

**Roanoke Public Libraries
Virginia Room
County of Roanoke Circuit Court Annexation Records Collection**

Collection Description:

Repository: Roanoke Public Libraries, Virginia Room

Title: County of Roanoke Circuit Court Annexation Records Collection

Physical Characteristics: 2 record storage boxes

Donated by: Richard V. Hamilton

Arrangement: Documents are arranged chronologically.

Creator: Transcripts of court proceedings were provided by Fincun Court Reporters.

Reproduction Restrictions: No known restrictions on publication. Virginia Room copy fees apply.

Processor: Dyron Knick, 27 July 2017.

Historical Note:

This case of the Roanoke Valley annexation trial began on 16 September 1974 as another installment in a long and complicated case that had been in and out of court for nearly a decade. The basic premise of the case concerns the question of city expansion and county resistance to that expansion. Under state law, counties cannot annex land from cities or other counties; however, cities may expand by annexing county land. The following is a chronology of events leading to the 1974 case proceedings in this collection:

In 1965, some residents in the corridor between Roanoke and Salem filed suit for voluntary annexation to Salem, a town at the time. The suit was legally styled as Ivan R. Young vs. Town of Salem, the designation later used for the consolidated case. While the corridor case was pending, some residents in the Windsor Hills area filed for annexation to the City of Roanoke in 1966. A small portion of land in the Windsor Hills suit overlapped with the land in the corridor suit. A three-judge annexation court awarded the corridor area, containing four square miles, to Salem in 1967. The decision was later appealed by the City of Roanoke and the Virginia Supreme Court overruled the annexation court and ordered that the corridor case be consolidated with the Windsor Hills case for trial.

In 1966 some residents in the airport area filed suit for voluntary annexation to the City of Roanoke.

In 1968, Salem became a city and residents in the Glenvar area filed suit for voluntary annexation of 32 square miles to Salem.

In 1969, Roanoke filed a suit to annex all of Roanoke County. Later that year, Roanoke County-Vinton voters rejected consolidation of the City of Roanoke, Roanoke County and Vinton.

In 1970, a three-judge annexation court consolidated the pending suits for trial: corridor, Windsor Hills, airport, Glenvar and the City of Roanoke's suit to annex the entire county.

In 1971, the annexation court dismissed the City of Roanoke's suit to annex the entire county, the Glenvar suit seeking to annex Salem, and the corridor suit. The court granted the City of Roanoke 2.5 square miles of land from the Windsor Hills and airport areas. Salem was not granted any land.

In 1972, The City of Roanoke and Salem appealed the annexation court's decision in the consolidated case.

In 1973, the Virginia Supreme Court ordered the consolidated case to be tried again, ruling that the annexation court had erred on several points. The high court granted the City of Roanoke about 4.5 square miles and ruled that Roanoke should be given "substantially more" land in the retrial and also that the Glenvar suit should be retried to determine if Salem should be given any land.

In February 1974, the three judges who presided at the 1971 trial disqualified themselves at the request of the City of Roanoke and Salem. Three new judges were named: George F. Whitley, Jr. of Smithfield, Virginia; M. Ray Doubles of Richmond, Virginia; and Joseph N. Cridlin of Lee County, Virginia.

In July 1974, the Town of Vinton filed suit seeking annexation of nearly 20 square miles and indicated it would try to become a city to avoid annexation of by the City of Roanoke.

Even though proceedings were held by the Roanoke County Circuit Court, the case was heard in the City of Roanoke City Council chambers so as not to affect the county court's regular docket.

Scope and Content:

This record collection consists of 2 record storage boxes containing transcripts of court proceedings for the 1974 Roanoke Valley consolidated annexation case. The proceedings for this case began on 16 September 1974 and adjourned on 17 October 1974.

Proceedings reconvened on 17 March 1975 with final arguments on 19 March 1975. The Final hearing and case decision was held on 10 May 1975.

