

ATTACHMENT B:

Application & Supporting Documentation



PLANNING DIVISION MASTER APPLICATION FORM

Project Address: 2350 E. Orange Grove Blvd, Pasadena CA.

Project Name: _____

Project Description: (Please describe demolitions, alterations and any new construction) N/A

Zoning Designation: _____ General Plan Designation: _____

Valuation (Cost of Project): \$ 1.4 M.

APPLICANT / OWNER INFORMATION

APPLICANT NAME: Don Herda / George Dockter

Address: 2350 E ORANGE GROVE BLVD

City PASADENA State: CA Zip: 91104

CONTACT PERSON: SAM

Address: _____

City _____ State: _____ Zip: _____

PROPERTY OWNER NAME: SAM

Address: _____

City _____ State: _____ Zip: _____

Telephone: 626 795-3700

Fax: [] _____

Email: george.dockter@gha.com

Telephone: [] _____

Fax: [] _____

Email: _____

Telephone: [] _____

Fax: [] _____

Email: _____

TYPE OF PLANNING REVIEW AND APPROVALS REQUIRED (Mark clearly the type of approval(s) required):

- | | | |
|--|---|--|
| <input type="checkbox"/> ADJUSTMENT PERMIT | <input type="checkbox"/> HEIGHT AVERAGING | <input type="checkbox"/> PREDEVELOPMENT PLAN REVIEW |
| <input type="checkbox"/> AFFORDABLE HOUSING CONCESSION OR WAIVER | <input type="checkbox"/> HILLSIDE DEVELOPMENT PERMIT | <input type="checkbox"/> RELIEF FROM THE REPLACEMENT BUILDING PERMIT REQUIREMENT |
| <input type="checkbox"/> CERTIFICATE OF APPROPRIATENESS | <input checked="" type="checkbox"/> HISTORIC DESIGNATION (MONUMENT, LANDMARK, TREE OR SIGN) | <input type="checkbox"/> SIGN EXCEPTION |
| <input type="checkbox"/> CERTIFICATE OF EXCEPTION | <input type="checkbox"/> HISTORICAL RESEARCH/EVALUATION | <input type="checkbox"/> TENTATIVE PARCEL/TRACT MAP |
| <input type="checkbox"/> CHANGES TO APPROVED PROJECT | <input type="checkbox"/> LANDMARK TREE PRUNING | <input type="checkbox"/> TEMP. CONDITIONAL USE PERMIT |
| <input type="checkbox"/> CONDITIONAL USE PERMIT | <input type="checkbox"/> MASTER DEVELOPMENT PLAN | <input type="checkbox"/> TREE PROTECTION PLAN REVIEW |
| <input type="checkbox"/> DESIGN REVIEW | <input type="checkbox"/> MASTER SIGN PLAN | <input type="checkbox"/> TREE REMOVAL |
| <input type="checkbox"/> DEVELOPMENT AGREEMENT | <input type="checkbox"/> MINOR CONDITIONAL USE PERMIT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> EXPRESSIVE USE PERMIT | <input type="checkbox"/> MINOR VARIANCE | <input type="checkbox"/> VARIANCE FOR HISTORIC RESOURCES |
| <input type="checkbox"/> FLOOR AREA RATIO (FAR) INCREASE | <input type="checkbox"/> PLANNED DEVELOPMENT ZONE | <input type="checkbox"/> ZONE CHANGE (MAP AMENDMENT) |
| <input type="checkbox"/> GENERAL PLAN AMENDMENT | <input type="checkbox"/> PRELIMINARY PLAN CHECK | OTHER: _____ |

Note: Space for signature is on reverse side

MAP -- Master Application REVISED.doc1/20/11

INDEMNIFICATION

Applicant agrees to defend, indemnify, and hold harmless the City and its officers, contractors, consultants, employees, and commission members (collectively, "City") from any and all liability, loss, suits, claims, damages, costs, judgments and expenses (including attorney's fees and costs of litigation), including any appeals thereto (collectively, "proceeding") brought against the City with regard to any approvals issued in connection with the application(s) by the City, including any action taken pursuant to the California Environmental Quality Act. If Applicant is required to defend the City in connection with such proceeding, the City shall have and retain the right to approve counsel to so defend the City; and all significant decisions concerning the manner in which the defense is conducted; and any and all settlements, which approval shall not be unreasonably withheld. The City shall also have and retain the right to not participate in the defense, except that the City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If the City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant. Further, Applicant agrees to defend, indemnify and hold harmless the City from and for all costs and fees incurred in additional investigation or study of, or for supplementing, revising, or amending, any document if made necessary by said proceeding.

CERTIFICATION:

I hereby certify that I am the applicant or designated agent named herein and that I am familiar with the rules and regulations with respect to preparing and filing this petition for discretionary action, and that the statements and answers contained herein and the information attached are in all respects true and accurate to the best of my knowledge and belief.

