

ing property described in the foregoing communication, upon payment to the City Treasurer of the sum of \$1,000.00 per acre cash; the city to pay any tax assessments to date including the first half of 1954 city tax; the Edison Illuminating Co. to pay second half of 1954 city taxes and any county taxes due and payable on or after December 1, 1954.

Adopted as follows:

Yeas — Councilmen Beck, Connor Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Corporation Counsel

November 19, 1954.

Honorable Common Council:

Gentlemen—We are returning herewith Petition 3331 of the Detroit Edison Company requesting conveyance to certain lots on Alfred Street which were involved in grade separation proceedings in Recorder's Court, File 1741, in which case a verdict was rendered May 27, 1940.

After an examination of the petition and the verdict roll in the case and consultation with Bert R. Sogge, Assistant Corporation Counsel of this office, who tried the case, we find that the awards given to the respondents in the case were for consequential damages for separation of the grades and not for the property of the respondents involved.

However, in order to obtain payment of the damages awarded the respondents signed receipts containing, in part, the following language:

"And do hereby release, quitclaim and convey to said Corporation (the City of Detroit) forever the said piece or parcel of land as aforesaid."

The receipt also recites the legal description of the property involved, thereby creating an apparent cloud on the title. Counsel for the petitioner have presented photostatic copies of the recorded instruments, which are attached hereto, showing the title to the properties recited in the petition to be in the name of the petitioner. It is our recommendation that the City Controller be authorized to execute a quitclaim deed to the Detroit Edison Company to the following described properties:

Land in the City of Detroit, County of Wayne and State of Michigan, described as follows, to-wit:

Lots Eighteen (18), Nineteen (19), the westerly 30.25 feet of Lot Twenty (20), the easterly 16 feet of Lot Twenty (20), and the westerly 34 feet of Lot Twenty-One (21), also the easterly 12 feet of Lot Twenty-One (21), and the westerly 16 feet of Lot Twenty-Two (22), Subdivision of Lots Fourteen (14) and Fifteen (15) of the Witherell Farm, according to the Plat

thereof as recorded in Liber 41, at page 450 of Deeds, Wayne County Records.

Very truly yours,

FRANK J. WENDT,

Assistant Corporation Counsel.

Approved:

PAUL T. DWYER,

Corporation Counsel.

By Councilman Connor:

Resolved, That the City Controller be and he is hereby authorized and directed to execute quit claim deed to the Detroit Edison Co. covering property on Alfred st., in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Corporation Counsel

November 19, 1954.

Honorable Common Council:

Gentlemen—On November 9, 1954, (J.C.C. Pages 2640-41), your Honorable Body adopted a resolution of necessity for the acquisition of land for Civic Center and other Municipal Public Purposes, located in blocks bounded by First, Griswold, Woodbridge, Jefferson and First, Wayne, Jefferson, Larned Avenues. For purposes of correction, the title covering this acquisition should read as follows: "blocks bounded by First, Cass, Woodbridge, Jefferson and First, Wayne, Jefferson, Larned Avenues."

Respectfully submitted,

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

Approved:

PAUL T. DWYER,

Corporation Counsel.

By Councilman Connor:

Resolved, That resolution adopted November 9, 1954 (JCC pp. 2640-41), relative to acquisition of land for Civic Center and other municipal public purposes, be and the same is hereby amended to read "blocks bounded by First, Cass, Woodbridge, Jefferson; and First, Wayne, Jefferson and Larned sts."

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Corporation Counsel

November 18, 1954.

Honorable Common Council:

Gentlemen—We are attaching hereto an opinion by Asst. Corp. Counsel relative to reimbursement of prepaid rent to the United States Government and stipulation to be signed, covering the release of Lot 1529 and north 15