

5473—Howard A. Ladue: To erect small open fruit stand rear of N. W. cor. Cass and Hancock Ave.

REFERRED TO PUBLIC LIGHTING COMMISSION.

5474—Marsh-Zindler Co.: Objecting to street light on Burns Ave. bet. Warren and Moffat.

REFERRED TO POLICE DEPARTMENT.

5475—John H. Kunsy Co.: For refund of \$25.00 paid for motion picture license.

REFERRED TO CITY TREASURER.

5476—Mrs. Bertha Krieg: Extension of time for paying paving assessment.

REFERRED TO PUBLIC WELFARE COMMISSION.

5477—A. Jarosik: For cancellation of 1920 general city taxes.

5478—Mattie Smith: For cancellation of 1919-20 personal tax.

REFERRED TO BOARD OF ASSESSORS.

5479—Rosenthal Kavanan: For reduction and refund of 1920 personal tax.

5480—Samuel L. Kavanan: For reduction of 1920 personal tax.

5481—Albert H. Bennett: For refund of 1920 general city taxes.

5482—L. D. Bolton: For refund of 1920 general city taxes.

5483—Detroit Apron Co.: For reduction of 1920 personal tax.

5484—Arc Welding Machine Co.: For cancellation of 1920 personal tax.

5485—Gessner Products Co.: For reduction of 1920 personal tax.

5486—Lillie L. Scott: For reduction of 1920 personal tax.

5487—Charles J. Hyde: For refund of part of 1920 general city taxes.

5488—John H. Holtcamp: For refund of 1918 general city taxes.

REPORTS OF COMMITTEE OF THE WHOLE.

WEDNESDAY, DECEMBER 8, 1920.

Chairman Littlefield submitted the following reports of Committee of the Whole for above date and recommended their adoption:

Vacation of Plat.

To the Honorable the Common Council: Gentlemen—To your Committee of the Whole was referred the petition of John A. Mercier, et al. (5434), for the vacation of the plat of Mercier's Subdivision No. 3. Your Committee finds that a portion of the parcel of land comprising the plat was subdivided for residence purposes, the balance of land being platted for factory sites. None of the lots platted for residence purposes having been so used, petitioners are desirous of using the entire parcel of land comprising said plat for factory sites. Petitioner having disposed of the entire plat in four separate parcels, and the various owners of the four parcels having consented to the vacation of said plat and being parties of the petition for the vacation thereof, your Committee recommends, in ac-

cordance with opinion of the Corporation Counsel which reads as follows: "The Honorable the Common Council."

"Gentlemen—In the matter of the petition of John A. Mercier, et al., for the vacation of a certain plat known as:

"Mercier's Sub. No. 3, of part of lots 4, 5 and 7 of Sub. 3, of part of estate, and part of lots 1, 2 and 3 of Sub. of lot 7 of Christopher Markey estate, private claim 60, Detroit, Wayne County, Michigan,"

which was referred to the office of the Corporation Counsel for an opinion as to whether or not the Common Council has the power to vacate said plat, we wish to advise your Honorable Body that the only interest the public has in the property involved in the plat is an easement in the public alley shown on the plat. The alley is of no use to the public in general. Its only use is for private benefit of the owners of the property abutting the alley. Your Honorable Body has the power to abandon the right or use of this easement at any time with the consent of all the owners of the property abutting the alley. The consent of all the owners abutting the alley as well as of all those owning the several lots into which the real estate comprising the plat was platted, has been given to the said owners is endorsed in writing on the petition filed with your Honorable Body to vacate the plat. Under these conditions and circumstances, we advise that your Honorable Body has the power to vacate said plat by its resolution adopted for that purpose. The effect of such resolution would be to vacate the alley shown on the plat. A certified copy of such resolution when adopted should be recorded, however, in the office of the Register of Deeds for Wayne County, Michigan, for the benefit of the record of the plat in his office.

Yours respectfully,

WALTER BARLOW,

Chief Asst. Corporation Counsel."

Approved:

CLARENCE E. WILCOX,

Corporation Counsel.

that the plat, excepting, however, all of Southern avenue as dedicated in said plat be vacated; also that the public alleys in said plat be vacated and that the Board of Assessors be requested to correct their books so as to have the land shown in said plat placed on the tax rolls as acreage. We therefore offer the following resolution.

Respectfully submitted,

SHERMAN LITTLEFIELD,

Chairman.

By Councilman Littlefield:

Resolved, That "All of the public alley, 18 feet wide, as platted in Mercier's subdivision No. 3 of part of lots 4, 5 and 7 of sub. of E. Martin estate and part of lots 1, 2 and 3 of sub of lot 7 of Christopher Markey estate P. C. 60," be, and the same are hereby vacated; and further

Resolved, That the Plat of "Mercier's subdivision No. 3 of part lots 4, 5 and 7 of sub. of E. Martin estate and part of lots 1, 2 and 3 of sub. of lot 7 of Christopher Markey estate, P. C. 60, City of Detroit, Wayne County, Michigan," as recorded in Liber 37, Page

62 of Plats, Wayne County Records, (excepting, however, all of Southern avenue, as dedicated in above plat), be, and the same is hereby vacated; and further

Resolved, That the Board of Assessors of the City of Detroit be, and it is hereby requested to place the land comprising said plat on the assessment rolls as acreage.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Ver-nor, Watson, and the President.—9.

