

which authorizes the Common Council to pass an emergency resolution as they attempt to do in this case?

The Board of Education of the City of Detroit is created by an act adopted February 24, 1869, and is now operating under the provisions of that act as amended and under the provisions of Act 65 of the Public Acts of 1919 and under the provisions of the general school laws of the state insofar as those general school laws apply and are not in conflict with the other laws herein cited. There is nothing in any of the laws referred to authorizing the Common Council to pass the resolution referred to.

Third: May the Controller legally borrow money on the strength of the resolution of the Common Council adopted December 29, 1925?

It further appears that the resolution adopted is contrary to Section 25 of Article VIII of the Constitution, which provides:

"No city or village shall have power to loan its credit. * * *"

Respectfully yours,

ARTHUR F. LEDERLE,

Ass't. Corporation Counsel.

Approved.

CHAS. P. O'NEIL,

Corporation Counsel.

General Order for Tuesday, Oct. 23.

From the Board of Water Commissioners

Detroit, Mich., Oct. 17, 1928.

To the Honorable, the Common Council:

Gentlemen—We herewith transmit to your Honorable Body the following resolutions for water pipe extensions as adopted Oct. 17, 1928:

Roll No. 4506—Lindsay, between Pembroke and Vassar Aves., 1,300 ft. 6-in. pipe. Your Honorable Body is respectfully requested to declare that a necessity exists for said water pipe extensions and to direct that a ratable assessment for the cost of the work be levied as provided by ordinance.

Respectfully yours,

WM. T. SKRZYCKI,

President.

D. C. GROBBEL,

Acting Secretary.

By Councilman Ewald:

Resolved, That it be and is hereby declared by Common Council of the City of Detroit, necessary to lay and install in said City, the following described water mains, and that a ratable assessment for the cost of such improvement be levied upon all lots or real estate, fronting upon said improvement at the rate of seventy-five (75c) cents for each lineal foot and further that the cost of this improvement shall be charged against the

Water Fund of the City of Detroit, Roll No. 4506—Lindsay, between Pembroke and Vassar Ave., 1300 feet of 6-inch pipe.

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.
Nays—None.

From the City Plan Commission

October 19, 1928

To the Honorable, the Common Council:

Gentlemen—We are returning, herewith, the petition of the Greatwestern Park Improvement Association (12224) together with the petitions of the Warren Park Land Company (3613) and (12355), referred to us by your Honorable Body, requesting that Tireman Avenue be opened from Greenfield Road to River Rouge Park. With the exception of four parcels of unsubdivided property, Tireman Avenue is now open from Grand Boulevard at Grand River Avenue to the Park.

During the past two years, the City Plan Commission has made an effort to acquire the land needed for the opening of this street through dedication. The parcel of property at the corner of Tireman Avenue and Greenfield Road is owned by Henry Ford. We have had considerable correspondence with his representative and are unable to obtain a dedication of land because we cannot assure him of a Grade Separation over the Railroad in the near future. Of the three remaining parcels one has been deeded to the City, the Deed to which is enclosed, herewith. One of the remaining parcels has been so divided as to make dedication practically impossible, while the third is owned by an Estate. All of the property should, however, be acquired through the payment of nominal damages as the land affected is undeveloped acreage.

The development of Tireman Avenue has been held up because of these few remaining parcels of unsubdivided property which have not made provision for the street.

We believe the opening of Tireman Avenue to be a necessary public improvement, and therefore recommend that the petitions be granted, as is shown upon the attached blueprint, Plan No. 568-1.

Respectfully submitted,

WALTER H. BLUCHER,

Secretary.

By Councilman Walters:

Resolved, That the Corporation Counsel be and he is hereby directed to prepare the proper resolution for the opening of Tireman avenue from

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Greenfield Road to River Rouge Park in accordance with City Plan Commission blueprint No. 568-1, and submit same to this body for approval.

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.
Nays—None.

By Councilman Walters:

Resolved, That warranty deed of Louis Kiger, Sr., et al., to the City of Detroit covering property dedicated for street purposes described as "all that part of the N E $\frac{1}{4}$ Sec. 3, T 2 S R 10 E, described as follows: beginning at the southeasterly corner of Bonaparte Parkview Sub. being a part of the N E $\frac{1}{4}$ of Frac. Sec. 3, T 2 S R 10 E, as recorded in Liber 62, page 87 of Plats of Wayne County Records; thence along the easterly line of said subdivision N 00 deg. 46 min. E 43.00 ft. to a point; thence along a line S 89 deg. 05 min. E 161.15 ft. to the southwest corner of lot 748 of Warrendale Parkside Sub. No. 2 of part of the W $\frac{1}{2}$ of the N E $\frac{1}{4}$ of Sec. 3 T 2 S R 10 E; thence along the westerly line of said subdivision S 00 deg. 55 min. W 43.00 ft. to the southwest corner of last mentioned sub.; thence along the east and west $\frac{1}{4}$ line of Sec. 3 T 2 S R 10 E, N 89 deg. 05 min. W 161.04 ft. to the place of beginning", be and the same is hereby accepted, and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.
Nays—None.

From the City Plan Commission

October 19, 1928.

To the Honorable, the Common Council:

Gentlemen—We are returning, herewith, the petition of P. H. Rich (5497), referred to us by your Honorable Body, requesting that the alley be widened in the block north of Schoolcraft Avenue and west of Stout Avenue.

It appears that when the owner of the property on Stout Avenue sold the property by metes and bounds, he reserved himself a strip of land which should have been dedicated for alley purposes. Because this is privately owned, however, the lot owners on Stout Avenue have no access to the alley in the rear of said lots, and they also have no access to the public sewer which has been laid in the westerly half of the alley.

The land in question is suitable for

alley purposes, only, and should be acquired by the City at a very nominal cost. We think it essential that this alley be widened, and therefore recommend that the north and south alley in the block described be widened, also that the east and west alley be opened between Fielding Avenue and Kentfield Avenue.

All of the above is shown on the attached blueprint, Plan No. 310-171.

Respectfully submitted,

WALTER H. BLUCHER,
Secretary.

By Councilman Walters:

Resolved, That the Corporation Counsel be and he is hereby directed to prepare the proper resolutions for the widening of the north and south alley in block bounded by Schoolcraft, Stout, Kendall and Fielding avenues and for the opening of east and west alley in the block bounded by Schoolcraft, Kentfield, Kendall and Stout avenues in accordance with City Plan Commission blueprint No. 310-171, and submit same to this body for approval.

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.
Nays—None.

From the Condemnation Commission

October 15, 1928.

To the Honorable, the Common Council:

Gentlemen — The Condemnation Commission has considered the matter of acquiring property for the widening of Hayes Avenue immediately north and south of Coram Avenue, as recommended by the City Engineer and referred to us by your Honorable Body on July 10, 1928.

This Commission recommends that this improvement should be carried out in order that the City Engineer can complete the paving of Hayes Avenue.

A hearing was held with the owners of the two parcels of vacant land involved in this condemnation and they have agreed to accept the appraisal of Mr. Malcolm McKinnon (appointed by the Corporation Counsel), providing the city will acquire lot 283 on the N. W. corner of Lappin and Hayes Avenues and lot 82 on the S. W. corner of Novara and Hayes Avenues. The Commission also recommends acquiring two lots at this time so that the new street line will continue to street intersections instead of stopping at the alley, north and south of Coram Avenue. These two lots were appraised by Mr. McKinnon at \$50.00 per front foot or an additional cost of \$3,250.00.

It will be necessary to acquire the