

Body adopted a resolution for the proration of taxes in the matter of acquisition of land for Civic Center and other municipal public purposes located in area bounded by Woodward, Randolph, Detroit River and the north side of Woodbridge. Recorder's Court File No. 2098.

Due to appeal to the Supreme Court, the City of Detroit did not come into possession of the property known as Parcels 1, 3 and 8 until January 6, 1953.

It is therefore necessary that the above-mentioned resolution be rescinded and the attached resolution for the proration of taxes be adopted as to Parcels 1, 3 and 8 only.

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

By Councilman Beck:

Whereas, The City of Detroit acquired title and right of possession to property involved in condemnation proceedings known as in the matter of acquisition of land for civic center and other municipal public purposes located in area bounded by Woodward, Randolph, Detroit River and the north side of Woodbridge. (Parcels 1, 3 and 8).

on January 5, 1953, when the Supreme Court confirmed the acquisition, and the funds were posted for the payment of the award, as to Parcels 1, 3 and 8; and

Whereas, Act No. 24 of the Public Acts of 1947 provides that the unit of government that is the petitioner in the condemnation proceeding pay the taxes and special assessments on property that is acquired after the date the assessment roll is required to be completed and before the tax is due and payable; and

Whereas, Section 35, Chapter IV, Title VI of the Charter of the City of Detroit authorizes the adoption of a resolution to provide for the payment by the City of general taxes on a pro-rata basis upon properties acquired during the fiscal year of acquisition; Now, Therefore, Be It

Resolved, That the City Treasurer be and he is hereby authorized to deduct from the payment of said award, all taxes and special assessments levied upon the property acquired therein, including State, County and taxes levied by the City of Detroit, except that taxes levied by the City of Detroit for the fiscal year beginning July 1, 1952 and ending June 30, 1953, shall be deducted for that proportion represented by that part of the fiscal year beginning July 1, 1952 and ending January 5, 1953; And Be It Further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the City Treasurer for that proportion of the taxes levied by the

City of Detroit upon the properties involved in said proceedings represented by the remaining portion of the fiscal year from January 6, 1953 to June 30, 1953; and in the event that the property owners have paid the City taxes for said portion of the year, the City Treasurer be and is hereby authorized and directed to refund the same to the property owners, excluding therefrom any interests that may have been paid by the taxpayer upon said current tax; And Be It Further

Resolved, That the City Assessors furnish the City Treasurer with a statement showing the last assessed valuation of the condemned property after possession date; And Be It Further

Resolved, That the Real Estate Bureau, Corporation Counsel's Office, ascertain the amount of taxes due and payable and furnish same to the Controller; And Be It Further

Resolved, That the Controller be and is hereby authorized to draw his warrant in favor of the proper tax collector for said taxes, when due and payable; And Be It Further

Resolved, That the resolution for the pro-ration of taxes in the above matter adopted on March 25, 1952 (J.C.C. pages 589-90) be and it is hereby rescinded as to Parcels 1, 3 and 8.

Approved:

PAUL T. DWYER,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Rogell, Smith, and Van Antwerp—6.

Nays—None.

Corporation Counsel

January 20, 1953.

Honorable Common Council:

Gentlemen—This office has been requested by the Board of Fire Commissioners to obtain a State-owned lot adjoining Engine Company Site No. 55, Joy Road and Ashton Avenues, to be used for Off-Street Parking purposes.

It is therefore requested that property described as Lot 61, Dana Park Subdivision, E. Ashton, be conveyed to the City of Detroit and the attached resolution is submitted for your approval.

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

By Councilman Smith:

Whereas, Certain State-owned property is available and needed by the City of Detroit for a Municipal Parking Purpose,

Resolved, That the Department of Conservation be and they are hereby requested to deed, under the provisions of Act No. 33, Public Acts of 1935, as amended, property described

as Lot 61, Dana Park Subdivision, E. Ashton, Ward 22, Cap. 314, City of Detroit to the City of Detroit for Municipal Parking Purposes.

