

petitioner and that an investigation be made relative to the vacating of the alley at the rear of this property. Pursuant to this request, the Commission considered a revised site plan submitted by the petitioner for the development of the northeast corner of Curtis and Lahser. The Commission approved a revised plan in which the building and parking area would be set back twenty (20) feet from Lahser as well as twenty (20) feet from Curtis. This revised plan would apparently meet the objections of the owner of the other apartments in the area.

Investigation of the alley closing indicates that, although the Commission would apparently not have any objection to the vacating of the alley, some of the homeowners located on Greydale are not in favor of vacating the alley. Therefore, the alley could be vacated only if enough signatures were submitted to warrant the processing of the matter through Circuit Court.

Because of the time necessary to complete such a procedure the City Plan Commission recommends that action on this rezoning petition be taken at this time.

Respectfully submitted,
ARMIN A. ROEMER,
 Assistant Director.

Controller

October 2, 1964.

Honorable Common Council:

Gentlemen—In accordance with the resolution of the Common Council passed on December 10, 1963, we are submitting claim sheets to the City Clerk representing vouchers paid during the week ending October 1, 1964 and payrolls paid during the week ending October 2, 1964. Voucher payments during this period amounted to \$15,051,746.31, whereas payrolls paid totaled \$4,632,451.69. All of these expenditures were audited by this Office prior to payment and found to be correct.

Respectfully submitted,
G. J. SAAM,
 Deputy Controller.

By Councilman Van Antwerp:

Resolved, That the foregoing voucher and payroll expenditures processed in the total amount of \$19,684,198.00 be and are hereby approved.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.
 Nays—None.

Corporation Counsel

September 24, 1964.

Honorable Common Council:

Re: Detroit Processing Terminal Division of Nor-Cote, Inc., Petition No. 9032.

Gentlemen—You have referred the above petition for maintaining an existing tunnel encroachment under Jefferson Avenue, west of McKinstry

Street, for the preparation of a resolution concerning same.

In accordance therewith this office has prepared the necessary resolution, which is hereby enclosed for your consideration.

Respectfully submitted,
CHRISTINE M. ROSSI,
 Asst. Corporation Counsel.

By Councilman Wierzbicki:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue a permit to the Detroit Processing Terminal Division of Nor-Cote, Inc., a Michigan corporation, (hereafter referred to as permittee) to maintain an existing utility tunnel under West Jefferson Avenue, 156 feet westerly of McKinstry Street; said tunnel to carry steam lines and electric lines from the Detroit Edison Company on the north side of West Jefferson to service the property on the south side of West Jefferson known as:

All that part of Private Claim 30 included in Lots No. 2, 3, and 4 described as beginning at a point in the southerly line of Jefferson Avenue at the northeast corner of Lot No. 2 of Private Claim 30 marked by a copper plug; thence South 42 degrees 22 minutes 30 seconds West along the southerly side of Jefferson Avenue 450.60 feet to the northwest corner of Lot No. 4 of said Private Claim 30, marked by an iron pin; thence South 28 degrees 07 minutes 15 seconds East along the Westerly side of Lot No. 4, 752.63 feet to a copper plug; thence along the same course still along the westerly side of Lot No. 4, 7.80 feet to the United States Harbor Line; thence North 33 degrees 55 minutes 42 seconds East along the United States Harbor Line 480.82 feet to the easterly line of said Lot No. 2; thence North 28 degrees 07 minutes 15 seconds West along the Easterly line of said Lot No. 2, 9.40 feet to a copper plug; thence along the same course still along the easterly line of said Lot No. 2, 676.12 feet to the point of beginning. The foregoing property is assessed as: Lot 2 and East 100.20 feet of Lot 3, West 50 feet of Lot 3 and all of Lot 4, Plat of Private Claim 30.

