

Wise, Youngblood, and President Miriani—9.

Nays—None.

Corporation Counsel

February 22, 1956.

Honorable Common Council:

Gentlemen—A report is herewith submitted in reference to the following:

Case No. 2266, in the Recorder's Court, entitled: In the matter of widening of Pembroke Avenue west of Berg Road where not already opened and widened as a public street and highway.

This case was referred to the writer and scheduled for trial on February 9, 1956. At that time, Dan A. Manason, attorney for August M. Richards and Lillian Richards, his wife, owners of the property under condemnation, stated in Court that his clients were willing to dedicate the land needed for street purposes. In the afternoon of the same day, there was delivered to the writer the attached communication addressed to your Honorable Body and a quitclaim deed to the property required to widen Pembroke Avenue, as described in the petition filed in Court. The description has been approved by the Engineer's office and title and taxes checked by this office and we recommend acceptance of the dedication for street purposes.

Respectfully submitted,

FRANK J. WENDT,

Asst. Corp. Counsel.

Approved:

P. T. DWYER, Corporation Counsel.

By Councilman Van Antwerp:

Resolved, That quit claim deed of August M. Richards and Lillian Richards, his wife, to the City of Detroit, covering property for the widening of Pembroke Ave., described as "the S. 17 ft. of lot 87 of Riverford Heights, a subdivision of part of the N. ½ of Sec. 4, T. 1 S., R. 10 E., as recorded in Liber 40, Page 44, of Plats, Wayne County Records, to be used for street purposes only," be and the same is hereby accepted, and the City Controller is directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

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

Nays—None.

Corporation Counsel

February 22, 1956.

Honorable Common Council:

Gentlemen—The City of Detroit, through tax foreclosures, acquired the property known as 9479 Dearborn Avenue. The premises are in a state of disrepair that makes the cost of rehabilitation prohibitive.

We recommend that the structure be demolished and in furtherance thereof, we submit the attached resolution for your consideration.

Respectfully submitted,

E. A. WALINSKE,

Dir., Bureau of Real Estate.

By Councilman Wise:

Resolved, That the Corporation Counsel's Office, Bureau of Real Estate, be and is hereby authorized and directed to take the necessary steps to effect the demolition, as soon as vacated, of the one-story frame dwelling known as 9479 Dearborn Avenue, located on Lot 9, Plat showing partition of the Estate of Peter Barron, being Lot 3 of Jos. Barron's Estate on P. C. 340; and be it further

Resolved, That the City Controller be and he is hereby authorized and directed to provide funds for said demolition, and the City Engineer be and he is hereby authorized and directed to prepare bidding documents for said demolition when requested by the Bureau of Real Estate.

Approved:

P. T. DWYER, Corp. Counsel.

Adopted as follows:

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

Nays—None.

Corporation Counsel

February 22, 1956.

Honorable Common Council:

Gentlemen—On May 26, 1953 (J.C.C. Pages 1251-2) your Honorable Body ordered the acquisition of land 25 feet by 832.2 feet between Davison and Glendale Avenues for the widening of Auburn Avenue.

This parcel of land was part of a large tract purchased by the B. E. Taylor Corporation. Conveyance of the property immediately adjoining, recites B. E. Taylor's Brightmoor Industrial Unit No. 1, an unrecorded plat lying south of Grand River.

It appears that though never actually dedicated or platted, this property under condemnation was originally intended to be part of the street.

The B. E. Taylor Corporation has been dissolved. However, Mr. B. E. Taylor, Jr. and his wife succeeded to all assets of the corporation which was all owned by Mr. B. E. Taylor, Sr. who is deceased.

A previous order to acquire land for the widening of Auburn between Schoolcraft and Davison resulted in the dedication by Mr. B. E. Taylor, Jr. and his wife of said required strip.

This office has further obtained the needed land for the subject street widening by Quit Claim Deed, which is attached hereto for your acceptance. In furtherance thereof, the attached

resolution is submitted for your approval.

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

By Councilman Wise:

Whereas, The City has commenced proceedings to acquire the following property for street purposes: widening of Auburn Avenue between Davison and Glendale Avenues.

