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Washington Boulevard, Chicago, Illinois.

It is Further Resolved, that the City Treasurer be and he is hereby authorized to apply on the account of the subject taxes \$156.67, which sum represents 75% of the taxes paid after deducting the attorneys fee, and that any unpaid balance remaining after such application be and the same is hereby cancelled.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.
Nays—None.

Corporation Counsel

July 5, 1961.

Honorable Common Council:
Re: Memorial Park Marina Matter
Gentlemen — In accordance with your instructions, representatives of this office, together with representatives of other city departments have met on several occasions with one of the petitioners, Arthur Fleischman (Petition No. 9442), and representatives of River House Co-operative, Inc., a Michigan corporation, with the result that we have arrived at a settlement of the controversy existing in connection with the above entitled matter.

All city departments involved have approved of the settlement.

The terms and conditions of the settlement are set forth in the attached proposed resolution, which we recommend that you adopt.

Respectfully submitted,

ROGER P. O'CONNOR,

Assistant Corporation Counsel.

Approved:

NATHANIEL H. GOLDSTICK,

Corporation Counsel.

By Councilman Youngblood:

Whereas, a controversy has arisen between the City of Detroit, Arthur Fleischman and Stella Fleischman, purchasers of the property on the easterly side of Memorial Park, and River House Cooperative, Inc., a Michigan corporation, (formerly known as One River House Cooperative, Inc.), lessee of property also on the easterly side of Memorial Park but southerly from the property purchased by Arthur and Stella Fleischman, in reference to the title of land adjoining the park and with regard to the construction of a 30-foot wide drive required under paragraph number 4 of the Common Council resolution adopted April 20th, 1954 (J.C.C. pp. 890-891) and also with regard to the use of Marina Lane (sometimes called Memorial Park Marina Drive) located on the easterly side of Memorial Park; and

Whereas, it is the desire of the Common Council and all parties concerned to settle this controversy,

Now, Therefore, it is Resolved, that

this matter be settled upon the following terms and condition:

1. Marina Lane (sometimes called Memorial Park Marina Drive) located on the easterly part of Memorial Park, shall no longer be used to service the private property adjacent to the park.

2. The easement between the Courtis Corporation and One River House Cooperative, Inc., a Michigan corporation, recorded in Liber 13019, page 124, Wayne County Records, shall be terminated and a new easement shall be given to River House Cooperative, Inc. by Arthur Fleischman and Stella Fleischman, his wife, as to his undivided one-half interest in the subject properties, and Stella Fleischman individually as to her one-half interest in the said properties, (the said Arthur Fleischman and Stella Fleischman shall hereafter be designated as "FLEISCHMAN" unless otherwise indicated), over the following described property:

A piece of land 30 feet wide in the southwest corner of Fleischman's ownership in Lot 4, Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.91 feet of Private Claim 723, lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, recorded in Liber 2, Page 28 of Plats, Wayne County Records, described as: Beginning at a point in the existing Marina gateway, said point being S. 28d 08m 19s E., 479.97 feet along the west property line of Lot 4 and N. 61d 51m 41s E., 2.25 feet, from the northwest corner of Lot 4 Albert Crane's plat recorded in Liber 2, Page 28, Plats, Wayne County Records, thence S. 38d 34m 30s E., 202.87 feet to a point, said point being 39.00 feet east of the west property line of above Lot 4; thence N. 28d 08m 19s W., 6.77 feet, to the south property line of Fleischman's ownership; thence N. 61d 51m 41s E., 29.30 feet along said south property line to a point; thence N. 38d 34m 30s W., 195.99 feet to a point; thence S. 61d 51m 41s W., 30.55 feet to the point of beginning.

The new easement shall be subject to the sanitary sewer easement of the City of Detroit provided for in paragraph number 13 herein.