Whereas, That a permit on above existing tunnel was granted by Common Council in 1919 or 1920 to the Detroit Copper and Brass Rolling Mills, predecessor of the Anaconda American Brass Company; and

Whereas, That the Anaconda American Brass Company has sold said property to Detroit Processing Terminal Division of Nor-Cote, Inc., a Michigan corporation, and is now desirous of being relieved of any further responsibility in connection with the tunnel as appears in a letter dated September 29, 1964, directed to the Common Council by the Anaconda American Brass Company.

Resolved, That the Anaconda American Brass Company be and is hereby relieved of any and all responsibility in connection therewith.

Provided, That the said tunnel shall be maintained and operated at the sole cost and expense of the permittee; and

Provided, That the necessary permit be obtained from the Department of Public Works, and that all work shall be completed under the inspection of the said Department of Public Works in accordance with the approved plans and specifications; and

Provided, That permittee 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 permittee of the terms thereof and, in addition, to pay all claims, damages, or expenses that may arise out of the maintenance of the said tunnel under said West Jefferson Avenue; and

Provided, That no rights of the City in said West Jefferson Avenue, or other public places, shall be considered waived by this resolution, which resolution is adopted expressly on condition that said encroachment shall be removed at the expense of the permittee 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 permittee at its sole cost and expense; and

Provided, That said permittee shall be subject to any tax which may be levied against it, pursuant to law, with respect to this tunnel and its appurtenances; and

Provided, That said tunnel shall be subject to such reasonable regulations and rules as promulgated by the Department of Public Works; and

Provided, That this resolution is revocable at the will, whim, or caprice of the Common Council, and permittee hereby expressly waives any right to claim damages or compensation for removal of encroachment, and further, that permittee acquire no implied or other privileges hereunder not expressly stated herein; and

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

Provided, That the filing of the indemnity agreement and the securing of the necessary permit referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

Provided, That a certified copy of this resolution shall be recorded with

the Office of the Register of Deeds for Wayne County, by and at permittee's expense.

Approved:

THOMAS H. GALLAGHER,

Acting Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

Corporation Counsel

October 2, 1964.

Honorable Common Council:

Gentlemen—An analysis has been made of certain tax delinquent properties which reverted to the State of Michigan in May, 1964, to determine whether they should be withheld by the City of Detroit in order to protect its tax interests. Since there are several years of foreclosable General City Taxes, which your Honorable Body has ordered tax foreclosure proceedings, it is recommended that fifty-six (56) parcels, hereinafter described, be withheld under the statute for a period of one year. In accordance with the previous manner of withholding, the attached resolution is submitted for your adoption.

Respectfully submitted,

G. L. CARLSON,

Real Estate Supervisor.

By Councilman Wierzbicki:

Whereas, Section 131-C of Act 206, Public Acts of 1893, as amended by Act 167 of Public Acts of 1951, provided that any municipality prior to the First Tuesday in November following the vesting of title in the State of Michigan, may make application to the Department of Conservation for the withholding of lands in said application, And

Whereas, The City of Detroit requires additional time in which to complete its foreclosure proceedings necessary to protect its tax and assessment interest in certain of the lands to be offered for sale by the Department of Conservation: Now, Therefore Be It

Resolved, That the Department of Conservation be and it is hereby requested to withhold under Section 131-C of Act 206, Public Acts of 1893, as amended by Act 167 of Public Acts of 1951, those lands described as follows:

Ward 1, Cap 79, Item 1563.1, West 34 feet of Lot 12, Block 29, Brush's Subdivision as recorded in Liber 17, Page 28, N. Palmer.

Ward 1, Cap 117, Item 2902, Lot 19, Frazer & McLaughlin's Subdivision as recorded in Liber 14, Page 29, N. Josephine.

Ward 3; Cap 54; Item 1271; West 17.5 feet of North 64.95 feet of Lot 9, rear East 12 feet of North 64.95 feet of Lot 8, fronts on alley; Lee & Lawson's Subdivision of Lots 1 to 7 inclusive of the Subdivision of the