SIGNATURE OF APPLICANT OR AGENT: Donald J. Hede Date: May 4, 2014

<p>For Office Use Only</p> <p>PLN # <u>2014-00128</u></p> <p>CASE # _____</p> <p>PRJ # _____</p> <p>DATE ACCEPTED: <u>8/6/14</u></p> <p>DATE SUBMITTALS RECEIVED: _____</p> <p>RECEIVED BY (INITIALS): <u>KS</u></p> <p>FEES:</p> <p>BASE FEE: \$ _____</p> <p>3% RECORDS FEE: \$ _____</p> <p>TOTAL: \$ _____</p> <p>HISTORIC ARCH. RESEARCH REQUIRED? YES NO</p> <p>PUBLIC ART REVIEW REQUIRED? YES NO</p> <p>TRANSPORTATION REVIEW REQUIRED? YES NO</p> <p>INCLUSIONARY HOUSING REQUIRED? YES NO</p>	<p>REVIEW AUTHORITY:</p> <p><input type="checkbox"/> STAFF</p> <p><input type="checkbox"/> HEARING OFFICER</p> <p><input type="checkbox"/> PLANNING COMMISSION/BZA</p> <p><input type="checkbox"/> DESIGN COMMISSION</p> <p><input checked="" type="checkbox"/> HISTORIC PRESERVATION COMMISSION</p> <p><input checked="" type="checkbox"/> CITY COUNCIL</p> <p>TAXPAYER PROTECTION</p> <p><input type="checkbox"/> DISCLOSURE REQUIRED</p> <p><input checked="" type="checkbox"/> NOT REQUIRED</p>	<p>CEQA REVIEW:</p> <p><input checked="" type="checkbox"/> EXEMPTION</p> <p><input type="checkbox"/> INITIAL STUDY</p> <p><input type="checkbox"/> EIR</p> <p>CEQA REVIEW STATUS:</p> <p><input checked="" type="checkbox"/> PENDING</p> <p><input type="checkbox"/> COMPLETED</p>	<p>Design & Historic Preservation:</p> <p>TYPE OF HISTORIC PRESERVATION REVIEW:</p> <p><input checked="" type="checkbox"/> CATEGORY 1 (DESIGNATED)</p> <p><input type="checkbox"/> CATEGORY 2 (ELIGIBLE)</p> <p>LANDMARK/HISTORIC DISTRICT NAME: _____</p> <p>TYPE OF DESIGN REVIEW:</p> <p><input type="checkbox"/> CONCEPT</p> <p><input type="checkbox"/> FINAL</p> <p><input type="checkbox"/> CONSOLIDATED</p> <p><input checked="" type="checkbox"/> PRELIMINARY CONSULTATION</p>
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Note: In addition to this application, a completed **Planning Division Master Application Form** is also required.

PROPERTY PROPOSED FOR DESIGNATION

1. Name of Property:	
2. Property Address:	2350 E ORANGE GROVE BLVD
3. Date of Original Construction	1929
4. Original Owner	HARRY E WALKER
5. Architect / Builder:	HARRY E WALKER

DESIGNATION CATEGORY

(CHECK APPROPRIATE BOX—SEE CRITERIA ON PAGES 2 & 3 FOR MORE INFORMATION):

HISTORIC MONUMENT

LANDMARK

HISTORIC SIGN

LANDMARK TREE

BRIEF DESCRIPTION OF PROPERTY

Briefly describe the property proposed for designation, indicating whether the entire site or a portion of the site is the subject of the nomination (e.g., how many buildings or objects on the site are included in the nomination) or if the nomination is for an object, sign or tree. A map may be used for the description. Please also submit recent and, if available, historical photographs. Use additional sheets if necessary.

Please see property biography & color brochure.

DOCUMENTATION OF SIGNIFICANCE OF PROPERTY

With this application, please attach information that will assist staff with the preparation of a designation report. Books, photographs, articles, and other archival information will all be useful to document the significance of the nominated resource.

Refer to bibliography, historical photographs, chronology, and other supporting information.



LEGAL DESCRIPTION

Attach a copy of the most recently recorded legal description for the property (usually in the deed for the property or other documents when the property was purchased—also available from a title company).

CRITERIA FOR DESIGNATION

Check the box under the category checked on first page that corresponds to the criterion under which you are nominating the property, object, sign or tree for designation. Multiple boxes may be checked if applicable.

CRITERIA FOR DESIGNATING AN HISTORIC MONUMENT (May include significant public or semi-public interior spaces and features)	
<input checked="" type="checkbox"/>	A. It is associated with events that have made a significant contribution to the broad patterns of the history of the region, state or nation.
<input type="checkbox"/>	B. It is associated with the lives of persons who are significant in the history of the region, state or nation.
<input checked="" type="checkbox"/>	C. It is exceptional in the embodiment of the distinctive characteristics of a historic resource property type, period, architectural style or method of construction, or that is an exceptional representation of the work of an architect, designer, engineer, or builder whose work is significant to the region, state or nation, or that possesses high artistic values that are of regional, state-wide or national significance.
<input type="checkbox"/>	D. It has yielded, or may be likely to yield, information important in prehistory or history of the region, state or nation.

CRITERIA FOR DESIGNATING A LANDMARK	
<input checked="" type="checkbox"/>	A. It is associated with events that have made a significant contribution to the broad patterns of the history of the City, region, or State.
<input checked="" type="checkbox"/>	B. It is associated with the lives of persons who are significant in the history of the City, region, or State.
<input checked="" type="checkbox"/>	C. It embodies the distinctive characteristics of a type, architectural style, period, or method of construction, or represents the work of an architect, designer, engineer, or builder whose work is of significance to the City or, to the region or possesses artistic values of significance to the City or to the region.
<input type="checkbox"/>	D. It has yielded, or may be likely to yield, information important locally in prehistory or history.