3. Fleischman shall bear the cost of paving the above described new easement, and the cost of laying a five-foot sidewalk thereon, and also the cost of paving a small trapezoid piece of land described as follows:

Located in the southwesterly end of the new easement, to-wit:

An area in Lot 4, Albert Crane's Plat as recorded in Liber 2, Page 28 of Plats, Wayne County Records and described as: Beginning at a point, said point being S. 28d 08m 19s E., 479.97 feet, and N. 61d 51m 41s E., 2.25 feet, and S. 38d 34m 30s E., 202.87 feet from the northwest corner of Lot

4. Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.19 feet of P.C. 723, lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan; thence S. 38d 34m 30s E., 6.62 feet to a point; thence N. 28d 08m 19s W., 13.28 feet to a point; thence S. 61d 51m 41s W., 1.20 feet; thence S. 28d 08m 19s E., 6.77 feet to the point of beginning.

4. River House Cooperative, Inc., a Michigan corporation, shall grant an easement which shall run with the land to Fleischman for pedestrian and passenger vehicle traffic over the west 22 feet of the River House property, as an exit to Dwight Avenue, and shall grant a like easement to Fleischman over the new easement mentioned in paragraph number two above. The easement to Fleischman over the new easement shall be subject to the sanitary sewer easement of the City of Detroit provided for in paragraph number 13 herein.

5. Fleischman shall dedicate to the City of Detroit for street purposes, from the westerly side of their property, a strip of land six feet wide, described as follows:

A piece of land 6 feet wide, east of and parallel to the existing 24-foot street, in Lot 4, Albert Crane's Plat as recorded in Liber 2, Page 28 of Plats, Wayne County Records, and parallel to the east side of a small triangular addition to this existing 24-foot street at the existing Marina gate, described as: Beginning at a point in the south property line of Jefferson Avenue, 120 feet wide, said point being N. 43d 26m 59s E., 25.30 feet from the northwest corner of Lot 4, Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.19 feet of P.C. 723, lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 28; thence S. 28d 08m 19s E., 473.32 feet along the east property line of the 24-foot street to a point; thence S. 38d 34m 30s E., 14.89 feet along the east line of the triangular addition to the 24-foot street, to a point on the north line of the relocated easement; thence N. 61d 51m 41s E., 6.10 feet along the north line of the relocated easement to the northeast corner of the relocated easement; thence N. 38d 34m 30s W., 15.45 feet to a point; thence N. 28d 08m 19s W., 474.76 feet to a point, on the south property line of Jefferson Avenue, thence S. 43d 26m 59s W., 6.32 feet along the south property line of Jefferson Avenue to the point of beginning.

This strip of land shall become a part of and an addition to the 24-foot strip of land heretofore dedicated for street purposes by deed dated March 23, 1950, running from Fred Scheuenstuhl and Katherine, his wife, and Thomas M. Courtis and Mary M., his wife, to the City of Detroit,

recorded in Liber 10341, Page 79, Wayne County Records. A 5-foot sidewalk shall be laid on this 6-foot strip of land. Fleischman shall also dedicate to the City of Detroit for street purposes from the westerly side of their property a small triangular piece of land described as follows:

A triangular piece of land in Lot 4 of Albert Crane's Plat, east of and adjoining the existing 24-foot street, north of and adjoining the existing Marina gateway, more particularly described as: Beginning at a point, said point being S. 28d 08m 19s E., 479.97 feet along the west property line of Lot 4, and N. 61d 51m 41s E., 24.00 feet from the northwest corner of Lot 4, Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.19 feet of P.C. 723 lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 28; thence N. 28d 08m 19s W., 14.64 feet to a point; thence S. 38d 34m 30s E., 14.89 feet; thence S. 61d 51m 41s W., 2.70 feet to the point of beginning, which shall become a part of and an addition to the 24-foot street and the six-foot wide strip of land described in this paragraph.

