT
SERIAL	DEFER
RESERVATION	NIGHT LETTER
TOUR-RATE	SHIP RADIO

COPY
POSTAL TELEGRAPH-CABLE CO.
TELEGRAM

April 27, 1940

Mr. J. Marcus Hardin
Financial Center Building
14th & Franklin Streets
Oakland, California

You are authorized to bid on Heald property up to Ten thousand
and one dollars if necessary but hope there will be no other bidders

ED FLETCHER

Charge Fletcher Co

May 1, 1940

Decoto & Hardin
Financial Center Bldg.
Oakland, California

My dear Mr. Hardin:

Thanks for yours letter of April 30th and the information therein contained. Everything is satisfactory and will follow your instructions.

I had a good laugh though over your statement that the custom is for the purchaser to pay for the certificate. I never heard of this being done before except by stipulated contract in writing in advance, and only in two or three cases in my history as a real estate man covering forty years, it is always the responsibility of the owner to furnish a policy of insurance, certificate of title or abstract showing title on the property to be clear. However, it is a small matter and we will forget it.

When will it be necessary to send the money up? My understanding is that it will have to wait over 60 days before the title can be cleared and deal finally closed, money paid and deed recorded. Is this correct? Further, there can be no more competition now or question about the title. We are being asked to sign up immediately a two year lease on the property, and want to be sure we are taking no risk whatsoever as long as we put up the \$4600.00. We do not want to have to borrow the money and can send up \$2500 now if necessary and the other \$2100 the 10th of May or will send the whole amount on the 10th of May.

May I hear from you by return mail, please. We do appreciate and thank you for the way you have expedited and handled the matter.

Sincerely yours,

EF/jv

EZRA W. DECOTO
J. MARCUS HARDIN
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
14th & FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

May 3, 1940

Senator Ed Fletcher
1020 - 9th Avenue
San Diego, California

My dear Senator Fletcher:

I have at hand your letter of May 1,
1940.

I know of no reason why we should have to wait sixty days for the closing of the deal. It is my understanding that the deal can be closed within the next ten days. When the \$4600.00 is put in escrow, the only thing that remains to be done is for the Title Company to complete its examination of title for the issuance of title insurance, arrange for the payment of the back taxes and, when the title is cleared, proceed to record the deed and issue the policy of title insurance. Consequently, it would appear to me that the sooner we can get the \$4600.00 in escrow, the sooner the deal will be brought to a conclusion. It would be my suggestion, therefore, that you should forward the \$4600.00, together with the escrow instructions, at an early date, in order that an immediate closing of the deal may be consummated.

With very best personal regards, I am

Yours very truly,



OF DECOTO AND HARDIN

JMH/LS

May 6, 1940

DeCoto and Hardin
Financial Center Building
14th & Franklin Streets
Oakland, California.

Attention Mr. J. Marcus Hardin

My dear Mr. Hardin:

Answering yours of April 30th and May 3d, enclosed herewith find escrow instructions signed by Mary R. Weitekamp together with checks for \$4600.00. Please close the deal, and expedite it as fast as you can. We are making the checks payable to you in order to keep the record straight and you can give your check to the title company for the \$4600.00.

When the deal is consummated please let us have your bill for your expense in the matter. We are very appreciative indeed of all you have done to help close up this matter, and are also looking forward to your visit to San Diego.

With kind regards, I am

Yours sincerely,

EF M

EZRA W. DECOTO
J. MARCUS HARDIN
J. HEREDITH WOOD

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
142 1/2 FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGHWAY 3131

May 8, 1940

Ed Fletcher Company,
1020 - 9th Avenue,
San Diego, California.

Attention Senator Ed Fletcher

My dear Senator Fletcher:

I acknowledge receipt of your letter of
May 6th, 1940, enclosing two checks totalling the sum
of \$4600.00.

By reason of the banks and title companies
being closed yesterday for the election, it was impossible
to proceed with the matter until today. However, our
certified check in the above amount, together with the
escrow instructions, will be placed with the Title Company
today and we will expedite the closing of the matter as
much as possible.

