

& Cap., Plat of Daniel Scotten's Sub. 16/8, 1960 & Prior See Breakdown Below, \$1,055.84, Court Costs, \$25.50.

Item No. 10171.3L, Street, E. South Mcrell, Lot No. N.25' of 47, Subdivision, Ward & Cap., Sub. of Lot 11 of Sub. of P.C. 30, 16/12, 1960 & Prior See Breakdown Below, \$311.82, Court Costs, \$25.50.

Item No. 5687, Street, E. Pennsylvania, Lot No. 8, Subdivision, Ward & Cap., Albert Hesselbacher & Jos. S. Visger's Sub. 19/80, 1960 & Prior See Breakdown Below, \$995.32, Court Costs, \$25.50.

Total 1960 & Prior Breakdown Below, \$3,742.42.

Total Court Costs, \$127.50.

Total S.W.C. Costs, \$313.64.

BREAKDOWN OF 1960 AND PRIOR

Ward 1, Item No. 2807, 1954, none; 1955, \$6.50; 1956, none; 1957, \$6.96; 1958, \$7.00; 1959, \$7.66; 1960, \$7.84.

Ward 15, Item No. 13813, 1954, \$4.44; 1955, \$204.54; 1956, \$205.56; 1957, \$218.94; 1958, \$221.00; 1959, \$241.76; 1960, \$247.24.

Ward 16, Item No. 21, 1954, \$51.84; 1955, \$156.90; 1956, \$157.70; 1957, \$167.96; 1958, \$169.54; 1959, \$173.98; 1960, \$177.92.

Ward 16, Item No. 10171.3L, 1954, \$40.26; 1955, \$41.48; 1956, \$41.70; 1957, \$44.40; 1958, \$44.82; 1959, \$49.02; 1960, \$50.14.

Ward 19, Item No. 5687, 1954, \$129.52; 1955, \$133.48; 1956, \$132.70; 1957, \$141.32; 1958, \$142.66; 1959, \$156.06; 1960, \$159.58.

Totals: 1954, \$226.06; 1955, \$542.90; 1956, \$537.66; 1957, \$579.58; 1958, \$585.02; 1959, \$628.48; 1960, \$642.72. By Councilman Ravitz:

Resolved, That the City Treasurer be and he is hereby authorized and directed to cancel tax liens as shown and described in the foregoing Exhibit "F", and further

Resolved, That the proper journal entries be prepared by the City Controller.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Corporation Counsel

April 16, 1962.

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,

ANTHONY P. MARCHESE, JR.

Assistant Corporation Counsel.

By Councilman VanAntwerp:

RESOLVED THAT the Controller be and he is hereby instructed to draw

his warrant upon the proper fund in favor of:

Otha Wilson, Health Dept., at the rate of \$33.00 per week.

Helen Wytrychowski, Health Dept., at the rate of \$33.00 per week.

Raymond Belcher, Parks & Recreation, at the rate of \$40.00 per week (\$33.00 per week, plus \$7.00 for two dependents).

James H. Briggs, Public Works, at the rate of \$57.00 per week (\$33.00 per week, plus \$24.00 for five dependents).

Cleophus Johnson, Public Works, at the rate of \$40.00 per week (\$33.00 per week, plus \$7.00 for two dependents).

Josephine Klank, widow of Florian Klank, Public Works, at the rate of \$33.00 per week.

Robert Moore, Public Works, at the rate of \$36.00 per week (\$33.00 per week, plus \$3.00 for one dependent).

Joseph Blocki, Water Supply, at the rate of \$51.00 per week (\$33.00 per week, plus \$18.00 for four dependents).

Jack Carmicheal, Water Supply, at the rate of \$36.00 per week (\$33.00 per week, plus \$3.00 for one dependent).

Allen R. Jones, Water Supply, at the rate of \$33.00 per week.

Donald Lusty, Water Supply, at the rate of \$36.00 per week (\$33.00 per week, plus \$3.00 for one dependent).

Jeremiah Morgan, Water Supply, at the rate of \$57.00 per week (\$33.00 per week, plus \$24.00 for six dependents).

Approved:

ROBERT REESE,

Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Reconsideration

Councilman Wierzbicki 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 Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

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

The regular order was resumed.