6. The City of Detroit shall bear the cost of paving the following part of the aforementioned 24-foot street:

The west 24-feet of Lot 4, Albert Crane's Plat, recorded in Liber 2, Page 28 from the south property line of Jefferson Avenue to the existing Marina gate described as: Beginning at the northwest corner of Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.19 feet of P.C. 723 lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 28 of Plats, Wayne County Records; thence S. 28d 08m 19s E., 479.97 feet along the west property line of Lot 4 to the Marina gate; thence N. 61d 51m 41s E., 24.00 feet; thence N. 28d 08m 19s W., 487.96 feet to the south property line of Jefferson Avenue; thence S. 43d 26m 59s W., 25.30 feet to the point of beginning;

including the small triangular piece of land above described in paragraph Number 5 hereof, and shall maintain the same thereafter. The City of Detroit shall also bear the cost of laying the 5-foot sidewalk described in paragraph number 5 above, and shall maintain the same thereafter.

7. The following part of the 24-foot strip of land heretofore dedicated for street purposes by deed dated March 23, 1950, recorded in Liber 10341, page 79, Wayne County Records, shall be vacated under proper proceedings to be hereafter instituted by Butzel, Eaman, Long, Gust & Kennedy, attorneys for River House Cooperative,

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Inc., a Michigan corporation:

An existing street being the west 24 feet of Lot 4, Albert Crane's Plat and described as: Beginning at a point said point being S. 28d 08m 19s E., 479.97 feet along the west property line of Lot 4, Albert Crane's Plat corner of Lot 4, Private Claim 644 and of that part of Private Claim 644 and the eastern 53.19 feet of P.C. 723, the eastern 53.19 feet of P.C. 723, lying south of Jefferson Avenue in the City of Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 28 of Plats, Wayne County Records; thence N. 61d 51m 41s E., 24.00 feet; thence S. 28d 08m 19s E., 808.06 feet to the north property line of Dwight Avenue 100.00 feet wide; thence S. 61d 53m 47s W., 24.00 feet to the west property line of the existing street; thence N. 28d 08m 19s W., 808.05 feet along the west property line of the existing 24-foot street to the point of beginning.

8. After the vacation of that part of the 24-foot street described in paragraph number 7 above, a deed of conveyance covenanting against their own acts, covering the following part of the vacated portion of the 24-foot street shall be executed and delivered to the City of Detroit by Fleischman, to-wit:

A part of the vacated street south of the Marina gate in Lot 4, Albert Crane's Plat, recorded in Liber 2, Page 28, Plats, Wayne County Records, and described as: Beginning at a point, said point being S. 28d 08m 19s E., 479.97 feet along the west property line of Lot 4, from the northwest corner of Lot 4, Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.19 feet of P.C. 723, lying south of Jefferson Avenue in the City of Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 28 of Plats, Wayne County Records; thence N. 61d 51m 41s E., 2.25 feet; thence S. 38d 34m 30s E., 120.07 feet to the east property line of the vacated street; thence S. 28d 08m 19s E., 689.98 feet to the north property line of Dwight Avenue 100.00 feet wide; thence S. 61d 53m 47s W., 24.00 feet along the north property line of Dwight Avenue; thence N. 28d 08m 19s W., 808.05 feet to the point of beginning.

9. After the vacation of that part of the 24-foot street described in paragraph number 7 above, Fleischman shall execute and deliver to the City of Detroit a quitclaim deed to Marina Lane (sometimes called Memorial Park Marina Drive) located on the easterly part of Memorial Park.

