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History of Citizens to Preserve Overton Park

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INFORMATION

CITIZENS To PRESERVE OVERTON PARK, Inc.

HISTORY of -

Committee for the Preservation of Overton Park was formed when plans for I-40 through Overton Park were first shown to the public in 1957. It led the opposition to the park routing of I-40 highway in the first public hearing of the Tennessee Highway Department in 1961. However, pro-highway interests so dominated that hearing, and subsequently, that the Committee became discouraged and inactive for awhile.

When a designing engineering firm started work on final plans in 1964 in Memphis, a determined nucleus of the park preservationists reorganized and re-dedicated themselves to preserving the park. Citizens To Preserve Overton Park, Inc. has worked constantly since 1964 protesting and pleading to all officials, but to no avail.

U. S. Secretary of Transportation, John A. Volpe, gave final approval to the park route for I-40 in November 1969.

Citizens To Preserve Overton Park incorporated under the laws of Tennessee as a non-profit organization. Officers are -

- Arlo I. Smith, Phd., (Professor Biology, Southwestern At Memphis)(college) President, and Chairman
- W. W. Deupree, Vice-President - retired businessman - Cotton
1730 Glenwood Place, Memphis
- Mrs. Anona Stoner (Mrs. F.F.), Secretary
192 Williford Street, Memphis
- Mrs. Henry Packer, Treasurer, 295 N. McLean Blvd. , Memphis

(Other board members are a minister, a surgeon and civic leaders)

The Case

Filed a suit against Secretary John A. Volpe December 2, 1969, in the U.S. District Court, in the District of Columbia. February 1970 the suit was moved to U. S. District Court of West Tenn., where the Tennessee Highway Commissioner was enjoined, also. West Tennessee District Court dismissed the case on a summary judgment. Case was appealed to U. S. Sixth Circuit Court; Stay of Action granted. September 29, 1970, U. S. Sixth Circuit Court upheld the lower court's decision to dismiss the case. However, it was a 2 - 1 opinion, with Judge Celebreeze writing a strong dissent. Tennessee Highway Department awarded a construction contract Nov. 5, 1970. U. S. Supreme Court was petitioned. Stay of Action ordered Nov. 6, 1970. Hearings were held before the Court December 7, 1970, and January 11, 1971. Decision March 2, 1971, was unanimous to reverse and remand. Two separate opinions were written by Justices Black (and for Brennan) and by Justice Blackmun. (both were short)

The Case

CITIZENS TO PRESERVE OVERTON PARK, Inc., W. W. Deupree, Sunshine K. Snyder, Sierra Club and National Audubon Society

v.

John W. Volpe, U. S. Secretary of Transportation and Charles W. Speight, Tennessee Highway Commissioner.

The Committee of 100 of the Federal City, joined the CITIZENS as amici cura, Dec. 7, 1970, and filed brief.

June 9, 1964

Account to person made of Black 1957
1961
1969
See last page, need phy: source?
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"still working - under design, no more"
1956
Phone MSU - 4
Lan

Legal ad
Lan

The Case - cont'd.

A hearing date is awaited in U. S. District Court of West Tennessee.

Attorneys for Citizens To Preserve Overton Park, Inc., et al

John W. Vardaman, Jr.,
Williams and Connolly, 1000 Hill Bldg., Washington, D. C. 20006

Of Counsel:

Charles F. Newman, Burch, Porter & Johnson, Memphis, Tenn.

OVERTON PARK

Report of C. Kenny Dale, Acting Chief, Div. of Nat'l. Parks Systems Studies,
U. S. Dept. of the Interior.

"I was much impressed by the potential that this area possesses for nature education and recreation....The transcendent value for park purposes here should be obvious to anyone who will see.

"Less obvious are the irreplaceable values inherent in the wooded portion of Overton Park....the condition of the trails indicates that they are used regularly if not intensively. My observations lead me to believe that the potential recreation and nature education opportunities available in this portion of Overton Park have not begun to be realized.....Should the interstate be built through Overton Park the people of Memphis will be denied its potential values.....In my opinion it is a mistake to use this park for highway purposes." -----

(from a letter addressed to the Citizens following an incognito visit to Overton Park on a hot August day in 1967)

Overton Park Zoological Trail - approved by Boy Scouts of America

"The trail as now laid out crosses the proposed x-way route at six points. If the x-way is constructed as now planned, it will destroy a considerable part of the trail requiring extensive re-location if possible - but will in all probability put the trail completely out of operation."

.....

Opened in May 1965 after one year of preparatory work - mapping, measuring distance and location of routes, so as not to overlap trails in woods."

(There are two mapped trails - one of four miles and of eight.)

---from a statement of Overton Park Trail Committee Chairman
and Scout Master of Troop 21, Memphis, Tenn.,
Henry C. Noll, III.

ZOO

In northwestern part of the park. "The nearness of the native woodland to the Zoo makes coordinated teaching of plant and animal life a unique experience not usually accessible to city dwellers. Construction of proposed highway will not only separate zoo from rest of the park but will narrow the wooded area sufficiently to decimate it as a natural area suitable for sheltering wildlife and for promotion of ecological and conservation education.both general biology and ecology students from Southwestern have made annual studies, including both woodland habitats and representative animals in the zoo.It is common to see other students also examining the flora and fauna."

Source ?
quoting whom ?