With very best regards, I am

Yours very truly,



OF DECOTO AND HARDIN

JMH:vf

EZRA W. DECOTO
J. MARCUS HARDIN
J. HEREDITH WOOD

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
142 1/2 FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGHWAY 3131

May 9, 1940

Senator Ed Fletcher,
1020 - 9th Avenue,
San Diego, California.

My dear Senator Fletcher:

All matters have been placed in escrow with
the Alameda County-East Bay Title Insurance Company and in
the normal course of events the deal should be closed in
the next ten days.

However, before the deal can be consummated
it is necessary that the enclosed statement of identity
be filled out by Mary R. Weitekamp and mailed to the
Southern Title and Trust Company, 940 Third Avenue, San
Diego, attention their number 124395. I am advised here
that this statement of identity is absolutely required by
the Southern Title companies before they will proceed to
record and close the deal.

Trusting that this matter may be brought
to a conclusion within a few days, and with very best
personal regards, I am

Very truly yours,



OF DECOTO AND HARDIN

JMH:vf
Enclosure

Delet & Holden

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

1000 1/10

May 10, 1940

Mr. J. Marcus Hardin,
Financial Center Building
14th & Franklin Streets
Oakland, California.

My dear Mr. Hardin:

Answering your letter of of May 9th will say I rang up the Southern Title & Trust Company, and the title company is not asking for the Statement of Identity to be signed by Miss Weitekamp. She is our bookkeeper, has been here for almost 15 years, and for reasons best known to herself she does not care to sign, and the title company is not asking for it as they know who she is personally.

The attorney for the title company, Mr. Ed A Sears will confirm this.

For heaven sake send the papers down here as quickly as you can and get them recorded. It is vital.

With kindest regards, I am

Yours sincerely,

EF M

EZRA W. DECOTO
J. MARCUS HARDIN
J. MEREDITH WORTZ

DECOTO AND HARDIN
ATTORNEYS AT LAW
FINANCIAL CENTER BUILDING
14th & FRANKLIN STREETS
OAKLAND, CALIFORNIA
TELEPHONE HIGATE 3131

May 13, 1940

Senator Ed Fletcher
Senate Chambers
Sacramento, California

My dear Senator:

I have at hand your letter of May 10, 1940, and will say that I have been in touch with the Alameda County Title Company continuously since the matters were put in escrow there. They are, however, holding up the proceedings for the reason of a defect in the court procedure of Mr. Harnden. It appears that there was a request for special notice by a bank in San Francisco; and in the course of proceedings as I checked them I asked him whether or not he had given such notice, and he told me that he had. It appears, however, when we come down to determining the time that he gave his notice, he failed to give the required ten days' notice and was three days late in giving such notice. Consequently, we are, through the Title Company, attempting to obtain a waiver from the attorneys for the bank, and should have such a waiver in our hands not later than Wednesday, of this week, if it is obtainable.

Needless to say, the fact that he failed to send this notice on to them was a great shock to me, in view of the fact that I had checked the proceedings at all available points and particularly called this matter to his attention. The matter is particularly bad, in view of the further fact that if we cannot get a waiver from the attorneys for the bank it may be necessary that we have a further proceeding on confirmation of sale, which will again open the matter up for bids. I will go to San Francisco tomorrow and do all I can to get this error removed by obtaining waivers as quickly as possible.

With very best personal regards, I am

Yours very truly,

J. Marcus Hardin

Of DECOTO AND HARDIN

JMH/LS

Ed Fletcher Papers

1870-1955

MSS.81

Box: 9 Folder: 37

General Correspondence - Hardin, J. Marcus



Copyright: UC Regents

Use: This work is available from the UC San Diego Libraries. This digital copy of the work is intended to support research, teaching, and private study.

Constraints: This work is protected by the U.S. Copyright Law (Title 17, U.S.C.). Use of this work beyond that allowed by "fair use" requires written permission of the UC Regents. Permission may be obtained from the UC San Diego Libraries department having custody of the work (<http://libraries.ucsd.edu/collections/mscl/>). Responsibility for obtaining permissions and any use and distribution of this work rests exclusively with the user and not the UC San Diego Libraries.