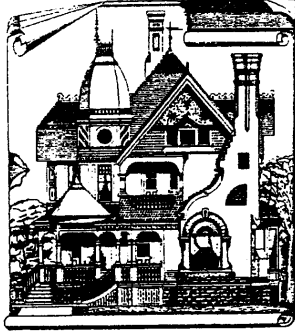
CRITERIA FOR DESIGNATING A HISTORIC SIGN	
<input checked="" type="checkbox"/>	A. It is exemplary of technology, craftsmanship or design of the period when it was constructed, uses historic sign materials and means of illumination, and is not significantly altered from its historic period. Historic sign materials shall include metal or wood facings, or paint directly on the façade of a building. Historic means of illumination shall include incandescent light fixtures or neon tubing on the exterior of the sign. If the sign has been altered, it must be restorable to its historic function and appearance.
<input checked="" type="checkbox"/>	B. It is integrated with the architecture of the building.
<input checked="" type="checkbox"/>	C. It demonstrates extraordinary aesthetic quality, creativity, or innovation.

CRITERIA FOR DESIGNATING A LANDMARK TREE	
<input type="checkbox"/>	A. It is one of the largest or oldest trees of the species located in the City.
<input type="checkbox"/>	B. It has historical significance due to an association with a historic event, person, site, street, or structure.
<input type="checkbox"/>	C. It is a defining landmark or significant outstanding feature of a neighborhood.

DESIGNATION PROCESS (INFORMATION ONLY; NO ACTION REQUIRED)

§17.62.050 Pasadena Municipal Code:

1. A preliminary evaluation by staff to determine if the nominated property meets the applicable criteria and is eligible for designation.
2. If staff determines that the nominated property is eligible for designation, the nomination is scheduled for a public hearing before the Historic Preservation Commission. If not, the applicant may appeal the determination of ineligibility to the Historic Preservation Commission or it may be called for review by the Historic Preservation Commission or City Council.
3. If the Historic Preservation Commission finds that the nominated resource qualifies for designation, it forwards a recommendation on the designation to the City Council.
4. At a noticed public hearing, the Council then determines whether to approve or disapprove the application.



**THE BUILDING
BIOGRAPHER
TIM GREGORY**

- ❖ Building Histories
- ❖ Cultural Resource Studies
- ❖ Historic Resources Surveys
- ❖ Local, State, and National Landmarking
- ❖ Historic Preservation and Archival Consulting

2350 EAST ORANGE GROVE BOULEVARD

PASADENA

Style: English Revival

Year of Completion: 1929

Architect: Harry E. Walker, Altadena. Born in North Dakota in 1884, the son of a salesman, and raised in Fargo, Mr. Walker seems to have been a man of many interests and talents. By 1920, he was living with his wife Grace and children in Lombard, Illinois, where he worked as a commercial artist. Directories reveal he first arrived in the Pasadena area in 1925 and settled at 2205 Pepper Street in Altadena. Then identifying himself as a “designer and builder,” Mr. Walker evidently worked out of his home. By 1930, he was employed as sales manager for a household appraising firm—a change in occupation perhaps caused by the building “bust” of the Great Depression. In the later 1930s, he worked as an insurance agent, while he spent the early 1940s as an aircraft worker. At this time, Mr. and Mrs. Walker moved to 2268 Maiden Lane, also in Altadena. They evidently had moved out of the Pasadena area by 1942. Harry Walker died in 1951 at the age of 67.

Although there must be other residences in the area designed and built by Mr. Walker, 1586 Oak Grove Avenue, San Marino, built in 1926, is the only other one attributed to him in indexed architectural guides of Southern California. No additional biographical information could be found about Mr. Walker in local archives and libraries.

Builder and First Owner: Alice Eleanor Earle, who shared the house with her husband Warren Clifford Earle and their young daughter Lois Louise. Mr. Earle had been the City Engineer and Superintendent of Streets for Pasadena since 1922. Not only was he in charge of most of the City’s public works projects, he also headed up the newly-instituted city planning program. Born on March 2, 1881 in Illinois, Mr. Earle had moved to California around 1913. He had previously served as a civil engineer with the City of Portland’s Railway Commission and with the City of San Diego.

Even before his Pasadena house was finished, Mr. Earle’s reputation came under a cloud in June 1929 as the City investigated graft on paving and sewer contracts within his department. It was

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E-mail: timgregory@sbcglobal.net

400 East California Boulevard, #3 ❖ Pasadena, California 91106-3763

supposedly the first time in City history the integrity of a department head had been questioned. As a result of his employment being in jeopardy, the mortgage company foreclosed on his home. Mr. Earle was dismissed from his position in July 1929 and was indicted in August with five other prominent local citizens for grand theft and the misappropriation of public funds. In April 1930 Mr. Earle was found guilty on four counts of grand theft and subsequently spent eighteen months in San Quentin. Articles from the *Los Angeles Times* giving details on Mr. Earle's troubles are attached.

Mrs. Earle, like her husband, was born in 1881, in Gardner, Illinois. Around 1950, Mr. and Mrs. Earle returned to live in Pasadena where he died at the age of 72 on October 29, 1953. Mrs. Earle passed away at the age of 83 in October 1964. Copies of their obituaries are attached.