Approved:

PAUL T. DWYER,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Rogell, Smith, and Van Antwerp—6.

Nays—None.

Corporation Counsel  
January 13, 1953.

Honorable Common Council:

Gentlemen—In 1951 the Legislature of the State of Michigan passed Public Act 87, which amended Section 4 of Act 369 of the Public Acts of 1919, to provide that the county may pay the Clerk of municipal courts of record a salary in lieu of fees for the preparation of certain records it is the duty of such clerks to prepare under section 18 of Chapter 9 of Act 175 of the Public Acts of 1927. Before this amendment can take effect, a referendum is required.

The Clerk of the Recorder's Court, with the approval of the Judges thereof, has requested that we prepare the proposition and resolution for submission to the electorate of the City of Detroit at the general biennial Spring election scheduled for Monday, April 6, 1953, the same being hereto attached for your consideration.

At the present time the Clerk of the Recorder's Court is receiving a salary in lieu of fees from the City of Detroit. However, in accordance with Section 18 of what is commonly known as the "Indeterminate Sentence Law," whenever a person is convicted of a crime and sentenced to imprisonment pursuant to the provisions of that law, it is the duty of the Clerk to prepare and forward certain records to the warden and to the Governor of the State, for which the Clerk receives from the County a fee not to exceed \$3.00. The proposed amendment will give the County the right to pay the Clerk a salary in lieu of such fee.

Respectfully submitted,

ROBERT REESE,  
Assistant Corporation Counsel.

Approved:

PAUL T. DWYER,  
Corporation Counsel.

By Councilman Van Antwerp:

Resolved, That this body, being the legislative body of the City of Detroit, by a 3-5 vote of the members elect, hereby propose the submission to the qualified electors of the City of Detroit, in the County of Wayne, State of Michigan, in accordance with the provisions of law, an Act to amend Section 4 of

Act 369 of the Public Acts of 1919, entitled "An Act to supplement existing laws providing for the establishment and maintenance of municipal courts of record and defining the jurisdiction and duties thereof; to fix the number of such courts; to provide a presiding judge; to modify the procedure in courts in certain respects, and to extend the jurisdiction of said courts upon said courts jurisdiction in certain civil causes, and to confer the exercise thereof, and to provide for a referendum, and to provide for the abolishing of any police courts or other courts not of record having exclusive criminal jurisdiction existing in any city in which the provisions of this act become operative, and to provide for a system of civil service in the traffic and ordinance division of said courts", as amended by Act 87 of the Public Acts of 1951, being section 725.4 of the Compiled Laws of 1948, reading as follows:

"Sec. 4. The court, or a majority of the judges thereof shall have authority to appoint, subject to the provisions hereof, a clerk and deputy clerk, and such other clerical and stenographic assistants as may be necessary and to fix the compensation thereof. The total amount so expended shall not, however, exceed the sums appropriated therefor by the legislative body of the city. All clerks, deputies, assistants or other employes appointed by the court shall hold office at the pleasure thereof, except as herein expressly provided."

Said amended Act, same being Act 87 of the Public Acts of 1951, being in words and figures as follows:

"Sec. 4. The court, or a majority of the judges thereof shall have authority to appoint, subject to the provisions hereof, a clerk and deputy clerk, and such other clerical and stenographic assistants as may be necessary and to fix the compensation thereof; but the total amount so expended by the city for the compensation of said clerk, deputy clerk and other assistants shall not exceed the sums appropriated therefor by the legislative body of the city. The board of supervisors of the county may, in its discretion, fix an additional and supplemental salary for the said clerk, and such additional salary when so fixed shall be in lieu of all fees and commissions payable to or collectible by the said clerk for the discharge of any duties of his said office and more particularly for the discharge of those duties imposed upon him by virtue of section 18 of chapter 9 of Act No. 175 of the Public Acts of 1927, being section 769.18 of the Compiled Laws of 1948; but all fees