Records are a complete transcription of the proceedings, excluding the proceedings of 24 September 1974 (Volume XII, pages 1298-1440), which were missing at the time of donation. Also included is a document containing the City of Roanoke Exhibits presented during the proceedings and the Order of Annexation.

Container List:

Box 1 of 2

Proceedings of Ivan R. Young et al. vs. City of Salem et al.

Folder 1: Volume I, pages 1 to 106, 16 September 1974

Folder 2: Volume II, pages 107 to 220, 16 September 1974

Folder 3: Volume III, pages 221 to 337, 17 September 1974

Folder 4: Volume IV, pages 338 to 449, 17 September 1974

Folder 5: Volume V, pages 450 to 582, 18 September 1974

Folder 6: Volume VI, pages 583 to 721, 18 September 1974

Folder 7: Volume VII, pages 722 to 856, 19 September 1974

Folder 8: Volume VIII, pages 857 to 914, 19 September 1974

Folder 9: Volume IX, pages 915 to 1048, 23 September 1974

Folder 10: Volume X, pages 1049 to 1183, 23 September 1974

Folder 11: Volume XI, pages 1184 to 1297, 24 September 1974

*Note: Volume XII, pages 1298 to 1440, missing at the time of acquisition

Folder 12: Volume XIII, pages 1441 to 1542, 25 September 1974
Folder 13: Volume XIV, pages 1543 to 1695, 25 September 1974
Folder 14: Volume XV, pages 1696 to 1808, 26 September 1974
Folder 15: Volume XVI, pages 1809 to 1918, 30 September 1974
Folder 16: Volume XVII, pages 1919 to 2053, 30 September 1974
Folder 17: Volume XVIII, pages 2054 to 2166, 1 October 1974
Folder 18: Volume XIX, pages 2167 to 2270, 1 October 1974
Folder 19: Volume XX, pages 2271 to 2365, 2 October 1974
Folder 20: Volume XXI, pages 2366 to 2477, 2 October 1974
Folder 21: Volume XXII, pages 2478 to 2614, 3 October 1974
Folder 22: Volume XXIII, pages 2615 to 2716, 3 October 1974
Folder 23: Volume XXIV, pages 2717 to 2836, 9 October 1974
Folder 24: Volume XXV, pages 2837 to 2936, 9 October 1974
Folder 25: Volume XXVI, pages 2937 to 3050, 10 October 1974
Folder 26: Volume XXVII, pages 3051 to 3159, 10 October 1974
Folder 27: Volume XXVIII, pages 3160 to 3282, 11 October 1974

Box 2 of 2

Proceedings of Ivan R. Young et al. vs. City of Salem et al.

Folder 1: Volume XXIX, pages 3283 to 3399, 11 October 1974
Folder 2: Volume XXX, pages 3400 to 3508, 14 October 1974
Folder 3: Volume XXXI, pages 3509 to 3643, 14 October 1974
Folder 4: Volume XXXII-1, pages 3644 to 3750, 15 October 1974
Folder 5: Volume XXXII-2, pages 3751 to 3869, 15 October 1974
Folder 6: Volume XXXIII, pages 3870 to 3996, 16 October 1974
Folder 7: Volume XXXV*, pages 3997 to 4210, 17 October 1974

*This volume is mislabeled. If following order, it would have been Volume XXXIV, as page numbers are consecutive

Court adjourned on 17 October 1974 and convened on 17 March 1975. From here on, no volume numbers were given proceedings; however, page numbers are consecutive.

Folder 8: No volume number, pages 4211 to 4391, 17 March 1975
Folder 9: No volume number, pages 4392 to 4499 – Part I, 18 March 1975
Folder 10: No volume number, pages 4500 to 4615 –Part II, 18 March 1975
Folder 11: No volume number, pages 4616 to 4810*, 19 March 1975

*Note: Final arguments begin on page 4738

Folder 12: No volume number, pages 4811 to 4906, 10 May 1975 – Final hearing

Folder 13: City of Roanoke Exhibits from proceedings

Folder 14: Order of Annexation, 10 May 1975