Original Building Permit: #8366D, issued by the City of Pasadena on August 21, 1928 for a two-story, nine-room residence and a garage attached to the house by a porte cochere. The house, to measure approximately 60 by 80 feet with a maximum height of 25 feet, would have a concrete foundation, redwood mud-sills, wood-frame walls, a roof covered in redwood shakes, one brick chimney, and hardwood and tile floors. Lighting fixtures were purchased from the Empire Lighting Fixture Company of Pasadena.

A copy of this permit is attached.

Estimated Cost to Build: \$12,000—a considerable sum in 1929 when the average house could be built for about half that amount. The owner Mr. Earle stated that because no control was exerted over the construction budget, it ballooned to \$30,500 by the time the house was finished.

Other Building Permits: A permit was issued in November 1929 for the addition of a bathroom and dressing room adjacent to an existing bedroom on the second floor. The owner would act as his own builder for this job, valued at \$1,200.

Installation of a 58-inch wooden fence was permitted in December 1929. A major re-wiring job occurred in April 1931 which involved a change in the location of the electrical service.

In November 1949, a permit was issued for the construction of a recreation building, to cost \$4,000. It was to measure approximately 24 by 28 feet with a maximum height of 21 feet and would have wood walls and a shingled roof.

A new gravity furnace was installed in April 1961.

The garage and part of the house were re-roofed in October 1979 for \$6,000. The house and garage were re-roofed with treated wood shakes in January 1994.

Copies of some of these permits are attached.

Assessor's Records: The Pasadena City Assessor visited the property soon after the house was completed and recorded a single residence with a concrete foundation; walls of plaster and stone and brick veneer; a steeply-pitched, cut-up roof covered in shakes, with seven gables; and stone trim. Heat was provided by a fireplace and three gas furnaces. There were twelve (later upgraded to fifteen) plumbing fixtures. Interior finishes were described as "special." Bookcases and a refrigerator were built-in.

The Assessor estimated the square footage at 4,907. On the first floor were four living rooms (one was probably a dining room), with oak paneling; one bedroom; one bathroom; and a kitchen with tiled walls. The second floor contained four bedrooms and one bathroom (later upgraded to two bathrooms). The house had a total of eight hardwood floors and two tile floors. There was also a basement that measured twelve by eighteen feet and was five feet deep. The garage measured approximately 20 by 22 feet. On the property were 1,580 square feet of concrete drives and 260 linear feet of block walls.

The Assessor returned at an unknown date to note the addition to the second floor. On March 30, 1950, the Assessor noted the completion of the recreation building, which he called a "cabana." At 600 square feet, it had a stained-slab floor, open sides enclosed with a two-foot brick wall, and a high, hipped roof. The interior had an open-beamed ceiling, a fireplace, a barbecue, and one plumbing fixture. Construction quality was rated "good."

In July 1957, the City Assessor re-drew the plot-plan and updated the record.

The Los Angeles County Assessor currently estimates the square footage of the house at 4,919. Copies of the City Assessor's records are attached.

(Note: The Pasadena City Assessor's Office ceased operations in 1974. Their square footage totals often differed from those of the Los Angeles County Assessor's Office, since they frequently included garages, terraces, patios, etc. in their computation. It is advisable to rely on the County Assessor's square footage figures since they are more up-to-date and consistent.)

Other Owners and Residents: Title to the property was transferred briefly in 1929 to the Pasadena Lumber Company, owned by Parker, Ettinger, and Gamble. After upgrading the house, the firm sold it to J. Mayer Green and his wife Flora Green. Mr. Green was employed as a salesman.

By 1943, Roscoe H. and Beulah F. Fey had become the owners. They sold to Lester E. and Leora J. Hamlin around 1959. Mrs. Hamlin became sole owner in 1970. Mr. Hamlin was a branch manager with the Fuller Brush Company. An article about the event from the *Los Angeles Times* is attached.

After her husband's death in 1965, Mrs. Hamlin continued to reside in their home. In 1967, she hosted the St. Luke Hospital Auxiliary's Christmas home tour and boutique. The Hamlin family has owned the property for over 45 years.

Significance: The Earle house is potentially eligible for listing on a local inventory of significant properties due to its unusual design, its prominence in the neighborhood, its good state of preservation, its association with a locally significant original owner, and its contribution to the architectural and historical context of its East Orange Grove neighborhood.

Sources:

Los Angeles Public Library
City of Pasadena, Planning and Development Department (Design & Historic
Preservation Section)
Pasadena Public Library
Pasadena Museum of History (Research Library and Archives)

Gebhard, David and Robert Winter. *An Architectural Guidebook to Los Angeles*.
Salt Lake City, Gibbs-Smith, 2003.

McAlester, Virginia and Lee. *A Field Guide to American Houses*.
New York, Knopf, 1984.

City Directories: 1929-

Los Angeles Times: June 23, 26, and 27, 1929; July 2, 1929; August 1 and 9, 1929;
January 26, 1930; March 11, 1930; April 18, 1930; May 1, 1930;
December 17, 1931; November 3, 1953; December 3, 1967

Pasadena Star-News: October 31, 1953; October 22, 1964

Internet Resources, including California Index, California Death Index,
Gale Biography Master Index, Ancestry.com, and Historic *Los Angeles Times*
Database.

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The Building Biographer
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e-mail: timgregory@sbcglobal.net

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September 2006

SENSATION IN PASADENA GRAFT CASE

Investigation May Lead to Sinking Shafts to Search for City Trucks

PASADENA, June 23. — Investigation of charges involving asserted overpayment on street paving contracts took a sensational turn today when it was learned that city officials are considering the advisability of sinking shafts into the earth at the west end of the Colorado-street bridge in an effort to check a report that four city dump trucks were buried there by engineering department employees two years ago.