All that part of the West ½ of the West ½ of the Northwest ¼ of Section 26, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan, being the east 25 feet of that part of private plat known as B. E. Taylor's Brightmoor Industrial Unit No. 1, lying between the south line, extended westerly, of Davison Avenue, 80 ft. wide, and the south line, extended westerly, of Glendale Avenue, 60 ft. wide, more particularly described as follows: Beginning at the northwest corner of B. E. Taylor's Brightmoor Consolidated Railroad Sites Subdivision as recorded in Liber 52, Page 48 of plats, Wayne County Records; thence along the west line of last mentioned subdivision South 0 degrees 49 minutes 50 seconds East, 832.00 feet to a point in the extended south line of Glendale Avenue; thence along the extended south line of Glendale Avenue, South 89 degrees 27 minutes 30 seconds West, 25.00 feet to a point; thence along a line North 0 degrees 49 minutes 50 seconds West, 832.02 feet to a point; thence along a line North 89 degrees 27 minutes 30 seconds East, 25.00 feet to the place of beginning; and

Whereas, Mr. Burt Eddy Taylor, Jr. and Doreen Wessel Taylor, his wife, who are successors to the assets of the B. E. Taylor Corporation, now dissolved, have conveyed to the City of Detroit a deed to the above-described premises, It is Hereby

Resolved, That the deed to the above-described property be accepted by the City and that the resolution of May 26, 1953 (J.C.C. Pages 1251-2) to acquire said land be and the same is hereby rescinded.

Approved:

P. T. DWYER, Corp. Counsel.

Adopted as follows:

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

Nays—None.

Corporation Counsel

February 23, 1956.

Honorable Common Council:

Gentlemen—Your Honorable Body, on January 12, 1954 (J.C.C. Page 20), directed this office to prepare proper resolution to condemn Lots 240 and 241, Brightmoor Rigoulet Subdivision, for the Opening of Tyler Avenue and

other Municipal Purposes, as recommended by the City Plan Commission in their communication dated November 23, 1953. According to this communication, the Board of Education proposed to erect a school on the property adjoining the north line of the proposed street and offered to bear the entire cost of acquisition of the above mentioned lots and would dedicate the 50 feet necessary for the opening of the street. The total cost of acquisition, including jury fees, amounted to \$2,979.72.

The Board of Education, after the verdict was received, transmitted check in the amount of \$2,500.00, payable to the City Treasurer, being the award in the condemnation proceedings. The Board of Education, under date of January 19, 1956, submitted a deed conveying Lot 241 and the south 15 feet of Lot 240 for street purposes. Deed was accepted in resolution of January 31, 1956 (J.C.C. page 154).

Inasmuch as the title to the property was taken by the City of Detroit in the condemnation proceedings, the above deed does not accomplish the original intent.

We, therefore, recommend resolution of January 31, 1956 (J.C.C. page 154), be rescinded, and further that the City Controller be authorized to execute a deed to the Board of Education of the City of Detroit, a State Agency, covering:

"The North twenty (20) feet of Lot 240, of Brightmoor-Rigoulet Subdivision, lying south of Grand River Avenue, being part of the northeast quarter of Section 27, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 49, Page 14 of Plats, Wayne County Records."

Provided, The Board of Education reimburses the City of Detroit upon payment of balance of condemnation costs in the amount of \$479.72.

Respectfully submitted,

E. A. WALINSKE,

Director Bureau of Real Estate.

Approved:

PAUL T. DWYER, Corp. Counsel.

By Councilman Wise:

Resolved, That resolution adopted January 31, 1956 (JCC p. 154), accepting quit claim deed of the Board of Education covering property dedicated for street purposes described as "lot 241 and S. 15 ft. of lot 240, Brightmoor-Rigoulet Sub., etc." be and the same is hereby rescinded, and further

Resolved, That the City Controller be and he is hereby authorized to issue quit claim deed to the Board of Education covering "the N. 20 ft. of lot 240, Brightmoor-Rigoulet Sub., lying south of Grand River Ave.,