

ed 4-22-53. For Greenbelt Purposes. I. 37373-4, \$152.62.

W. 21, Cap. 937, Lots 70 to 64, b.i. Diegel Homestead Park Sub. Acquired by Condemnation No. 2171. Verdict confirmed 6-3-53. For Parks & Recreation. I. 16810 to 16816 b.i., \$148.98.

W. 21, Cap. 937, Lots 52 to 47, b.i., Diegel Homestead Park Sub. Acquired by Condemnation No. 2171. Verdict confirmed 6-3-53. For Parks & Recreation. I. 16877 to 16882 b.i., \$121.28.

W. 21, Cap. 352, Lots 44 to 36, b.i., and S. 31.12 ft. on W. li. bg. S. 28.88 ft. on rear of Lot 35, lyg. S. of and adj. Freud Ave., as op. Walter C. Mack's Sub. Acquired by Condemnation No. 2185. Verdict confirmed 5-22-53. For Riverfront Development Purposes. I. 39968 to 39977 b.i., \$120.88.

Ward 22, Cap. 548, Rear W. 30.25 ft. of Lots 5 & 6, Robert M. Grindley's Sub. No. 6. Acquired by Condemnation No. 2175. Verdict confirmed 4-15-53. For Greenbelt Purposes. I. 32425, \$5.28.

W. 22, Cap. 343, E. 31 ft. of Lots 26, 25, 23, 22, 17, 16, 15, and 14, Homelands Subn. Acquired by Condemnation No. 2115. Verdict confirmed 7-8-53. For Parks & Recreation. I. 73638, 73639, 73641, 73642, 73647, 73648, 73649-50, \$11.88.

W. 22, Cap. 342, E. 36 ft. of Lots 1 to 10, b.i., E. 36 ft. of Lots 12 to 16, b.i., E. 36 ft. of Lots 21, 22, 23, E. 36 ft. of Lots 26 to 39, b.i., E. 36 ft. of Lots 41 to 46, b.i., E. 36 ft. of Lots 49 to 58, b.i., College Heights Subn. Acquired by Condemnation No. 2115. Verdict confirmed 7-8-53. For Parks & Recreation. I. 73664-73673, b.i., \$27.06, I. 73675-73679, b.i., \$13.20, I. 73684-73686, b.i., \$7.92, I. 73689-73702, b.i., \$38.28, I. 73704-73709, b.i., \$15.84, I. 73712-73721, b.i., \$27.72.

W. 22, Cap. 350, W. 51 ft. of Lots 48 and 49, Southlawn Grove Sub. Acquired by Condemnation No. 2115. Verdict Confirmed 7-8-53. For Parks & Recreation. I. 73944-45, \$10.56.

W. 22, Cap 526, W. 58 ft. of Lots 1 to 30, b.i., Southfield Wood's Sub. Acquired by condemnation No. 2115. Verdict confirmed 7-8-53. For Parks and Recreation. I. 73950-73979, b.i., \$99.98.

W. 22, Cap. 353, W. 41 ft. of Lots 41 to 33, b.i., W. 41 ft. of Lots 30, 29, 25, 24, Milldale Sub. Acquired by Condemnation No. 2115. Verdict Confirmed 7-8-53. For Parks & Recreation. I. 73986-73992, b.i., \$29.70, I. 73995-6 and 74000-1, \$13.20.

Total—\$1,232.88.

Adopted as follows:

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

Nays—None.

Corporation Counsel

August 6, 1953.

Honorable Common Council:

Gentlemen—We hereby report to

your Honorable Body that we have received from John H. Thorpe and James P. Wilson, executors of the Estate of Laura G. Powell, also known as Lura Powell, Deceased, a check for \$2,000 payable to the City of Detroit, in payment of a bequest to the City in said amount made in the Will of said deceased. The Will does not specify how same shall be applied.

We have forwarded the said check to the City Treasurer with our recommendation that the same be credited to the General Fund.

Respectfully submitted,

ANDREW DI MAGGIO,
Assistant Corp. Counsel.

Approved:

P. T. DWYER, Corp. Counsel.

By Councilman Kronk:

Resolved, That the gift of \$2,000 to the City of Detroit by the Estate of Laura G. Powell be and the same is hereby accepted, with the grateful thanks and appreciation of this Common Council on behalf of the people of the City of Detroit.

Adopted as follows:

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

Nays—None.

Corporation Counsel

August 7, 1953.