An unnamed informant reported today that three old trucks and one new truck were buried beneath the bridge fill.

City Manager Orbison ordered all truck records of the engineering department to be brought to his office for inspection and at the same time he made preparations for diamond core drilling in the West Colorado-street fill.

"What are they trying to do?" said City Engineer Warren C. Earle, when informed of the new charges. "Dig up all the muck they can? All they have to do is check up with the controller's department, see what the department has bought, and whether we still have it."

Unofficially, it was learned at the City Hall that an error in estimates involving approximately 10,000 yards of excavating has been discovered in checking up on the report of overpayment on the Linda Vista paving contract.

Orbison said no new developments have arisen and that only minor technical irregularities have been found.

In an effort to speed up the investigation, a surveying crew will work tomorrow to measure up the paving yardage on the Linda Vista job.

Other recent major improvements that will be checked are the South Garfield avenue, East Holly street, East Walnut street, South Lake avenue and Arroyo Boulevard jobs.

Dep. Dist.-Atty. Percy Hammond announced that insufficient evidence has been found so far to warrant a grand jury probe, but that all those connected with the inquiry will be quizzed at the District Attorney's office next week.

ENGINEER MAY BE OUSTED
Los Angeles Times (1886-Current File); Jun 26, 1929; ProQuest Historical Newspapers Los Angeles Times (1881 - 1985)
pg. 8

ENGINEER MAY BE OUSTED

Pasadena Executive Declares Someone Must Play Goat's Role in Paving Controversy

PASADENA, June 25.—City Engineer Warren C. Earle probably will be discharged and other changes made in the engineering department personnel as the result of an investigation of sewer and street paving contracts, the Board of City Directors revealed today.

R. L. Daugherty, chairman of the board, asserted that "it is evident that some things have been done that were technically illegal even if justified on the grounds of expediency and that changes in the engineering department will have to be made."

"The matter is, entirely in the hands of City Manager Orbison," said Daugherty, "and the board will not dictate his actions in the case."

When informed of the board's apparent decision to oust him, Earle expressed no surprise.

"Whenever a controversy like this arises, someone has to play the role of goat," he said. "The sewer, street and engineering departments spend more than \$1,000,000 a year and when it comes to approving expenditures I have to assume that my assistants have checked the pay-

ments and that their figures are accurate.

"I presume Manager Orbison also signs some papers of which he has little or no personal knowledge. It is a hard position in which to be placed. I have confidence in my assistants and if any wilful mistakes have been made I hope they are uncovered in the investigation."

Earle asserted that adding to actual quantities of work installed is not unusual and has been done in Los Angeles and San Diego. On the Linda Vista project it was charged that Earle had added an unforeseen cost for culverts to paving costs.

"I am proud of the fact that under my direction 75 per cent of all public improvement work in Pasadena, measured in money since the city was incorporated, has been completed," he declared.

EARLE'S TROUBLES MULTIPLY

Mortgage Foreclosed on City Official's Home in Pasadena

PASADENA, June 26.—Although none of the implications of graft on city paving contracts against City Engineer Warren C. Earle have been proven, the central figure in this city's first case involving the integrity of a department head, revealed today that the finger of suspicion has resulted in foreclosure of the mortgage on his \$30,500 home at 2350 East Orange Grove avenue.

Earle asserted this afternoon that, despite the avowed intention of the Board of City Directors to discharge him, he has been given no formal notice of discharge and has been told by City Manager R. V. Orbison to remain in his present position at least until completion of the investigation of possible graft on the Linda Vista-street project.

The City Engineer admitted that a mortgage company has foreclosed a mortgage on his home and that he is being forced to move. He asserted that rumors that he had paid for the home were untrue. The lots, he said, were purchased cheaply and an eastern architect prepared plans for a \$12,000 home. Because statements from the builder were not sent to him regularly, he asserted the original \$12,000 cost grew to \$30,500 before he was aware of it. His own investment amounted only to \$400, he stated.

When the first payment of \$5000 on a \$20,000 mortgage came due on the 1st inst., according to Earle, he was granted an extension, but this extension was canceled and the mortgage foreclosed, he said, when it became known that his honesty was being investigated.

"Mr. Orbison has told me to remain in office until after the Linda Vista investigation is completed," said Earle. "All I want is a chance to present my side of the charges against me."

"Why, I haven't even been told directly what the charges are and have been forced to get most of my information from newspapers. I have not been given an opportunity to deal directly with Mr. Orbison."

City officials assert that only technical irregularities in posting paving costs have been unearthed in the investigation and that no proof implicating Earle in graft has been revealed.

ENGINEER SUSPENDED

Los Angeles Times (1886-Current File); Jul 2, 1929; ProQuest Historical Newspapers Los Angeles Times (1881 - 1985)
pg. A14

ENGINEER SUSPENDED

Warren C. Earle Dismissed at Pasadena Pending Investigation by District Attorney

PASADENA, July 1.—Suspension of Warren C. Earle as Pasadena City Engineer pending the District Attorney's investigation of asserted graft charges will be followed by careful check of highway improvement records covering West Colorado street between the bridge over the Arroyo Seco and Avenue 64 and of Lamanda Park sewer work. City Manager R. V. Orbison announced today.

