

Mr. Boase resides in St. Louis, Missouri. Therefore, pursuant to resolution passed by your Honorable Body in April, 1943, authorizing this office to retain counsel for the collection of accounts where the debtor has left the jurisdiction of the local courts, we retained the law firm of Goodbar and Ferriss in St. Louis, Missouri, who agreed to handle this claim and charge for their services 25 per cent of the amount collected.

Our attorneys in St. Louis, Missouri, advised that if suit were filed on this claim in Missouri they assume that their Statute of Limitations, which is five years on taxes, would govern and not the six year Michigan Statute of Limitations, and that this would be a complete defense to our claim for the three years taxes. They further advised that Mr. Boase contends he is not liable for the 1940 taxes because he vacated the premises in Detroit where the personal property assessed was kept on December 27, 1939, and sent us an affidavit sworn to by Mr. Boase in support thereof. We have checked the records in the Assessors office in connection with this 1940 assessment and find nothing therein to refute the above contention.

After considerable correspondence with our St. Louis attorneys they finally secured and transmitted to this office an offer of \$106.08, being the total of the 1938 and 1939 taxes with accrued interest, in full settlement of the above claim with the recommendation that it be accepted. The City Treasurer joins us in concurring in this recommendation. From the sum of \$106.08 it will be necessary to deduct 25 per cent, or \$26.52, to pay our attorneys in St. Louis for their services in this matter. The net amount to the City will be \$79.56. A check for \$106.08 covering this settlement has been received by this office and is being held pending action by your Honorable Body.

Respectfully submitted
ALFRED S. STOLINSKI
Asst. Corporation Counsel

Approved:

ALBERT E. COBO
City Treasurer

WILLIAM E. DOWLING
Corporation Counsel

By Councilman Dorais:

Whereas, an offer of \$106.08 in full settlement of personal property taxes assessed to John Boase, under the name and style of Machinery Maintenance and Engineering Company, for the years 1938, 1939 and 1940 has been submitted to the Council; and

Whereas, Mr. Boase resides in St. Louis, Missouri, where it would be necessary to file suit against him; and

Whereas, because of legal defenses that could be raised to said taxes as

well as the questions of fact raised to the 1940 taxes it has been recommended that said offer be accepted and the Council being fully advised in the premises;

Therefore, be it resolved that the above offer of settlement in the amount of \$106.08 be and the same is hereby accepted; that the sum of \$26.52 be deducted therefrom as payment in full to the law firm of Goodbar and Ferriss of St. Louis, Missouri, for their services in this matter; that the remaining sum of \$79.56 be applied on said taxes and the balance due thereon be cancelled.

Adopted as follows:

Yeas — Councilmen Castator, Comstock, Dorais, Lodge, Oakman, Rogell, Van Antwerp, and the President—8.
Nays—None.

Corporation Counsel

March 27, 1946

To the Honorable, the Common Council:

Gentlemen—The State Land Board, under Section 8 of the State Land Board Act, is empowered by said act to convey to a municipality certain State-acquired lands offered at the so-called "Scavenger Sale" and not sold, provided such lands, as transferred, shall be used for public purposes.

The following described property is being used for street purposes:

West 677.50 feet of Lot A, Robert Oakman's Hamilton Blvd. Sub. Part of $\frac{1}{4}$ Sec. 26, 10,000 Acre Tract, City of Detroit, Highland Park Village & Greenfield Twp., Wayne County, Michigan, located North of Webb Avenue and West of Woodrow Wilson.

Inadvertently, said lot was not removed from the tax rolls and subsequently became tax delinquent and reverted to the State. This parcel is being presently utilized for street purposes and to clear up the question of title, it should be conveyed to the City. The use of this parcel for street purposes has been approved by the City Plan Commission.

We, therefore, respectfully request that your Honorable Body adopt the attached resolution.

Respectfully submitted,
E. A. WALINSKE, Director,
Bureau of Real Estate.