10. After vacation of that part of the 24-foot street described in paragraph number 7 above, Fleischman shall execute and deliver a warranty deed to the City of Detroit covering a 15-foot wide strip of land described as follows:

A strip of land east of and adjoining

the vacated 24-foot street in Lot 4, Albert Crane's Plat recorded in Liber 2, Page 28 of Plats, Wayne County Records, and described as beginning at a point on the east property line of the vacated 24-foot street, said point being S. 28° 08' 19" E., 479.97 feet along the west property line of the 24-foot existing street, and N. 61° 51' 41" E., 2.25 feet, and S. 38° 34' 30" E., 120.07 feet, thence S. 38° 34' 30" E., 82.80 feet to a point on the existing fence, thence S. 28° 08' 19" E., 608.56 feet to the north property line of Dwight Avenue 100 feet wide, thence S. 61° 53' 47" W., 15.00 feet to the east property line of the vacated 24-foot street, thence N. 28° 08' 19" W., 689.98 feet to the point of beginning.

11. River House Co-operative, Inc., a Michigan corporation; the New York Life Insurance Company, a New York corporation; the National Bank of Detroit, a national banking association; and M. L. Pardee d/b/a M. L. Pardee & Co. shall execute and deliver to the City of Detroit quitclaim deeds to the property described in paragraph number 8 above and to any and all interest in Marina Lane (sometimes called Memorial Park Marina Drive) located on the easterly part of Memorial Park. They shall also execute and deliver to Fleischman quitclaim deeds to the easement described in the grant recorded in Liber 13019, Page 124, Wayne County Records. The quitclaim deed executed by the New York Life Insurance Company, a New York corporation, shall disclose that the New York Life Insurance Company has the approval of the Federal Housing Commissioner to execute the deed.

12. River House Cooperative, Inc. shall secure the various deeds mentioned in paragraph number 11 above, and the written agreement mentioned in paragraph number 19 below. When the deeds are obtained, it shall be the responsibility of River House Cooperative, Inc. to deliver the same to the Corporation Counsel of the City of Detroit.

13. Fleischman shall grant a permanent easement to the City of Detroit for the construction of an underground six (6) inch sanitary sewer to be located at a minimum depth of 3.5 feet of cover, in, on and across a certain parcel of land situate in the City of Detroit, Wayne County, Michigan, and more particularly described as follows, to-wit:

Commencing at a point on the South line of Jefferson Ave., said point being the northwest corner of Lot 4 of the Albert Crane Subdivision, Liber 2, page 28 of the Wayne County Plats, thence easterly along said line bearing N. 43° 27' 26" E. 365.90' to a point; thence S. 28° 15' 20" E. 778.51' to the point of beginning; thence continuing along the same

line, S. 28° 15' 20" E. 10.00'; thence S. 61° 51' 41" W. 324.80'; thence N. 28° 08' 19" W. 10.00'; thence N. 61° 51' 41" E. 324.78' to the said point of beginning;

including the right of access for the City of Detroit to go over and upon the land of Fleischman for the purpose of construction, inspection and maintenance of said sanitary sewer. The City of Detroit shall construct and maintain the new sanitary sewer at its own expense. The City of Detroit, upon completion of any work, shall at its own expense promptly remove all debris, surplus earth, material and equipment and restore insofar as practicable the surface of the land to the same condition as that which existed prior to such work. When the new sanitary sewer is completed and in operation, the old sanitary sewer presently serving the Marina Gate House shall at that time be abandoned.

14. The City of Detroit shall grant a permanent easement to Fleischman for the construction of an underground reinforced concrete pipe storm sewer approximately thirty (30) inches inside diameter, to be located at a minimum depth of 3.5 feet of cover, in, on and across a certain parcel of land situate in the City of Detroit, Wayne County, Michigan, and more particularly described as follows, to-wit:

A ten (10) foot strip of land centered about a line located as follows: Beginning at a reference point where the south property line of East Jefferson Avenue, 120 feet wide, intersects the projected west property line of Fischer Avenue 60 feet wide; Jefferson Avenue having an assumed bearing of S. 43d 27m 40s W.; thence from the reference point S. 76d 02m 22s E., a distance of 48.06 feet to a point of beginning at the centerline of an existing manhole on the Fischer Storm Sewer; thence N. 80d 03m 53s E., a distance of 346.63 feet to a point of inflection; thence N. 65d 35m 03s E., a distance of 373.44 feet to a point of ending, which point is 410.0 feet south of the south property line of Jefferson, measured along the east property line of Memorial Park with a bearing of N. 28d 07m 24s W., and 20 feet East of the east property line of Memorial Park:

including the right of access for Fleischman to utilize an additional fifteen (15) foot temporary construction easement directly adjacent on the south to the above described permanent easement, for the purpose of construction, inspection and maintenance of the storm sewer. Fleischman shall construct and maintain the storm sewer at his own expense and, upon completion of any work, shall at his own expense promptly remove all debris, surplus earth, material and

equipment and restore insofar as practicable the surface of the land to the same condition as that which existed prior to such work. Fleischman shall secure the written approval of the Department of Parks and Recreation of the City of Detroit before starting any construction or maintenance work so as not to interfere with the operation of the Memorial Park Marina.

Before starting any construction work on the storm sewer which will cross Memorial Park on the ten (10) foot strip of land above described and connect with the Fischer Avenue manhole, Fleischman shall secure a permit from the Department of Public Works of the City of Detroit covering the construction of the sewer across the park and covering the connection to the Fischer Avenue manhole. Before the permit is issued, Fleischman shall deposit with the Department of Public Works, either cash or a certified check payable to the City of Detroit to cover inspection of the construction in the park and to insure restoration by Fleischman of paving conforming to existing paving, utilities, park shrubbery and seeding and also to insure against any damage to trees resulting from the construction of the sewer. The amount of the deposit shall be determined by the Department of Public Works.

15. The Common Council resolution, adopted April 20th, 1954 (JCC pp. 890-891), shall be and the same hereby is amended by deleting therefrom paragraph number 1(a) and paragraph number 4. This amendment becomes firm and irrevocable upon the recording of deeds or instrument executed by Fleischman.

16. The agreement between the Curtis Corporation, a Michigan corporation, and One River House Cooperative Inc., a Michigan corporation, dated May 26th, 1954, recorded in Liber 13019, page 126, Wayne County Records, which was executed in accordance with the terms of the Common Council resolution adopted April 20th, 1954 (JCC pp. 890-891) shall be amended by the parties thereto agreeing to delete therefrom paragraph number 1(a) and paragraph number 4. The recording of deeds and instruments executed by Fleischman shall constitute such amendment.

17. This Resolution shall be binding upon the heirs, successors and assigns of the parties named herein.

18. This Resolution or a copy thereof shall be recorded with the Register of Deeds for the County of Wayne, State of Michigan. The City of Detroit shall pay the recording costs.

19. Fleischman and River House Cooperative, Inc., a Michigan corporation, successor to One River House Co-operative, Inc., a Michigan corporation, shall enter into a written agreement under which they

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agree to the terms and conditions of this Resolution. Such agreement shall be made and delivered to the Corporation Counsel of the City of Detroit within one (1) week from the date of adoption of this Resolution. The City of Detroit shall pay the costs of recording such agreement.

20. As soon as the same can be obtained, River House Cooperative, Inc. shall secure the written consent of the New York Life Insurance Company, a New York corporation, the National Bank of Detroit, a national banking association; and M. L. Pardee dba M. L. Pardee & Co., to this resolution insofar as the same pertains to their respective interests herein.

21. The grant of the Board of Zoning Appeals of the City of Detroit entered on April 19, 1961, in Case No. 202-61 is hereby approved subject to the terms and conditions of this Resolution.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.
Nays—None.

Board of Assessors

June 28, 1961.

Honorable Common Council:

Gentlemen—We respectfully request your Honorable Body to approve the real and personal property tax cancellations and reductions in accordance with the following resolutions.

Respectfully submitted,
CLIFFORD A. PREVOST, President.

By Councilman Connor:

Resolved, That the City Treasurer be and is hereby authorized and directed to cancel the personal and real property taxes levied against the following for the years shown:

Brodsky & Levine, 1956 value \$6,000, tax \$217.54 (w. 12, i. 537). No assessable personal property as of assessment date.