Suspension of Earle, as announced by Orbison, was confirmed later today by action of the City Board of Directors in special session. Investigation of the Linda Vista paving job revealed an "apparent \$18,000 overcharge" had been made. The City Manager's ten-page report, which was sent at once to the District Attorney's office, set forth that legitimate extra work on that section amounted to \$12,000, but added that the \$18,000 "apparent overpayment" to Ducey and Breitenstein as contractors, had been charged to extra paying which was "never installed."

Earle, who was assigned a body-guard in the person of Detective Lieutenant Henry Collins of the Pasadena police department, denied knowledge of any irregularities and stated that Rex B. Goodcell had been appointed by him to represent him in any legal controversy which may develop. Earle was to appear before the District-Attorney tomorrow.

Goodcell, it is understood, has

been assured by G. W. Preston, former president of the Preston Rock Crushing Company, that Preston will furnish bail for Earle if necessary.

John Allin, Deputy City Engineer, today was appointed acting head of the engineering department. City Attorney H. P. Huls was instructed to study all information to determine what action shall be taken against the contractors, Ducey and Breitenstein, to compel refund to the city for overpayment in the event that the grand jury determines that Earle and the contractors are liable on criminal grounds.

T. S. Breitenstein, when informed of the findings of the investigation to date, denied any collusion between Ducey and Breitenstein and Earle and stated that he would be glad to appear before the grand jury.

Full details of the Linda Vista report will not be released until Earle has been called before Special Investigator J. A. Burwald. Orbison asserted.

GRAFT CHARGED TO PASADENANS

County Grand Jury Indicts
Six Prominent Men

Corruption in Engineering
Department Asserted

Thousands Declared Stolen
in Paving Deals

Six prominent Pasadena citizens were indicted by the Los Angeles county grand jury yesterday charged with grand theft and misappropriation of public funds as a result of the grand jury investigation into charges of graft and corruption in the Pasadena engineering department. At the close of court yesterday four of the men had been arraigned and three released under bond.



T. C.
BREITENSTEIN

In the first indictment returned, Warren C. Earle, former City Engineer of Pasadena, W. F. Ducey and T. C. Breitenstein, contractors, and Cletus M. Ward, formerly an instrument man for the Pasadena engineering department, are charged with four counts of grand theft and four counts of misappropriating public funds.

SECOND INDICTMENT

The second indictment charges former City Engineer Earle, William J. Watson, former city inspector, and Oliver K. Hearts, contractor, with two counts of grand theft and two counts of misappropriation of public funds. Hearts, Watson and Breitenstein were released under bond.

Following arraignment of the four men, Superior Judge Hardy fixed today at 2 p.m. as the time for Ward and Breitenstein to enter their pleas. Hearts and Watson are scheduled to appear at 10 a.m. tomorrow to enter their pleas.

DUCEY REPORTED ILL

Earle and Ducey, still at liberty last night, will surrender to deputy sheriff's some time today and ap-



W. C. EARLE

pear for arraignment, according to reports from their attorneys. It is understood that Ducey has been confined to Pasadena hospital for some time following a major operation while Earle is arranging for his surety bond.

The bonds fixed according to the grand jury's request are: Earle, \$20,000 under each indictment; Hearts, \$20,000; Watson, \$10,000; Ward, \$10,000; Breitenstein, \$20,000, and Ducey, \$20,000.

ASSERTED FRAUDS LISTED

Under the first indictment, the four defendants are accused of stealing approximately \$40,000 from the city of Pasadena by increasing the footage claims on two paving contracts on Linda Vista street, West Colorado Boulevard and Avenue 64. Investigators and witnesses assert that approximately \$17,000 was obtained from the city fraudulently on each of these two contracts.

It also is charged in this same indictment that the defendants conspired to collect pay for installation of four culverts under the heading of extras which already had been paid for under a general contract. This asserted peculation amounts to approximately \$6,000, according to Percy Hammon, deputy District Attorney in charge of grand jury matters, and Fred Shelley, his assistant.

JURY ADJOURNS

The second indictment charges that the three defendants conspired to collect from the city of Pasadena approximately \$6,336 for installation of cradling under the east

and west outfall sewers which in fact never was placed.

After the return of the indictments, the grand jury adjourned until Friday, September 6, next, when it will resume its investigation of charges of asserted graft in the city of Long Beach. According to Dep. Dist.-Atty. Hammon, much evidence already has been obtained in the Long Beach case indicating that definite charges will be made by the grand jury before the case is closed.

(Continued on Page 2, Column 2)

SEWER SCANDAL TRIAL DATE SET

*Earle and Trio Must Face
Court Next Month*

*Pasadenans All Accused of
Taking Public Funds*

*Judge Denies Demurrers in
Two Indictments*

Failing to defer his trial when Superior Judge Aggeler yesterday denied demurrers to two indictments charging him with grand theft and embezzlement of public funds, Warren C. Earle and three codefendants were ordered to appear for trial on September 30, next.

Earle, who is a former Pasadena City Engineer, is at liberty under \$40,000 bond, and faces trial on grand theft and embezzlement charges under two separate indictments.

OTHERS NAMED

The trial under the first indictment is scheduled to begin on September 16 next. Those named under this indictment are Earle, William J. Watson, a former Pasadena city inspector, and O. K. Hearle, Pasadena contractor. The indictment charges that the defendants fraudulently obtained \$6336 from the city of Pasadena by presenting claims for materials asserted to have been used for placing cradling foundations under the east and west outfall sewers in Pasadena.

