

of the public highway known as the Schoenherr Road within the limits of the City of Detroit to enable said Board of County Road Commissioners to suitably pave and improve said Schoenherr Road outside the limits of said City and so as to connect said proposed pavement and improvement of said Schoenherr Road between the Seven Mile and Eight Mile Roads outside the limits of said City with the existing pavement on the Seven Mile Road within the limits of said City;

Provided, however, the said City of Detroit hereby reserves to itself the control, occupation and use of said two hundred feet of said Schoenherr Road within the limits of said City for public travel thereon and for such other public purposes and uses thereof as the said City now has or may hereafter have necessity to use the same, and for the legitimate purposes and uses granted or hereafter to be granted by said City to any public utility and as fully in those regards as though this resolution had not been adopted.

Adopted as follows:

Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson, and the President Pro Tem—6.
Nays—None.

MONDAY, JULY 23.

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

Vacation of Warren Avenue

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Thos. M. Cotter, et al. (7389), for the vacation of the northerly 4 feet of Warren Avenue, as opened, extending from Kerwin Avenue to alley first east thereof, and adjoining lot 597. Your Committee finds that petitioners are the owners of the adjoining property, and we recommend that said strip be vacated, upon payment to the City of the sum of \$497.36, being the cost of land in condemnation proceedings.

Respectfully submitted,

SHERMAN LITTLEFIELD,
Chairman.

By Councilman Littlefield:

Resolved, That "The northerly 4 feet of Warren Avenue East, as opened, extending from the east line of Kerwin Avenue to the alley first east thereof," be and the same is hereby vacated, to become part and parcel of adjoining lot 597 of Eugene H. Sloan's sub. of that part of P. C. 387 lying north of the center of Mack Avenue as recorded in liber 18, page 50 of Plats of Wayne County Records;

Provided, Petitioners pay into the city treasury within 60 days from the date of the adoption of this resolution the sum of \$497.36, being the cost to the city in condemnation pro-

ceedings of the strip of land herein vacated.

Adopted as follows:

Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson, and the President Pro Tem—6.
Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Joseph Drohan (5175), for the vacation of the 10-foot north alley first north of lot 378 of Stoepel's Greenfield Highlands sub. and all that part of the 18-foot alley first east of and parallel to American Avenue lying between Pere Marquette R. R. and south 20 feet of lot 380, of above subdivision. Your Committee begs to report that petitioner has been joined in said request by Hazelton-Clark Co. and signatures attached to petition represent all owners of property abutting on the alleys requested to be vacated. We recommend that petition be granted on condition that petitioners deed to the city for alley purposes the south 20 feet of lot 380, to provide an outlet for remainder of alley in block bounded by American, Prairie, P. M. R. R. and Westfield Avenue, and provided an agreement is filed to the effect that petitioners will bear the entire cost of paving said new alley, if same is ordered paved at any time in the future, and a waiver of grade separation damages.

Respectfully submitted,

SHERMAN LITTLEFIELD,

Chairman.

By Councilman Littlefield:

Resolved, That "The public alley, 10 feet wide, first north of and adjoining lot 378 of Stoepel's Greenfield Highlands subdivision of a part of the southeast $\frac{1}{4}$ of section 33 as recorded in liber 31, page 1 of Plats of Wayne County Records, extending from the east line of American Avenue to the west line of the public alley first east of and parallel to American Avenue;" also "All that part of the public alley, 18 feet wide, first east of and parallel to American Avenue and lying between the south line of Pere Marquette railroad right-of-way and the north line of the south 20 feet of lot 380 of above mentioned subdivision, extended," be and the same are hereby vacated;

Provided, Petitioners deed to the City of Detroit for alley purposes, the following described property: "The south 20 feet of lot 380, of above mentioned subdivision; and further

Provided, Petitioners file with the City Clerk within 30 days from the date of the adoption of this resolution, an agreement in writing that if at any time in the future the alley described as the south 20 feet of lot 380 of above subdivision shall be ordered graded and paved, the expense of such grading and paving shall be

borne entirely by them, said agreement to also contain a waiver of all grade separation damages that may be suffered by petitioners affecting Lots 378, 379, the north 10 feet of lot 380, lot 495, all of above-mentioned subdivision, and the vacated alleys herein described.

Adopted as follows:

Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson, and the President Pro Tem—6.
Nays—None.

By Councilman Kronk:

Resolved, that the Common Council of the City of Detroit hereby determines that the sum of \$95,146.17 is a just proportion of the compensation awarded by the jury for the property taken by the City of Detroit for the opening of a street 86 feet wide, between the intersection of Six Mile Road and Conant avenue, and a point where the Detroit Terminal Railroad intersects the Six Mile Road at Maine street, as a public street and highway, which should be paid by the owners or occupants of the pieces or parcels of real estate which will thus be benefited by said improvement, which said pieces or parcels of real estate are described in a resolution of the Common Council (J. C. C., p. 844—1921), wherein the assessment district for this improvement was designated; and be it further

Resolved, That there be assessed and levied upon said pieces or parcels of real estate included in said resolution above referred to, the amount of \$95,146.17 as near as may be, to the advantage which each lot or parcel is deemed to acquire by such improvement; and be it further

Resolved, That the Board of Assessors of the City of Detroit be and they are hereby directed and instructed to proceed forthwith to prepare an assessment roll in conformity with the requirements of the Charter of the City of Detroit relating to special assessments for collecting the expense of public improvements where a street is graded, comprising the property hereinbefore referred to and described in said resolution (J. C. C., p. 844—1921), upon which they shall assess and levy the amount of \$95,146.17 each lot or parcel to be assessed at a ratable proportion as near as may be of said amount, in accordance with the amount of benefit derived by such improvement; and be it further

Resolved, That the sum of \$40,776.93 of the award of the jury be paid by the City of Detroit out of the Street Opening Fund; and further

Resolved, That said assessment shall be made in four parts, part one of which shall become due and payable in 30 days after the first publi-

cation by the City Treasurer of the notice of such assessment; and further

Resolved, That the Board of Assessors of the City of Detroit be and they are hereby directed in making out said assessment roll for the opening of said street to credit each piece or parcel of real estate benefited by such improvement with its proportionate share of 70 per cent or \$829.00 of the total sum of \$3,000 received from the sale of buildings condemned in the matter of opening said street which is the same ratio agreed upon in apportioning the verdict rendered by the jury as hereinbefore set forth, which is in conformity with the requirements of the Charter of the City of Detroit relating to special assessments for collecting the expense of public improvements where a street is graded, opened, etc.

Adopted as follows:

Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson, and the President Pro Tem—6.
Nays—None

Opening Alley

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Geo. Richmond, et al (6606), for the opening of alley, 19 feet wide, first east of and parallel to Crane Ave., extending from alley first south of Warren Ave to Forest Ave. Your Committee has also had under consideration the communications from the City Plan Commission, recommending that alley be opened east of Crane and north of Forest Ave., and stating the petitioners are the owners of 53.17 per cent of the property abutting on the alley to be opened. We therefore recommend that petition be granted, and that the Corporation Counsel be directed to prepare the proper resolution for the opening of the public alley, 19 feet wide, first east of and parallel to Crane Ave., extending from the alley first south of Warren Ave. to Forest Ave., as indicated on City Plan Commission blue-print No. 310-13, and submit same to this body for approval.

Respectfully submitted,

SHERMAN LITTLEFIELD,

Chairman.

Accepted and adopted as follows:
Yeas—Councilmen Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem—6.

Nays—None.

Opening Meldrum Avenue

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Mrs. Grace Soule (7579), for the condemnation of property for the continuation of Meldrum avenue, be-