

Adopted as follows:

Yeas—Councilmen Bradley, Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—9.

Nays—None.

Street Openings—Harper Ave.

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of the East Harper Improvement Assn. (5894), relative to the assessment for the widening of Harper avenue, from Van Dyke Ave. to Cadieux ave., where not already widened, as a public street and highway. After hearing with petitioners, consultation with the Board of Assessors, and careful consideration of the matter, your committee recommends that 50 per cent of the award of the jury be assessed against the property in the assessment district, and 50 per cent against the city at large. We therefore recommend that previous action be rescinded, and offer the following resolutions.

Respectfully submitted,

ARTHUR E. DINGEMAN,
Chairman.

By Councilman Dingeman:

Resolved, That resolution adopted October 9, 1928 (J. C. C., p. 2693), approving and confirming Assessment Roll No. 594 for defraying a part of the expense and cost of taking private property for the widening of Harper Ave., from Van Dyke to Cadieux aves., be and the same is hereby rescinded.

Adopted as follows:

Yeas—Councilmen Bradley, Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—9.

Nays—None.

By Councilman Dingeman:

Resolved, That the Common Council of the City of Detroit hereby determines that the sum of \$264,893.26, is a just proportion of the compensation awarded by the jury for the property taken by the City of Detroit for the widening of Harper ave. from Van Dyke ave. to Cadieux ave., where not already widened, 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. 1614-33, 1923), 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 \$264,893.26 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 street hereinbefore referred to and property in said resolution (J. C. C., p 1614-33, 1923), upon which they shall assess and levy the amount of \$264,893.26, 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 \$264,893.26 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 six 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, 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 widening of said Harper avenue to credit each piece or parcel of real estate benefited by such improvement with its proportionate share of 50 per cent or \$1,045.00 of the total sum of \$2,090.00 received from the sale of buildings condemned in the matter of widening 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 Bradley, Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—9.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Bishop & Weir Inc. (9028), for the

vacation of the east and west alley and a portion of the north and south alley in the block bounded by Brim-son, Filer, Six Mile Road and M. C. R. R., petitioner to deed a new 20-foot alley outlet to Filer Ave. After consultation with the City Plan Commission and careful consideration of request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
ARTHUR E. DINGEMAN,
Chairman.

By Councilman Dingeman:

Resolved, That all of public alley 20 and 30 ft. wide adjoining the northerly line of lots 37 to 50, both inclusive, of Victor Peninsular Resub. of part of lots 6 and 15, lots 7 to 14, both inclusive of Block 24, all of Blocks 25 and 26 and part of the S. 1/2 of Block 27, also that part of Covert Avenue vacated from Mt. Elliott Ave. to M. C. R. R. right of way of the original Plat of Village of Norris as recorded in Liber 3 of Plats, page 30 being part of the east 1/2 of the S. W. 1/4 of Sec. 9, T. 1 S. R. 12 E., as recorded in Liber 51, page 91 of Plats of Wayne County Records.

Also all of public alley 18 ft. wide adjoining the easterly line of the Southerly 10 ft. of lot 52 and adjoining the easterly line of lots 53 to 66, both inclusive, of said Victor Peninsular Resub., be, and the same are hereby vacated to become part and parcel of adjoining property.

Provided petitioner deeds to the City of Detroit for alley purposes, the northerly 20 ft. of lot 52 of said Victor Peninsular Re-sub.

Provided that, if at any time in the future, the alley described as "the northerly 20 ft. of lot 52 of said Victor Peninsular Resub." is ordered graded and paved, the entire expense of such grading and paving shall be borne by petitioner, and further

Provided, Petitioner files with the City Clerk within 30 days from the date of the adoption of this resolution an agreement in writing waiving any and all claims for damages which may accrue to lots 37 to 50, inclusive, and also the southerly 130 ft. of Lot 51 of Victor Peninsular Resub., and alleys hereing vacated by reason of the separation of grades and, further

Resolved, That the City Controller be and is hereby authorized and directed to execute quit-claim deed covering the property herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—9.

Nays—None.

Finance

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the following communications from various departments requesting the transfer of funds, approval of contracts, vouchers, etc. After consultation with the City Controller and the interested department heads, and careful consideration of the requests, your committee recommends that same be granted in accordance with the accompanying resolutions.

Respectfully submitted,
ARTHUR E. DINGEMAN,
Chairman.

Controller

March 23, 1929.

To the Honorable, the Common Council:

Gentlemen—The Supreme Court decision rendered January 7th, 1929, in the case of the Board of Education of the City of Lincoln Park, versus the City of Detroit, 30.85% of the principal and interest of \$90,000.00—15 year 6% bonds dated July 1st, 1920, and \$30,000.00—15 year 6% bonds dated March 1st, 1921, was allocated to the City of Detroit for payment from May 3rd, 1922.

In order to adjust the payment of the past due interest, it will be necessary for the City of Detroit to pay the School District of the City of Lincoln Park the sum of \$15,165.86, which is in accordance with the aforesaid decision. Therefore, Your Honorable Body is requested to authorize the transfer from Notes Payable the sum of \$15,165.86 to Account No. 1, General Interest, Interest Fund.

Respectfully submitted,
P. L. MONTEITH,
Controller.

By Councilman Dingeman:

Whereas, An exigency and emergency has been declared to exist involving the peace, health and safety of the City of Detroit because of the necessity of paying past due interest on bonds, and

Whereas, on account of the foregoing circumstances involving the peace, health and safety of the City of Detroit, it becomes necessary to borrow the sum of \$15,165.86 on the faith and credit of the city to carry out the aforementioned purpose, and be it

Resolved, That the City Controller be and he is hereby authorized and directed to borrow the sum of \$15,165.86 or such parts thereof as needed to defray the expenses of meeting and caring for such exigency and emergency at the lowest possible rate of interest which can be obtained by him in the open market, and therefore, be it