Detroit Hardgoode Sales Corp., 1960 value \$35,000, tax \$1,526.16 (w. 20, i. 260). No assessable personal property as of assessment date.

Angie's Apparel, 1960 value \$300, tax \$13.08 (w. 22, i. 4459). Business was discontinued prior to assessment date.

Parkside Hospital, Lot 100 and W. 11 ft. of Lot 101, Miller & Willcox Sub., Cap. 50, 1961 value \$1,350, tax \$59.86 (Act 189, i. 6). Property not used in connection with a business conducted for profit, therefore does not qualify for assessment under Act 189, P.A. 1953 Michigan.

Detroit Housing Commission, Lot 119, Detroyal Gardens Sub., Cap. 364 (w. 16, i. 34038) 1961 land value \$350, tax \$15.54. Property approved for public purpose by Common Council.

Detroit Housing Commission, Lot

94, Wetherbee Oak Grove Sub., Cap. 367 (w. 16, i. 36768) 1961 land value \$440, tax \$19.54. Property approved for public purpose by Common Council.

Michigan State Highway Dept., Lot 11, Parks & Blvd. Sub., Cap. 618 (w. 21, i. 61300-7) 1961 land value \$1,140, tax \$50.56. Acquired by State Highway Dept. March 15, 1957. Assessors Office not notified.

Michigan State Highway Dept., Lot 1042 Exc. Northwestern Hwy. as wd., San Bernardo Park Sub. No. 3, Cap. 640 (w. 22, i. 19393) 1961 land value \$1,650, building \$160, tax \$80.26. Acquired by State Hwy. Dept. Dec. 28, 1960. Assessed in error, and further

Resolved, That the City Treasurer be and is hereby authorized and directed to accept from the following the amounts shown with interest added from due date to date of payment in full settlement of the personal and real property taxes for the years shown and cancel balance due:

Jones Bar-B-Que, 1960 original value \$1,500, tax \$65.40, reduced \$1,300, tax \$56.68, new value \$200, tax \$8.72 (w. 3, i. 689). Property was over-assessed.

Detroit Housing Commission, W. 1/2 of Lot 31, Ryan's Sub., Cap. 79 (w. 5, i. 2283) 1959 buildings reduced \$330 and \$100, tax \$18.32, new value \$240, tax \$10.24; 1960 buildings reduced \$330 and \$100, tax \$18.76, new value \$240, tax \$10.46; 1961 buildings reduced \$330 and \$100, tax \$19.06, new value \$1,500, tax \$66.52. Error in posting.

D. Lombardo, Lot 60, Little Gardens Sub., Cap. 181 (w. 9, i. 8440-1) 1960 building reduced \$520, tax \$22.66, new value \$12,520, tax \$545.94; 1961 building reduced \$520, tax \$23.06, new value \$12,520, tax \$555.08. Posted incorrectly in error.

Rosie P. Poolucci, Lot 8 and S. 5.58 ft. of Lot 7, Blk. 9, Lothrop's Sub., Cap. 65, (w. 11, i. 2987) 1961 building reduced \$170, tax \$7.54, new value \$6,290, tax \$278.88. Reduction not posted in error.

Isadore Padolsky, Lot 91, Sub. of pt. of P.C. 729, etc., Cap. 20 (w. 12, i. 7680) 1961 land reduced \$660, tax \$29.26, new value \$510, tax \$22.64. Residential property assessed according to non-conforming use returned to conforming use in 1961, and further

Resolved, That the City Controller be and is hereby authorized and directed to honor vouchers when presented by the City Treasurer in favor of any person to whom refund is due on the basis of the amount of tax payable subsequent to said cancellations being less than the amount paid on the original assessment, and further

Resolved, That the City Treasurer be and is hereby authorized and