

Street Openings

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the communication from the Clerk of the Recorder's Court, transmitting verdict rendered by a jury of said court in the matter of widening Warren avenue from St. Jean avenue to easterly city limits, where not already open, as a public street and highway. Your committee begs to report that we have had the matter under consideration, and are satisfied that the property in the vicinity is largely benefited by same and should therefore bear a portion of the expense. The award of the jury was \$149,362.25, and we recommend that 85 per cent, or \$126,957.91 be assessed on the local assessment district, and that the remaining portion, viz.: 15 per cent, or \$22,404.34 be paid by the City of Detroit out of the Street Opening Fund, and therefore offer the following resolution.

Respectfully submitted,

ROBT. G. EWALD,

Chairman.

By Councilman Ewald:

Resolved, That the Common Council of the City of Detroit hereby determines that the sum of \$126,957.91 is a just proportion of the compensation awarded by the jury for the property taken by the City of Detroit for the widening of Warren avenue from St. Jean avenue to easterly city limits, where not already open 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 572—1922), 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 \$126,957.91 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., D. 572—1922), upon which they shall assess and levy the amount of \$126,957.91 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 \$22,404.34 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 publication by the City Treasurer of the notice of such assessment.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Littlefield, Vernor and the President Pro Tem—5.

Nays—None.

Building Encroachments

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Wm. D. Ellsworth, et al (9759), for the vacation of a strip of land in Kercheval avenue in front of building in process of erection on lots 81 and 80, Blk. 1, Hart Farm sub., on the south side of Kercheval avenue between Hart and Lycaste avenues. Your committee finds that petitioners have erected a three-story, 25-apartment, brick building on said premises up to a point where the roof is nearly completed, and upon the making of a survey in connection with application for loan, have discovered that the building as erected encroaches upon Kercheval avenue 7-10th of a foot on the east wall of building and 6-10th of a foot on the west wall of building. The building as erected being 7 ft. 4 ins. back from sidewalk and 18 ft. 8 ins from the curb, we recommend that petition be granted on condition and with the understanding that whenever in the future the front of said building may be reconstructed or removed, that any new building or buildings erected on the property in question will be placed on the existing line of Kercheval avenue.

Respectfully submitted,

ROBT. G. EWALD,

Chairman.

By Councilman Ewald:

Resolved, That "all that part of Kercheval avenue described as follows: Beginning at the northwesterly corner of lot 80 in block 1 of the Hart Farm subdivision of part of private claims 641, 638 and 687, City of Detroit, Wayne County, Michigan; thence N. 62 degrees 18'

East along the southerly line of Kercheval avenue 60 feet to a point; thence N. 25 degrees 36' W. 0.70 ft. to a point; thence S. 62 degrees 18' west parallel to the southerly line of Kercheval avenue 60 feet to a point; thence south 25 degrees 36' East 0.70 feet to the place of beginning, containing 42 square feet of land," be and the same is hereby vacated, to become part and parcel of adjoining lots 80 and 81;

Provided That the above portion of Kercheval Ave. is vacated with the understanding and on condition that if at any time in the future the building on said lots 80 and 81 is removed or the front thereof reconstructed, such new front of building or new building or buildings shall be erected on the correct line of Kercheval avenue.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Littlefield, Vernor and the President
Pro Tem—5.

Nays—None.

RESOLUTIONS & ORDINANCES

By Councilman Castator:

Whereas, By resolution adopted May 9, 1922 (J. C. C. p. 891), "All that part of the public alley, first west of and parallel to Lenox avenue and lying between the south line of Kercheval ave. and the south line of the public alley first south thereof," provided the petitioner, James J. Brady paid the sum of \$169.17 into the city treasury within 30 days; and

Whereas, the said sum of money was paid to the City Controller as reported in his communication to the Common Council May 23, 1922 (J. C. C. p. 945); therefore, be it

Resolved, That the City Controller be and is hereby authorized and directed to execute a quit-claim deed covering the property vacated by said resolution of May 9, 1922.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Littlefield, Vernor and the President
Pro Tem—5.

Nays—None.

By Councilman Ewald:

Resolved, That the Department of Public Works be, and is herewith directed to widen the pavement three feet, on the west side of Randolph, from angle north of Cadillac Square to Monroe Avenue, and widen pavement two feet on Broadway, from Monroe to angle north.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Littlefield, Vernor and the President
Pro Tem—5.

Nays—None.

By Councilman Ewald:

Whereas, The Department of Public Works was authorized by resolu-

tion adopted Oct. 23, 1923 (J. C. C. p. 2415) to refund to R. P. Scott the sum of \$40.00, being fee for permit No. 25189 to cut pavement at 4338 and 4344 McGraw avenue to repair water leak, \$12.80 of said sum having been refunded, the remaining \$27.20 representing cost of repaving, etc. not being returned because of no available funds in the department; therefore be it

Resolved, That the Department of Public Works be and is hereby authorized and directed to refund the said sum of \$27.20 to R. P. Scott from any available funds, billing the Board of Water Commissioners for said amount.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Littlefield, Vernor and the President
Pro Tem—5.

Nays—None.

By Councilman Ewald:

Resolved, that the City Controller be and he is hereby directed to make the necessary entries upon his records providing the sum of \$2,000 from General Surplus to an account in the General fund known as Armistice Day Celebration, which will take care of Expenses of the Marine Band to play in Detroit on that day.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Littlefield, Vernor and the President
Pro Tem—5.

Nays—None.

By Councilman Ewald:

Resolved, that the Department of Buildings and Safety Engineering be and is hereby authorized and directed to issue a permit to Bert Baker and W. H. O'Neil (owner in fee of the premises herein referred to) for the construction of a one story frame building 14 feet by 16 feet by 10 feet high, upon the premises known as Northwest corner of Fullerton and Linwood ave, and being lot 161-62 of Robert Oakman's Cherry Lane subdivision,

Provided, That said work shall be performed under the supervision of the Department of Buildings and Safety Engineering and in accordance with plans submitted and approved by said Department, and

Provided, That no right shall be granted to the grantees herein to maintain such building for a longer period than two (2) years from the date of the passage of this resolution, and that during this period said building shall be used only for the purpose of real estate office, and

Provided, That said permit shall be issued only after a copy of this resolution has been duly recorded in the office of the Registrar of Deeds for Wayne County, and

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council and