

June 2

1959

property line, authorized April 21, 1959, J.C.C. 730/731.
 Encroachment Bond:
 Cleve Hull—Principal.
 U. S. Fidelity & Guaranty Company
 —Surety.

Amount—\$10,000.
 Covers permit to maintain building on premises known as 4474-76 Second Ave., S.E. corner of Prentis, to encroach $1\frac{1}{2}$ inches beyond the property line for a distance of 42.2 ft. along Second Ave. and 13.1 ft. along Prentis Ave. with installation of mural stone replacing wood encroachments of 2.76 inches. Also to maintain a brick enclosed structure over stairway encroaching 3.67 ft. into Prentis Ave., for a distance of 9.2 ft. along the street, authorized May 12, 1959, J.C.C. 875/76.

Spur Track Bonds.
 Great Lakes Sugar & Warehousing Co., Inc.—Principal.
 U. S. Fidelity & Guaranty Company
 —Surety.

Amount—\$10,000.
 Covers permit to maintain two spur tracks (formerly in name of U. S. Rubber Co.) across Dunn Rd., west of Conant, connected with the M.C.R.R., authorized May 12, 1959, J.C.C. 883.

Central Cartage Co., Inc.—Principal.
 American Casualty Co. of Reading, Penna.—Surety.

Amount—\$10,000.
 Covers permit to maintain two spur tracks (formerly under names of Central Cartage Co., vendee and Mistele Coal & Coke Co., vendor) as follows: One across Rugg Ave., east of Mt. Elliott, connected with the M.C.R.R., and one across Marcus St. between Pease and Foster, connected with the G.T.R.R., authorized May 12, 1959, J.C.C. 883.

The agreement, encroachment bond and the spur track bonds bear the approval of the Corporation Counsel as to form and execution.

Respectfully submitted,
 R. S. REASON,
 Deputy Controller.

Received and Placed on File.

Controller

Honorable Common Council:
 Pursuant to resolutions adopted by your Honorable Body whereby the controller was authorized and directed to execute deeds for the sale of City-owned property, final payment has been received and deed issued as follows:

J.C.C. April 28, 1959, page 779:
 Earl A. Reser, Jr., and Sarah S. Reser, his wife, 11749 Griggs Avenue, Detroit 4, Michigan. "Lot 25. Rest-
 more Homes Sub."

Respectfully submitted,
 ROBERT S. REASON,
 Deputy Controller,
 Received and Placed on File.

Corporation Counsel

May 22, 1959,
 Gentlemen—On January 8, 1957 (J.C.C. page 4) the Common Council approved the acceptance of deed dated December 21, 1956, from the State of Michigan to the City of Detroit, conveying property on the West side of Sixteenth between Linden and Poplar Avenues, described as follows:
 S. 3 feet of the East 70 feet of Lot 468, Plat of Subdivision of that part of P. C. 44, lying between the Chicago and Grand River Roads, as recorded in Liber 68, Pages 2 and 3 of Deeds, Wayne County Records, Michigan.

"It is expressly understood that land herein described shall be used solely for public purposes, and, when same ceases to be used for such purposes, it shall revert to the State of Michigan."

On March 21, 1958, the City Plan Commission advised that the above described property will not be needed for municipal improvements.

In view of the above, we respectfully request that your Honorable Body authorize the Corporation Counsel to prepare the necessary quit claim deed to the Department of Conservation for the State of Michigan, Lansing, Michigan, and the Controller to execute and issue said deed.

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

Approved:
 NATHANIEL H. GOLDSTICK,
 Corporation Counsel.

By Councilman Smith:
 Resolved, That the Controller be and is hereby authorized and directed to execute and issue quit claim deed to the Dept. of Conservation for the State of Michigan covering property on the W. S. of Sixteenth Street between Linden and Poplar and more particularly described in the foregoing communication; and further

Resolved, That the Corporation Counsel be and he is hereby directed to prepare said deed.

Adopted as follows:
 Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—
 Nays—None.

Corporation Counsel

May 25, 1959,
 Gentlemen—Your Honorable Body on September 9, 1958 (J.C.C. page 1883) directed this office to negotiate with the State of Michigan for the conveyance of portions of River Rouge Park required for the widening of Plymouth Road from 66 feet to 120 feet wide, and more particularly described as follows:
 The South 60 feet of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28,

the South 60 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, all in Town 1 South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan, Excepting the right of way of existing highway.

The North 60 feet of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 33, the North 60 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, all in Town 1, South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan, Excepting the right of way of existing highway.

Also, the North 33 feet of the South 93 feet of the West 129.81 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Town 1 South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan, and the North 50 feet of the South 110 feet of the East 60 feet of the West 235.81 feet of the said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27.

Also, the South 15 feet of the North 75 feet of the East 195 feet of the West 235.81 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Town 1 South, Range 10, East, Redford Township, City of Detroit, Wayne County, Michigan.

We have approached the matter on the same basis as property conveyed to the State of Michigan under the so-called Tri-Party Contract covering expressways.

The prorated acquisition costs of land, together with park development costs and reconstruction of the D.S.R. Loop, are as follows:

5.165 Acres of Land at \$900, \$4,647.00.

Park Development Costs, \$6,500.00.

Relocation of D.S.R. Turn-Around, \$4,000.00.

Total \$15,147.00.

The Michigan State Highway Department has approved the foregoing.

We, therefore, recommend the City Controller be authorized to execute a quit claim deed to John C. Mackie, as State Highway Commissioner for the State of Michigan, when presented.

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

Approved:

NATHANIEL H. GOLDSTICK,
Corporation Counsel.

By Councilman Van Antwerp:

Resolved, That the City Controller be and he is hereby authorized and directed to execute a quit claim deed to John C. Mackie, State Highway Commissioner for the State of Michigan, covering property as described in the foregoing communication, for the widening of Plymouth Road, upon payment of the sum of \$15,147.00, and the Corporation Counsel is directed to prepare said deed.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Corporation Counsel

June 2, 1959

Honorable Common Council:

Gentlemen — We recommend the adoption of the following resolution in order to pay employees of the City of Detroit, injured in the course of their employment, Workmen's Compensation as provided by law.

Respectfully submitted,

JOHN D. O'HAIR,

Assistant Corporation Counsel.

By Councilman Wise:

Resolved, That the Controller be and he is hereby instructed to draw his warrant upon the proper fund in favor of:

Annie Burns, Public Works, \$33.00 per week.

Francis Jenkins, Health Department, \$33.00 per week.

Preston Powell, Public Works, \$33.00 per week.

Oscar Taylor, Health Department, \$51.00 per week. (\$33.00 plus \$18.00 for four dependents.)

Mary Thompson, Purchases & Supplies, \$33.00 per week.

Approved:

WALTER E. VASHAK,

Acting Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Reconsideration

Councilman Connor moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider which motion prevailed as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Councilman Carey then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Corporation Counsel

May 22, 1959.

Honorable Common Council:

Gentlemen—We acknowledge receipt of your letter of April 1, 1959, requesting an opinion from this office relative to the responsibility of the City of Detroit to provide services to private roadways similar to those provided public streets. It is presumed that you include within the definition of the word "services",