It is charged that although the claims were presented and paid, no cradling was installed beneath the sewer lines.

PADDING CHARGED

In the other indictment, William F. Ducey, contractor; T. C. Breitenstein, also a contractor; Cletus M. Ward, formerly an instrument man for the city of Pasadena, and Former City Engineer Earle are accused of fraudulently obtaining approximately \$40,000 from the city of Pasadena by "padding" the footage on two paving contracts and the installation of culverts.

These four defendants, with the possible exception of Ducey, who is reported to be critically ill in a Pasadena hospital, are scheduled to go to trial on September 16 next.

SEWER GRAFT CASE FAILURE

*Dismissal in Pasadena Trial
to be Asked Tomorrow*

*Jury Unable to Understand
Technical Testimony*

*Action to be Concentrated
Against Contractors*

The closing chapter in the Pasadena sewer-graft scandal is scheduled to be written in Superior Court tomorrow before Judge Henderson, when Dep. Dist.-Atty. Arthur Veitch will move that charges of grand theft against O. K. Hearle, contractor, and Warren C. Earle, former City Engineer, be dismissed.

Hearle and Earle were tried recently with W. J. Watson, former City Inspector. The jury acquitted Watson of a grand-theft charge, but disagreed on the verdict concerning the other two defendants.

It was charged originally that the three defendants conspired to collect from the city of Pasadena funds to defray the cost of placing concrete cradling beneath the new Lamanda Park outfall sewer. This cradling never was installed, the prosecution charged, but Hearle was paid for installing the cradling.

CASE TECHNICAL

In discussing the dismissal Dep. Dist.-Atty. Veitch declared that he believed it unwise to prosecute the defendants again, in view of the fact that the jury at the end of the last trial is reported to have stood eleven to one for acquittal. The trial consumed nearly three months' time.

"The case involved many engineering features and a great mass of technical engineering data was necessarily presented to the jury for their consideration," Veitch said. "It is unfortunate that the jury was unable to assimilate and digest the technical details, without a thorough understanding of which no proper verdict could be rendered. It is perhaps too much to expect that a lay jury, hearing the facts for the first time in a case of this character, can grasp the significance of and co-relate the details of a situation which requires careful study by trained lawyers and expert engineers for weeks before presentation in court.

TRIAL COST \$20,000

"The trial took approximately three months and cost probably \$20,000. In the interest of the taxpayers, who are after all primarily concerned, and in view of our conclusions, as above stated, it is felt that it would be useless to proceed further with this case.

"The defendant Earle yet awaits trial in another action, which will not present the complications of expert testimony possessed by the one just concluded.

"Inasmuch as the public official who makes possible such situations as are found in these cases is the person against whom society must protect itself, it is felt that it is to the best interests of the State to concentrate upon the other case in which we believe the probabilities for conviction are much greater."

Earle is awaiting trial with W. F. Ducey and T. C. Breitenstein, paving contractors, and Cletus M. Ward, paving foreman, accused of grand theft of city funds used in the construction of new pavement.

PASADENA TRIO GO TO TRIAL

Earle, Ward, Breitenstein
Face Fraud Charges

Ducey Too Ill to Appear in
Paving Job Cases

Selection of Jury Possibly
Will Take All Week

Warren C. Earle, former City Engineer of Pasadena; Casus Ward, paving inspector, and T. C. Breitenstein went to trial before Superior Judge Arpner yesterday charged with grand theft and embezzlement of public funds. W. F. Ducey, who, with Breitenstein conducted a paving-contracting business, was too ill to appear.

He was excused when defense attorneys presented an affidavit in which physicians stated his attendance in court might cause death.

The indictment accuses the defendants of defrauding the city of Pasadena of approximately \$18,000 on the Linda Vista and Colorado paving jobs more than a year ago.

When court adjourned last night selection of the jury had not been completed. According to Dep. Dist. Atty. Vetch and Curran, the entire week may be consumed in selecting the jury.

PASADENA PAIR FOUND GUILTY

*Earle and Breitenstein Put
in Jail After Conviction*

*Defense Attorneys' Motion
for New Trial Denied*

*Court to Impose Sentence in
Case Next Tuesday*

Warren C. Earle, former Pasadena City Engineer, and T. C. Breitenstein, paving contractor, were placed in the County Jail last night, after they were found guilty by a jury on four counts each of grand theft.

The conviction of the two was returned before Superior Judge Aggeler shortly before 9 p.m. The court declined to entertain a motion for a new trial, which had been filed immediately by the defense attorneys.

After setting 2 p.m. next Tuesday as the time for sentence, Judge Aggeler ordered that the \$20,000 bail of both defendants be exonerated and that they be remanded to the custody of the Sheriff for confinement in the jail.

The case was delivered to the jury by Judge Aggeler at 11:35 a.m. after the court had given detailed instructions as to the nature of the evidence they must consider or disregard in reaching a verdict.

Earle and Breitenstein, together with Cletus Ward, former paving inspector, were charged with defrauding the city of Pasadena out of approximately \$42,000 on the Linda Vista and Colorado pavement contracts. The charges against Ward were dismissed when he took the stand as a prosecution witness and stated that he received \$8000 as his share of the "graft."

