

May 19

1942

Provided, that this resolution is revocable at the will, whim or caprice of the Common Council and also permits issued by virtue hereof, and grantee hereby expressly waives any right to claim damages or compensation from the City of Detroit for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein, and it is further stipulated that the grantee and their assigns hereby grant the Department of Buildings and Safety Engineering or its agents right of entry onto their property for the purpose of demolishing or removing such building at any time that it may be so ordered by the Common Council and they expressly waive any claim for damages arising from their acts in so entering their premises and removing this building.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Van Antwerp, and the President Pro Tem.—6.

Nays—None.

State Scavenger Sale

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of the following for release of property shown for the scavenger sale: B. Fealk (1223), S. ½ of lot 8, north side of Sherman St. between Orleans and Dequindre, and Chester Makara (1225), S. ½ of lot 33, on the west side of Humboldt Ave., between Butternut and Ash Sts. After consultation with the City Plan Commission, and careful consideration of the requests, your committee recommends that same be denied.

Respectfully submitted,

GEO. EDWARDS,

Chairman.

Accepted and adopted.

Taxes

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were again referred petitions of the McDonough Coal Saving Co. (9376), John E. Niesz (7409), and North Sanitary Hatters (9136), requesting reduction of personal taxes for years 1936 to 1940, and cancellation for years 1933, 1934, 1935 and 1939, respectively. After further consultation with the Board of Assessors, and careful consideration of the requests, your committee recommends that same be denied.

Respectfully submitted,

GEO. EDWARDS,

Chairman.

Accepted and adopted.

Taxes

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Union Guardian Trust Co. (1249), to pay 1931 general city taxes under the 5 percent plan, which were under-estimated from bills as submitted to petitioner. After consultation with the City Treasurer and Corporation with the City, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,

GEO. EDWARDS,

Chairman.

By Councilman Edwards:

Whereas, The Union Guardian Trust Company, Trustee of certain real estate described as lots 1315 to 1311, inclusive, of B. E. Taylor's South-lawn Subdivision No. 3, applied for and did pay on May 8, 1939, under the provisions of the so-called 5 percent plan, all tax bills that were submitted to them; and

Whereas, It appears that inadvertently a tax bill for the year 1931 was not included. Now, therefore, be it

Resolved, That the City Treasurer be and he hereby is authorized and directed to accept payment of the 1931 General City Taxes in the amount of the City bid, plus 5 percent interest thereon.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Van Antwerp, 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 petition of the Motors Metal Mfg. Co. (1221), for the vacation of a portion of the north and south alley lying west of Epworth Ave., between Milford and Tireman Aves. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

GEO. EDWARDS,

Chairman.

By Councilman Edwards:

Resolved, That all that part of north and south public alley in block bounded by P. M. R. R., Epworth, Milford and Tireman Avenues, more particularly described as all of north and south public alley, 20 feet wide as platted in Block 1 of J. Mott Williams Subdivision of part of Fractional Section No. 3, Springwells, Wayne Co., Michigan as recorded in Liber 22, Page 34 of Plats of Wayne County Records and lying west of

and adjoining the westerly line of lots 42 to 48, both inclusive; the westerly line of 30-foot vacated alley (vacated by Resolution of the Common Council of September 14, 1915, J. C. C. pages 1587-8 and November 2nd, 1915, J. C. G. pages 1839-40); the westerly line of lots 50 to 57, both inclusive; the westerly line of the northerly 3.7 $\frac{1}{2}$ feet of lot 58 (vacated by Resolution of the Common Council of October 18th, 1927, J. C. C. pages 2867-8 and by deed recorded October 27th, 1927 in Liber 2718, Page 111 of Deeds of Wayne County Records); all of last mentioned subdivision. Be and the same is hereby vacated to become part and parcel of adjoining property;

Provided, Owners in fee deed to the City of Detroit, the southerly 20 feet of lot 38, also a triangular portion in the northwest corner of said lot 38, being 10 feet on the westerly line of said lot and 10 feet on the northerly line of said southerly 20 feet herein dedicated, all of Block 1 of J. Mott Williams Subdivision of part of Fractional Section No. 3, Springwells, Wayne Co., Michigan as recorded in Liber 22, Page 34 of Plats of Wayne County Records. To be used for alley purposes; and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works the sum of \$183.41, to reimburse the City of Detroit for the expense incurred in the original paving of the alley intersection within the lines of the alley herein vacated in Milford Avenue, west of Epworth Avenue, said amount to apply on the removal and/or reconstruction of returns at all alleys herein vacated and/or dedicated; and further

Provided, Petitioners deposit an additional \$225.85 to cover any cost that may accrue over and above the reimbursement deposit. Any cost in excess of \$183.41 shall be deducted from the \$225.85 deposit and the balance shall be refunded to petitioners; and further

Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the lateral sewer located therein and shall, at all times, have the right to enter upon the premises, if found necessary on account of said sewer to repair same, and provided further, that no buildings or structures are to be constructed or placed over existing sewer unless the existing sewer is rerouted in accordance with plans to be prepared by the City Engineer's Office; and further

Provided, Petitioners reimburse the owners to the extent of the value of any utilities now installed in said alley which it may be necessary to abandon, due to the closing of said alley or bear the entire expense of relocating or rerouting any public utilities which it may be necessary

to reroute or relocate due to the closing of same; and further

Resolved, That upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim Deed to Motors Metal Manufacturing Company, a Michigan Corporation, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Van Antwerp, and the President Pro Tem.—6.

Nays—None.

RESOLUTIONS

By Councilman Edwards:

Whereas, The men of the American Merchant Marine are contributing notably to the war effort of our country by keeping them sailing under any and all conditions so that arms, ammunition, and all supplies can be delivered to our Army and our Allies; and

Whereas, Lakes seamen are contributing equally to the war effort, though in a less dramatic way, by the fast movement of iron ore and other materials needed for the manufacture of war equipment; and

Whereas, President Roosevelt has proclaimed Friday, May 22nd, as National Maritime Day; Therefore

Be it resolved, That the Common Council of the City of Detroit hereby proclaim May 22nd as Detroit Maritime Day in honor of the men of the American Merchant Marine; and signifies that fitting ceremonies be arranged for this occasion. The Common Council also requests that recognition and appreciation of the work of the Merchant Marine be given by the public at large.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Van Antwerp, and the President Pro Tem.—6.

Nays—None.

By Councilman Rogell:

Resolved, that Charles Behrmann, 3444 Field Ave., be and he is hereby appointed constable of the 17th ward, to succeed Stephen Jacob, resigned, he being a suitable person to discharge the duties of said office.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Van Antwerp, and the President Pro Tem.—6.

Nays—None.

And the Council then adjourned.

JOHN C. LODGE,
President Pro Tem.

THOMAS D. LEADBETTER,
City Clerk.