Corporation Counsel

April 12, 1962.

Honorable Common Council:

Gentlemen—Pursuant to your re-

quest of recent date, please find enclosed herewith a proposed Resolution authorizing the Plaza Land Corporation, et al (12354), to construct and maintain an underground pedestrian tunnel between Cobo Hall and the contemplated hotel to be erected by the aforementioned Plaza Land Corporation, et al.

As suggested in your letter of request, the proposed Resolution has been drafted in such a manner so as to protect the City of Detroit from the loss of control or any other right over the public property involved and to protect the City from incurring any liability arising from the proposed tunnel construction. Additional protective features have been incorporated into the proposed Resolution, which it is believed will fully protect the interests of the City of Detroit.

Respectfully submitted,

WALTER E. VASHAK,

Assistant Corporation Counsel.

By Councilman Ravitz:

Resolved, that the Department of Public Works be and it is hereby authorized and directed to issue a permit to Plaza Land Corporation, a Michigan corporation, and/or Downtown Investment Co., a Michigan corporation, to construct, maintain, and use an underground pedestrian tunnel crossing Washington Boulevard and other public places between Jefferson and Larned Streets, Detroit, Michigan, to connect their proposed hotel with Cobo Hall, said pedestrian tunnel to be beneath the surface of said Washington Boulevard and other public places at such depth and location as meets the approval of the various departments hereinafter provided.

Provided, that the said pedestrian tunnel shall be constructed, maintained, and operated at the sole cost and expense of the petitioners, and

Provided, that petitioners shall submit the plans and specifications of the said pedestrian tunnel to the City Plan Commission, Department of Buildings and Safety Engineering, Department of Public Works, Department of Streets and Traffic, and the Civic Center Commission for review and approval, and

Provided, that the construction work is performed under the supervision and inspection of the Department of Public Works to insure that the construction is in accordance with the approved plans and specifications, and

Provided, that petitioners at the time of obtaining said permit file with the City Controller an agreement in form approved by the Corporation Counsel, saving and protecting the City of Detroit harmless from any and all claims, damages, or expenses that may arise by reason of the issuance of said permit and the faithful performance by the petitioners of the

terms thereof and, in addition, to pay all claims, damages, or expenses that may arise out of the construction, operation, or maintenance of the said pedestrian tunnel under the said Washington Boulevard, and other public places, and

Provided, that no rights of the City of Detroit, in Washington Boulevard, or other public places, shall be considered waived by this resolution, which resolution is adopted expressly on condition that the said pedestrian tunnel and all appurtenances in connection therewith shall be removed at the expense of the petitioners at any time when so directed by resolution of the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department of Public Works by said petitioners at their sole cost and expense, and

Provided, that said petitioners shall be subject to any tax which may be levied against them, pursuant to law, with respect to pedestrian tunnel and its appurtenances, and

Provided, that said pedestrian tunnel and its appurtenances shall be subject to such reasonable regulations and rules as promulgated by the Civic Center Commission, and

Provided, that in the event the City of Detroit shall desire to make use of said pedestrian tunnel for public pedestrian travel, that the said city may construct additional openings for ingress and egress to said pedestrian tunnel, and that the said petitioners shall permit such use of the tunnel without charge to the public but the city shall pay all costs of construction of such openings when same are constructed, and the city shall police the public portion of the pedestrian tunnel and shall contribute to the maintenance and operation of the pedestrian tunnel according to a formula to be negotiated at the time of constructing said opening, and, further, provided that in the event the City of Detroit shall use said tunnel for public pedestrian traffic, petitioners shall not be subject to any taxes provided by law with respect to the pedestrian tunnel and its appurtenances, and

Provided, that this resolution is revocable at the will, whim, or caprice of the Common Council, and petitioners hereby expressly waive any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that petitioners acquire no implied or other privileges hereunder not expressly stated herein, and

Provided, further, that this permit shall not be assigned or transferred without the written approval of the Common Council, and

Provided, further, that the filing of the indemnity agreement and the securing of the necessary permits re-

ferred to herein shall be construed as acceptance of the terms of this resolution by the petitioners.

Approved as to form:

ROBERT REESE,
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Corporation Counsel

April 17, 1962.