W. F. Ducey, a partner of Breitenstein, has been suffering from a serious illness for the last six months and was too ill to appear as a defendant, although he is named in the complaint.

The trial has been in progress since March 10, last. Presentation of evidence involving a great volume of detail required nearly three weeks. Arthur Veitch and Frank Curren are the deputy district attorneys who prosecuted the case.

The defendants were represented by Rex Goodcell, Joe Ford and Peter Youngdahl.

PAVING GRAFT PENALTY FIXED

*Earle and Breitenstein Get
Terms in Prison*

*Judge Aggeler Denies Plea
for New Trial*

*Defrauding of Pasadena in
City Work Charged*

Warren C. Earle, former Pasadena City Engineer, and T. C. Breitenstein, paving contractor, yesterday were sentenced to San Quentin prison by Superior Judge Aggeler as a result of their recent conviction on charges of defrauding the foothill city out of approximately \$42,000 in paving contracts. They must serve a term of from one to ten years.

Sentence was passed by the court immediately after the defendants' motion for a new trial was denied.

Following their conviction two weeks ago Earle and Breitenstein sought to obtain a new trial on grounds that the testimony of Cletus Ward, former city paving inspector, was that of an accomplice and lacked corroboration, and therefore was not admissible as evidence. Ward testified that he was paid \$5000 as his share of the graft. He was granted immunity in exchange for his testimony.

It was charged that Earle, Breitenstein, Ward and Thomas F. Ducey, Breitenstein's business partner, conspired to mulct the city of Pasadena out of large sums of money on the Colorado and Linda Vista paving contracts a year ago. Ducey has not been tried because physicians reported he was too ill to appear in court. He has been critically ill since he was indicted by the grand jury in the fall of 1929.

Earle Ends Stay at San Quentin
Los Angeles Times (1886-Current File); Dec 17, 1931; ProQuest Historical Newspapers Los Angeles Times (1881 - 1985)
pg. 7

Earle Ends Stay at San Quentin

SAN QUENTIN, Dec. 16. (AP)—Warren C. Earle, 50 years of age, former City Engineer of Pasadena, was released from San Quentin Prison today on parole.

Earle was received at the prison May 16, 1930, from Los Angeles to serve four terms concurrently for grand theft. The longest of the terms was five years. The others were two each. On October 27 he was granted parole for two years effective today.

Warren C. Earle

Funeral services for Warren Clifford Earle, 72, former Pasadena City Engineer, will be conducted at 11 a.m. today at Utter-McKinley Reynolds & Eberle's Pasadena Chapel, 825 E Orange Grove Ave. Interment will follow at Mountain View Cemetery. Mr. Earle died Thursday. A resident of Pasadena 40 years, he resided at 2922 Nina St. Surviving are his widow Alice G.; a daughter, Mrs. Louise Maxfield of San Marino; two sisters, one brother and two grandchildren.

Los Angeles Times
November 3, 1953; p. A11

EARLE — Warren Clifford Earle, 2922 Nina, passed away Oct. 29, 1953. A native of Illinois, Mr. Earle had lived in California for the past 40 years. Surviving are his wife, Mrs. Alice G. Earle; daughter, Mrs. Louise Maxfield of San Marino; grandchildren, Melinda and Allen Maxfield, Jr.; sisters, Mrs. Abe Farb of DeKalb, Ill., Mrs. John Guild of Wheaton, Ill.; brother, Ralph Earle of Portland, Ore. Services will be held Tuesday at 11 a.m. in the chapel of Utter-McKinley Reynolds & Eberle Mortuary, 825 E. Orange Grove Ave. Interment will follow at Mt. View Cemetery.

Pasadena Star-News
October 31, 1953;
p. A-4

EARLE — Alice Eleanor Earle of 918 So. Marengo Avenue, passed away October 20, 1964. A native of Gardner, Illinois, she had been a resident of Pasadena the past 14 years. The widow of Warren Clifford Earle, she is survived by a daughter, Mrs. Louise Maxfield, 2 grandchildren, Melinda and Allen Maxfield, all of San Marino and 3 sisters. Services, 2:30 p.m. Friday, at the Chapel of Turner & Stevens Co., 95 No. Marengo Avenue. The Rev. William D. Auld, officiating. Interment Mountain View Cemetery.

Pasadena Star-News
October 22, 1964;
p. B-5

Home Tour to Benefit Hospital

Los Angeles Times (1886-Current File); Dec 3, 1967; ProQuest Historical Newspapers Los Angeles Times (1881 - 1985)
pg. SG_B16

Home Tour to Benefit Hospital

PASADENA—The English Tudor home of Mrs. Lester Hamlin, 2350 E. Orange Grove Blvd., will be the setting for St. Luke Hospital Auxiliary's Christmas home tour and boutique.

The event will be Tuesday, Dec. 5, from 1 to 9 p.m.

Proceeds will go to the hospital, where auxiliary members also serve as volunteers.

Christmas trees will flank the fireplace in the living room, which has a cathedral ceiling two stories high.

The trees will be decorated with red yarn tassels, and red and gold balls and bows.

Mrs. John Kuser is decorations chairman.

St. Philip's Church boys' choir will sing carols from the second-floor balcony.



HOME TOUR WORKERS—Members of St. Luke Hospital Auxiliary make preparations for the group's annual Christmas home tour. Preparing a gazebo for the tour are, from left, Mmes. Robert Peterson, John Kuser and Gordon Lindquist.

Times photo

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