By Councilman Rogell:

Whereas, Certain State acquired land, as hereunder described, was offered for sale by the State Land Board and not sold; and

Whereas, said land is needed by the City of Detroit for street purposes; Therefore, be it

Resolved, that the State Land Office Board be and it is hereby requested to transfer the property described as:

West 677.50 feet of Lot A, Robert Oakman's Hamilton Blvd. Sub. Part of ¼ Sec. 26, 10,000 Acre Tract City of Detroit, Highland Park Village & Greenfield Twp., Wayne County, Michigan, located North of Webb Avenue and West of Woodrow Wilson.

Land Board No. A-4170 for street purposes to the City of Detroit, in accordance with provisions of Section 8 of Act 155 of the Public Acts of 1937, as amended; and be it

Further resolved, that the City Controller or the Corporation Counsel be authorized to accept delivery of the deed from the State Land Office Board for the use and benefit of the City and that it be recorded promptly.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Castator, Comstock, Dorais, Lodge, Oakman, Rogell, Van Antwerp, and the President—8.
Nays—None.

Corporation Counsel

April 3, 1946

To the Honorable, the Common Council:

Gentlemen—Some time ago the Board of County Road Commissioners of Wayne County requested the dedication of certain property owned by the City of Detroit, to be used for the purpose of widening Mack Avenue.

Some of the parcels involved were acquired by the City in tax foreclosure proceedings. By reason of the fact that we had tax interests in the property and, in addition, had paid certain County taxes after acquisition of the property, we have discussed with the Controller the policy to be recommended in connection with the dedication requested.

It is the Controller's recommendation, and the recommendation of this office, that because of the fact that the parcels requested are only portions of the property owned by the City, and because of the small investment therein and the benefit to the City of Detroit by reason of the widening, it is recommended that the property be dedicated as requested without payment by the County.

It is therefore our recommendation that you adopt the attached resolution authorizing the Controller to dedicate and convey by quitclaim deed the property requested for highway widening purposes.

Very truly yours,

JOHN H. WITHERSPOON,
Assistant Corporation Counsel.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

Board of County Road Commissioners
Wayne County

December 26, 1945.

To the Honorable, the Common Council:

Gentlemen—On December 21, 1945, we addressed a communication to your Honorable Body requesting the dedication of a description of City-owned property required for the widening of Mack Avenue. The corrected description is as follows:

The easterly part of Lots 4 and 5 of "Columbia" Freund's Subdivision of Lots 26 to 33, inclusive, of Michael Cadieux Estate Private Claims 506 and 564, Grosse Pointe (now City of Detroit), Wayne County, Michigan, as recorded in Liber 17, Page 93, Wayne County Records; said easterly part of Lots 4 and 5 is all that part of said Lots 4 and 5 lying easterly of the westerly line of Mack Avenue as proposed to be widened, which proposed westerly line of Mack Avenue is described as beginning at a concrete monument set in the southerly line of Lot 1 of said subdivision, distant N. 29d. 04m. 37s. West, 38.45 feet from the existing southeast corner of said Lot 1; thence N. 44d. 12m. 49s. East, 131.58 feet along the proposed westerly right-of-way line of Mack Avenue; thence N. 34d. 31m. 08s. East, 139.90 feet also measured along the proposed westerly right-of-way line of Mack Avenue to a point of intersection with the existing westerly right-of-way of Mack Avenue.

Said easterly part of Lots 4 and 5 measures 50.89 feet along the line common to Lots 3 and 4; 40.07 feet along the line common to Lots 4 and 5 and 29.28 feet along the line common to Lots 5 and 6 of said subdivision.

We wish to make formal application for a dedication of said description for the Mack Avenue widening.

Very truly yours,
WM. J. STRASSER,
Engineer of Right-of-Way.

Board of County Road Commissioners
Wayne County

December 21, 1945

To the Honorable, the Common Council:

Gentlemen—This Board is in the process of acquiring property for the widening of Mack Avenue north-easterly to the County line, in accordance with a plan for the widening of Mack Avenue previously submitted.

This improvement requires the taking of a portion of parcels of property owned by the City of Detroit in accordance with the following description:

The easterly part of Lots 4 and 5 of "Columbia" Freund's Subdivision of Lots 26 to 33, inclusive, of Michael