



CITY OF ATLANTA

DEPARTMENT OF LAW

2614 FIRST NATIONAL BANK BUILDING

Atlanta, Georgia 30303

HENRY L. BOWDEN
CITY ATTORNEY

FERRIN Y. MATHEWS
ASSISTANT CITY ATTORNEY

April 9, 1969

ROBERT S. WIGGINS
MARTIN MCFARLAND
EDWIN L. STERNE
RALPH C. JENKINS
JOHN E. DOUGHERTY
CHARLES M. LOKEY
THOMAS F. CHOYCE
JAMES B. PILCHER

ASSOCIATE CITY ATTORNEYS

ROBERT A. HARRIS
HENRY M. MURFF

CLAIMS ATTORNEYS

JAMES B. HENDERSON

SPECIAL ASSOCIATE CITY ATTORNEY

Hon. Ivan Allen, Jr. ✓
Mayor of Atlanta

Mr. Jack C. Delius,
General Manager of Parks

Gentlemen:

Pursuant to a request of Mr. Jack C. Delius, General Manager of Parks and Recreation, I have made inquiry with respect to the status of a prop building which was used by Municipal Theatre, Inc. during the summer theater seasons 1965 through 1967 at Chastain Municipal Amphitheater. You will recall that Municipal Theatre used the facilities of Chastain Memorial Amphitheater free and their only monetary obligation, if it could even be called this, was to place a prop building at the rear of the Theater and turn the prop building over to the City of Atlanta at the expiration of the lease or any extensions thereof.

As of this date, Municipal Theatre is still using the prop building, although the lease has expired. It was with respect to this facet of the situation that Mr. Delius requested me to direct my inquiry. I contacted counsel for the now defunct Municipal Theatre, Inc. who had a gentleman by the name of Mr. Roland B. Anderton contact me. Mr. Anderton told me over the telephone that he represented the successor group to Municipal Theatre, Inc. The following constitutes a substance of my telephone conversation with Mr. Anderton: After Mr. Anderton set forth who he was, he told me that he did represent the successor group to Municipal Theatre, Inc. He told me that Mr. Dillard Munford had a meeting with Mayor Allen and Mr. Milton Farris, Chairman of the Finance Committee, with respect to the successor group. Various financial arrangements were discussed with Mayor Allen and Mr. Farris to determine what could be done to have good theater in Atlanta this summer at the Civic Center. An arrangement was entered into with the City, with Mayor Allen and Mr. Farris acting as the City's representatives, whereby the Civic Center would be used this summer on what would in all probability be a reduced rate, said rate being predicated upon the proceeds of the successor group. Mr. Anderton went on to tell me two things that I feel are especially remarkable with respect to the situation concerning the prop building. The first was that if we take action

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to deny them use of the prop building, there would, in all probability, be no theater in the Civic Center for the summer season 1969. Second, he also told me that somewhere floating around in the back of his mind was a side agreement which I assume would modify the lease agreement above set forth whereby the City had given an additional ten year's use on the prop building.

The above constitutes what I feel is remarkable with respect to the conversation I had with Mr. Anderton. I certainly do not purport to be able to bind the City in any respect and the primary purpose of this is, I assure you, for information purposes and also to request of you two gentlemen such direction to me as may be proper under the circumstances with respect to a disposition concerning the prop building.

Should either of you have any questions with respect to the situation, please feel free to call upon me.

Incidentally, Mr. Anderton asked for a copy of the original lease agreement between Municipal Theatre, Inc. and the City of Atlanta and I forwarded the same to him by transmittal of this date.

With my kindest regards to you both, I am

Very truly yours,



Thomas F. Choyce
Associate City Attorney

TFC/br