Honorable Common Council:

Gentlemen—Attached hereto please find resolution of necessity and public improvement in regard to the Acquisition of Land for Water Board Site and other Municipal Public Purposes (Lake Huron Filter Plant, Intake Tunnel Shaft Site) and permanent underground easements for tunnel purposes in area South of Metcalf Road between State Road and Lake Huron, Fort Gratiot Township, St. Clair County, Michigan, as requested by your Honorable Body on February 27, 1962, (J.C.C. Page 415).

Respectfully submitted,

G. L. CARLSON,
Real Estate Supervisor.

By Councilman Van Antwerp:

Whereas, The Common Council did by resolution on February 27, 1962, (J.C.C. Page 415), approve the acquisition of land for Water Board Site and other Municipal Public Purposes (Lake Huron Filter Plant, Intake Tunnel Shaft Site) and permanent underground easements for tunnel purposes; Now, Therefore, Be It

Resolved, That it is hereby declared necessary by the Common Council of the City of Detroit that the following described improvements in Fort Gratiot Township, St. Clair County, Michigan, and that the same is for the use or benefit of the public. Viz: Acquisition of land for Water Board Site and other Municipal Public Purposes (Lake Huron Filter Plant, Intake Tunnel Shaft Site) and permanent underground easements for tunnel purposes in area South of Metcalf Road between State Road and Lake Huron, and that they deem it necessary to acquire private property for the purpose of making such improvements which said property is situated in Fort Gratiot Township, St. Clair County, Michigan, and better described as follows:

FEE SIMPLE TITLE IN THE FOLLOWING:

All of the Northwest one quarter (¼) of Section 5, Town 7 North, Range 17 East, except the west 435 feet and 8 inches of the South one-half of the South one-half of said northwest one-quarter Section 5. Also, the North one-half of the Southwest one-quarter of Section 5, Town 7 North, Range 17 East, except the

westerly 500 feet thereof. Also, the westerly 20 acres of the North one-half of the Southeast one-quarter Section 5, Town 7 North, Range 17 East.

Also, the westerly 40 acres of the Northeast one-quarter of Section 5, Town 7 North, Range 17 East.

Also, all that part of fractional Section 4, Town 7 North, Range 17 East described as beginning on the East line of U. S. 25, North 24 degrees 04 minutes West, 164.9 feet from the North line of Lake Huron Manor Subdivision; thence South 89 degrees 31 minutes East, 300 feet; thence North 24 degrees 04 minutes West, 300 feet; thence North 89 degrees 31 minutes West, 300 feet; thence South 24 degrees 04 minutes East, 300 feet to the place of beginning.

Also, all that part of fractional Section 4, Town 7 North, Range 17 East, beginning at a point in said Section being distant North 24 degrees 04 minutes West, 164.9 feet and South 89 degrees 31 minutes East, 300 feet from the intersection of the North line of Lake Huron Manor Subdivision with the East line of Lake Shore Road (U. S. 25); thence North 24 degrees 04 minutes West, 300 feet to a point; thence North 18 degrees 57 minutes 32 seconds West, 107.09 feet to a point; thence North 24 degrees 04 minutes West, 26.45 feet to a point; thence South 89 degrees 31 minutes East, 438.18 feet to a point; thence South 24 degrees 04 minutes East, 200 feet to a point; thence South 0 degrees 29 minutes West, 216 feet to a point; thence North 89 degrees 31 minutes West, 350 feet to the point of beginning.

A Permanent Underground easement or right-of-way 50 feet wide, approximately 150 feet below surface for the construction, operation and maintenance of a water intake tunnel in that part of Fractional Section 4, Town 7 North, Range 17 East, extending from last described property in a northeasterly direction to the shore line together with any rights the owner may have extending beyond the said shore line into Lake Huron.

Also, A Permanent Underground Easement or right-of-way 50 feet wide approximately 5 feet below surface for the construction, operation and maintenance of a water outlet in that part of Fractional Section 4, Town 7 North, Range 17 East being the North 50 feet of the South 350 feet lying north of and parallel to the North line of Lake Huron Manor Subdivision and extending from the above described property in an easterly direction to the shore line together with any rights the owner may have extending beyond the said shore line into Lake Huron.

Also, The Temporary Use during period of construction in all that part