Honorable Common Council:

Gentlemen—You have referred to this office the petition of St. Leo's Catholic Church (6200) and report from the Department of Public Works relative to the installation of conduits in public property, and you request our advice as to whether or not the bond proviso can be waived in this case.

Your attention is called to proceedings of the Common Council of February 17, 1953, J.C.C. pp. 338, 339, wherein you requested this office to prepare a resolution changing the policy in respect to encroachments to provide a form of indemnity to the City, other than a surety bond, when authorizing permits for encroachments upon public property. The resolution prepared in compliance with said request does not permit the waiver of the bond provision in this case without amending said resolution, however, where the encroachment is to be entirely below the surface of the ground and will not obstruct public travel, or interfere with its accustomed use, your Honorable Body may, at your discretion, waive the requirement of the bond by an amendment to said resolution or by a supplemental resolution. We propose the adoption of the attached resolution to accomplish this.

We return herewith the petition

and report from the Department of Public Works.

Respectfully submitted,
ANDREW DiMAGGIO,
Assistant Corporation Counsel.

Approved:

PAUL T. DWYER,
Corporation Counsel.

By Councilman Rogell:

Resolved, That notwithstanding previous resolutions of this Common Council to the contrary, whenever a proposed encroachment to public street or alley for private purposes shall be made entirely below the surface of the ground, so that it will not obstruct public travel or interfere with its accustomed use, or interfere with present or proposed underground public facilities, the Common Council may, at its discretion, waive the filing of the bond or other forms of indemnity required in such resolutions. All other provisions in such resolutions shall remain in full force and effect.

Approved:

PAUL T. DWYER,
Corporation Counsel.

Adopted as follows:

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

Nays—None.

By Councilman Rogell:

Resolved, That resolution adopted July 14, 1953 (JCC, p. 1664-5), granting permission to St. Leo's Catholic Church (6200), to install conduits across alley south of Warren between 14th and 15th Sts., be and the same is hereby amended to delete the provisions requiring the furnishing of a \$5,000.00 surety bond.

Adopted as follows:

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

Nays—None.

Corporation Counsel

August 7, 1953.

Honorable Common Council:

Gentlemen — Attached hereto is resolution of necessity and public improvement in reference to the acquisition of land to Eliminate a Non-Conforming Use, located on the west side of Tarnow Avenue between Wagner and Kirkwood Avenues, as requested by your Honorable Body on July 14, 1953, (J.C.C. Pages 1633 and 1634).

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

By Councilman Smith:

Whereas, The Common Council did by resolution on July 14, 1953, (J.C.C. Pages 1633-34), approve the acquisition of land for the purpose of elimi-

nating a non-conforming use, Now, Therefore, Be It

Resolved, That it is hereby declared necessary by the Common Council of the City of Detroit to make the following described improvements in said City, and that the same is for the use or benefit of the public, viz: Acquisition of land for the purpose of eliminating a non-conforming use, and that they deem it necessary to take private property for the purpose of making such improvement, which said property is situated in said City of Detroit and located on the west side of Tarnow Avenue between Wagner and Kirkwood Avenues, and is described as follows:

Lots 49, 50 and 51, Harrah's Western Subdivision of part of Lot 7 of Plat of Partition of the Estate of William Larkins, being the center part of Private Claim 719 and part of Plat of Partition of Alvah Ewer's Estate by Commissioners being part of the west part of Private Claim 719, lying north of Michigan Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 36, Page 69 of Plats of Wayne County Records.

And Be It Further Resolved, That the Corporation Counsel be and he is hereby directed to institute the necessary proceedings on behalf of the City of Detroit in the Recorder's Court of the City of Detroit to carry out the object of this resolution in regard to taking private property by said City.

Approved:

P. T. DWYER, Corp. Counsel.

Adopted as follows:

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

Nays—None.

Corporation Counsel

August 10, 1953.

Honorable Common Council:

Gentlemen—Attached hereto is resolution of necessity and public improvement in reference to the acquisition of land to Eliminate a Non-Conforming Use, located at the Southeast corner of Manson and Plumer Avenues, as requested by your Honorable Body on August 4, 1953, (J.C.C. Page 1802-3).

Respectfully submitted,

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

Approved:

P. T. DWYER, Corp. Counsel.

By Councilman Smith:

Whereas, The Common Council did by resolution on August 4, 1953, (J.C.C. Page 1802-3), approve the acquisition of land for the purpose of eliminating a non-conforming use, Now, Therefore, Be It

Resolved, That it is hereby declared necessary by the Common Council of the City of Detroit to make the following described improvements in