

Cooper East to Pennsylvania Ave. yet to be paid and it is the entire district from Pennsylvania west to Seneca Aves. which the Highway Department purposes to improve first. This sum of \$600,000 will be sufficient to pay the principal and interest on the awards in the district from Cooper to Pennsylvania Aves. and also to pay certain of the awards from Seneca Ave. west.

In order to stop interest, we suggest that your Honorable Body adopt the following resolution.

Respectfully submitted,

JAMES H. LEE,
Principal Assistant
Corporation Counsel.

Approved:

WALTER BARLOW,
Acting Corporation Counsel.

By Councilman Dingeman:

Whereas, The State Highway Commissioner, Murray D. Van Wagoner, has transmitted to the City Controller a check in the sum of \$600,000 to be used to pay certain condemnation awards on Gratiot Avenue (all in accord with the provisions of the so-called City-State Contract); and

Whereas, The awards have been paid in the district from Seneca Avenue east to Cooper Avenue, leaving one block from Cooper Avenue east to Pennsylvania Avenue yet to be paid; and

Whereas, The awards are unpaid from Seneca Avenue west to Townsend Avenue; and

Whereas, It is proposed by the State Highway Commissioner that he do the physical widening in the district between Pennsylvania and Seneca Avenues. Therefore, Be It

Resolved, That the awards in the district between Cooper and Pennsylvania Avenues, as hereinafter enumerated, and from Seneca Avenue west, as hereinafter enumerated, be paid out of this remittance and that the City Treasurer and the City Controller be and are hereby directed to prepare the proper certificate in accordance with the provisions of the charter for the payment of the awards on the following enumerated parcels, with interest thereon computed from the day of the confirmation of the awards to the day of the posting of said certificate, said parcels being as follows:

Parcels 22 to 30, both inclusive, (Maxwell to Seneca Avenues).

Parces 78 to 82, both inclusive (Cooper to Pennsylvania Avenues).

Adopted as follows:

Yeas—Councilmen Breitmeyer, Dingeman, Ewald, Kronk and the President—5.

Nays—None.

Reconsideration

Councilman Ewald moved to reconsider the vote by which the resolution was adopted.

Councilman Kronk moved to suspend Rule 23 except amendment as adopted May 3, 1938 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Breitmeyer, Dingeman, Ewald, Kronk and the President—5.

Nays—None.

Councilman Ewald then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

From The Corporation Counsel

August 22, 1938.

To the Honorable, the Common Council:

Gentlemen—You have referred to this Department the petition of La Salle Land Company (7410) for the vacation of all north and south public alleys east of Outer Drive, West of Beland Avenue, north of Greiner Avenue and south of Linnhurst Avenue, and the declaring of such alleys as easements for public utility purposes only.

The petition has been recommended by the City Plan Commission, in a communication of date July 19th last, attached hereto, and by the City Engineer in a communication of date July 18th last also attached hereto.

We have had the City Engineer check the record description and we recommend the attached resolution, and are returning herewith the petition and other communications with reference thereto.

Respectfully submitted,

JAMES H. LEE,
Principal Assistant
Corporation Counsel.

Approved:

WALTER BARLOW,
Acting Corporation Counsel.

By Councilman Dingeman:

Resolved, That all of north and south public alleys in blocks bounded by Blackmoor, Konczal, Greiner and Linnhurst Avenues more particularly described as all of north and south public alley 18 feet wide in block bounded by Blackmoor, Gruebner, Greiner and Park Grove Avenues and lying between the easterly line of Lots 1981 to 1993, both inclusive, and the westerly line of Lots 1955 to 1967, both inclusive, all in Drennan and Seldon's La Salle College Park Sub. No. 6 of Lots 1, 2, and 4 to 10, inclusive, and part of Lot 3 of Baum-

gartner's Subdivision of the S. W. ¼ of the N. E. ¼ of Sec. 10, T. 1, S. R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 60 page 29 of Plats of Wayne County Records.

Also all of north and south public alley, 18 feet wide in block bounded by Blackmoor, Gruebner, Park Grove and Linnhurst Avenues and lying between the easterly line of Lots 1994 to 2010, both inclusive, and the westerly line of Lots 1938 to 1954, both inclusive, all of last mentioned subdivision, also

All of north and south public alley, 18 feet wide, in block bounded by Gruebner, Konczal, Greiner and Park Grove Avenues and lying between the easterly line of the westerly 5.5 feet of Lot 1901 and the westerly line of the easterly 16.5 feet of Lot 1900 of last mentioned subdivision, being public alley deeded to the City of Detroit and accepted by the Common Council on June 11, 1935, J. C. C. pages 1072 and 1073, and between the easterly and westerly lines of east and west 20 foot alleys vacated May 28th, 1935, J. C. C. page 997, and between the easterly line of Lots 1908 to 1920, both inclusive, and the westerly line of Lots 1882 to 1894, both inclusive, all of last mentioned subdivision, also

All of north and south public alley 18 feet wide in block bounded by Gruebner, Konczal, Park Grove and Linnhurst Avenues and lying between the easterly line of Lots 1921 to 1937, both inclusive, and the westerly line of Lots 1865 to 1881, both inclusive, all of last mentioned subdivision.

Be and the same are hereby vacated as public alleys and converted into public easements, which shall be subjected to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of said lots heretofore mentioned and by their grantees and assigns and their heirs, executors, administrators and assigns forever, to-wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated alleys herein described for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley, in the City of Detroit, with the right of ingress and egress at any time to and over said vacated alley for the purposes above set forth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any kind whatsoever (except the necessary line fences dividing said lots) shall be built or placed upon said 18-foot easements or any part thereof, so that said easements shall be forever

of easy access for the above named purposes.

Third, that said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting that same shall not be opened for the passage of vehicles therein. And further

Resolved, that upon compliance with the above provisions that City Controller be and is hereby directed to issue Quit Claim deeds to LaSalle Land Company and to Arthur L. Meserve and Dorothy Meserve, his wife.

Approved:

WALTER BARLOW,
Acting Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Breitmeyer, Dingeman, Ewald, Kronk and the President—5.

Nays—None.

From the Corporation Counsel

August 22, 1938.

To the Honorable, the Common Council:

Gentlemen—As per your request, we are submitting herewith a revised caption for the so-called D. S. R. amendment, carrying explanatory matter for your approval, the proposed caption being as follows:

A proposed amendment to Sections 13, 14, 23 and 24 of Chapter XIII, Title IV of the Charter of the City of Detroit.

1. That each street car shall be operated by one man who shall perform all the duties of both motorman and conductor.

2. Change in the rate of fare for street cars providing for a five (5) cent fare and one (1) cent transfer.

3. Separate seniority rights for motorcoach operators and street car operators.

4. All maintenance expense and operators' wages of the rail division to be paid out of street car revenues only.

Do you favor amending the Charter of the City of Detroit to provide for a five (5) cent street car fare and a one (1) cent street car transfer charge and regulations for the operation of street cars and rules for transportation employees?

YES ()

NO ()

Very truly yours,
JAMES R. WALSH,
Asst. Corporation Counsel.

Approved:

WALTER BARLOW,
Acting Corporation Counsel.