Nays—None.

Sewers.

To the Honorable the Common Council:

Gentlemen—Your Committee of the Whole has had under consideration the resolution calling attention to inadequate sewage facilities in that part of the city dependent upon the Fairview Pumping Station and directing that the Corporation Counsel be instructed to notify the proper officials of the Village of Grosse Pointe Park that the City of Detroit will cease to take care of the storm water of said village on and after a date to be fixed by the Corporation Counsel and Commissioner of Public Works. After consultation with both of the above officials, your committee recommends that said resolution be amended by striking out the words "Corporation Counsel" where they appear in last paragraph and inserting instead the words "Commissioner of Public Works," in line one and that said resolution, presented by Councilman Bradley on Dec. 7, 1920 (J. C. C. p. 1916), be adopted as above amended.

Respectfully submitted,
SHERMAN LITTLEFIELD,

Chairman.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Ver-nor, Watson and the President—9.

Nays—None.

Taxes.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petitions of E. A. Scribner (5253), Mrs. M. Bastien (5297), S. Kowalski (2249), Jos. Smith (5217), and C. H. Wiltsie (5086), for redemption of tax sales covering general city taxes for the years 1917 and 1918 by reason of the erroneous sale of the properties mentioned in petitions. After consultation with the City Treasurer, we recommend that the petitions be granted, and offer the following resolution.

Respectfully submitted,
SHERMAN LITTLEFIELD,

Chairman.

By Councilman Littlefield:

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of C. H. Wiltsie for the sum of \$59.10, being the amount paid by him, with interest added at the rate of 6 per cent for certificate of title issued against "Lot 4 and N. 5 ft. of lot 5, sub. of block 18 of the sub. of the Joseph Campau Farm, P. C. 609," upon surrender of certificate No. 9235 issued by reason of the non-payment of the general city taxes for the year 1917, said property being owned by E. A. Scribner, and property erroneously sold for delinquent taxes; and further

Resolved, That subject to the assignment of his interest in certificate to the City of Detroit, the Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of C. H. Wiltsie for the sum of \$72.30, being the amount paid by him, with interest added at the rate of 6 per cent for Certificate of Title No. 17570 issued against "Lot 11, Blk. 8, Plat of Reeder, Jerome & Duffield sub. of the E. 354 ft. of P. C. No. 39," etc., by reason of non-payment of general city taxes for the year 1917, said property being owned by Mrs. M. Bastien and erroneously sold for delinquent taxes; and further

Resolved, That the City Treasurer be and he is hereby authorized and directed to accept from Mrs. M. Bastien the original amount of the general city taxes for the year 1917 levied against "Lot 11, Blk. 8, subdivision last mentioned," Ward 16, and cancel balance due, on account of erroneous sale of property; and further

Resolved, That subject to the assignment of his interest in certificate to the City of Detroit, the Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of John Faust for the sum of \$33.78, being the amount paid by him, with interest added at the rate of 6 per cent for Certificate of Title No. 17625 issued against "Lot 19, block 16, Fyfe, Barbour & Warren's sub. of that part of P. C. 260 lying between Horatio street and Warren avenue (Ward 16, f. 497), by reason of the non-payment of general city taxes for the year 1917, said property being owned by S. Kowalski and erroneously sold for delinquent taxes; and further

Resolved That the City Treasurer be and he is hereby authorized and directed to accept from S. Kowalski the original amount of the general city taxes for the year 1917 levied against "Lot 19, Block 16, subdivision last above mentioned (Ward 16, f. 497), and cancel balance due, on account of erroneous sale of property; and further

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of Joseph Smith, c/o 601 Holden Building, for the sum of \$8.10, being the difference between original amount of general city taxes for the year 1918 levied against "Lot 71, Seymour & Troester's Waterworks sub." (Ward 9, f. 460), and amount which he paid for surrender of certificate of title issued against said lot by reason of non-payment of taxes for said year following erroneous sale of said property, upon surrender of Receipt No. 4672 showing redemption of said sale, and further

Resolved, That the Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of C. H. Wiltsie (5086), for the sum of \$53.20, being the amount paid by him, with interest added at the rate of 6 per cent, for Certificate of Title No. 7970—March, 1919, Sale—issued against "Lot 23, Sub. of O. L. 58, St. Aubin Farm, upon surrender of said certificate of title issued by reason of non-payment of special tax, the above described property having been taken by the City of Detroit in the opening of Roby street and erroneously sold for delinquent taxes.

Adopted as follows: