

County Road Commissioners or State Highway Dept., and that as a condition of approval of these requests, said petitioners or anyone in their behalf will not make any claim for damages in any condemnation proceedings commenced by the City of Detroit or Board of Wayne County Road Commissioners or State Highway Dept. for the acquisition of said property in connection with any public improvements, and further

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

Provided, this resolution is revocable at the will, whim or caprice of the Common Council, and grantees acquire no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Castator, Cody, Dorais, Sweeny, Van Antwerp, and the President—6.
Nays—None.

Sale of Public Property

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions to purchase parcels of city-owned property acquired for delinquent taxes. After consultation with the Corporation Counsel, and careful consideration of the requests, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
EUGENE I. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:

Resolved, That the City Controller be and he is hereby authorized and directed to issue quit-claim deeds to the following named persons covering the purchase of the property described, upon payment to the City Treasurer of the amounts shown; city to pay all taxes and assessments to date including 1945 city taxes:

Stanley P. Dimock and Fannie E. Dimock, his wife (8302), "Lots 127 and 128, Mound Blvd. Sub.," east side of Mound Road between State Fair and Lantz, \$400.00 cash, city to pay 1945 county taxes.

Albert F. Gottlieb and Patricia M. Gottlieb, his wife (8303), "Lots 461 and 462, Obenauer-Barber-Laing Co. DuNord Park No. 1 Sub.," northeast corner Whitehill and Grayton, \$1,400.00 cash.

Thomas J. McCarthy and Elbis M. McCarthy, his wife (8307), "Lots 6, King Heights Sub.," east side of

Wayburn between Yorkshire and Grayton, \$630.00 cash.

Maul Macotta Corp., a Michigan corporation (8306), "Rear lots 11 and 12, Rabaut's Sub.," west side of Orleans at alley north of Forest, \$2,000.00 cash.

Joseph A. Wroblewski (8313), "Lots 6 and 7, exc. Michigan Ave. as widened, blk. 1, Sub. of part of P. C. 78, etc.," and "All that part of Lots 6 and 7, blk. 1, same sub.," south side of Michigan between W. Grand Blvd. and Vinewood, \$1,700.00 cash, city to pay 1945 county taxes, and further

Resolved, That the Corporation Counsel be and he is hereby directed to prepare said deeds.

Adopted as follows:

Yeas—Councilmen Castator, Cody, Dorais, Sweeny, Van Antwerp, and the President—6.

Nays—None.

Tax Foreclosure

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Connie Marx (8019), requesting that the city discontinue tax foreclosure proceedings on property on the south side of Rochester between Lawton and Wildemere, and allow same to be sold by the State Land Office Board. After consultation with the Corporation Counsel, and careful consideration of the request, your committee recommends that same be denied.

Respectfully submitted,
EUGENE I. VAN ANTWERP,
Chairman.

Accepted and adopted.

Vacation of Alleys

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Clare Snell, et al (4395), for the conversion of alley into easement in block bounded by Outer Drive, Ward, Sorrento and St. Martins Avenues. 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,
EUGENE I. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:

Resolved, That all of north and south and east and west public alleys, 16 feet wide, in block bounded by Ward Avenue, Sorrento Avenue, W.

Outer Drive and St. Martins Avenue, more particularly described as all of north and south public alley, 16 feet wide, as platted in Greenwich Park, a subdivision of the S. W. $\frac{1}{4}$ of Sec. 5, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 41, page 28 of Plats of Wayne County Records, and lying east of and adjoining the easterly line of lots 646 to 655, both inclusive, and west of and adjoining the westerly line of lots 686 to 695, both inclusive, all as platted in last mentioned subdivision.

Also, all of east and west public alley, 16 feet wide, as platted in Greenwich Park Subdn. No. 1, of the vacated portion of Greenwich Park Subdn. of the S. W. $\frac{1}{4}$ of Sec. 5, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 45, page 28 of Plats of Wayne County Records, lying north of and adjoining the northerly line of lots 1075 to 1078, both inclusive, all of last mentioned subdivision, and south of and adjoining the southerly line of lots 646 and 695 of Greenwich Park Subdn. heretofore mentioned, and south of and adjoining the southerly line of 16 foot north and south public alley above described and herein vacated,

Be and the same are hereby vacated as public alleys and converted into 16 foot public easements, which easements shall be subjected to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of said lots and by their grantees and assigns, and their heirs, executors and 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 public 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 to ingress and egress at any time to and over said easement 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 necessary line fences) shall be built or placed upon said easements or any part thereof, so that said easements shall be forever of easy access for the purposes named above;

Third, that said easements shall be used for the same purposes for which public alleys are generally used in the City of Detroit excepting that the same shall not be opened for the

passage of vehicles therein, and further,

Provided, that by reason of the vacation of the above described alleys, the City of Detroit does not waive any rights in the lateral sewers located therein and at all times shall have the right to enter the premises, if found necessary, on account of said sewers to repair same, and further,

Resolved, That upon compliance with the above provisos, the City Controller be and he is hereby directed to issue Quit Claim deeds to Bruce D. Foster and Ella M. Foster, his wife; Milton W. Rand and Maud Rand, his wife; Charles J. Demmer and Helen Demmer, his wife; Estel L. Todd and Marion L. Todd, his wife; Walter Clyde Worley and Mary B. Worley, his wife; John M. Austin and Gwendolyn F. Austin, his wife; Joseph Webb Fogarty and Ellen Fogarty, his wife; Clyde C. Crane Jr. and Virginia M. Crane, his wife; Wilfred A. Geldart and Ernestine J. Geldart, his wife; William Wilkinson and Lucille Wilkinson, his wife; Dean W. Howland; Alex C. McKibbin and Jennie M. McKibbin, his wife; Arthur P. Kaiser; Sam Borin; George E. McKeough and Velna McKeough, his wife; Henry G. Wholihan and Norma C. Wholihan, his wife, as tenants by the entireties and not as tenants in common; Joseph H. Embury and Maud C. Embury, his wife; Benjamin E. Franklin and Lylah M. Franklin, his wife; and Joseph H. Embury and Maud C. Embury, his wife, and Ben E. Franklin and Lylah M. Franklin, his wife; as owners in fee of the adjoining property, and further,

Resolved, That upon receipt of proper evidence that all taxes are paid on the abutting property, the City Engineer be and he is hereby directed to release said deeds.

Adopted as follows:

Yeas—Councilmen Castator, Cody, Corais, Sweeny, Van Antwerp, and the President—6.

Nays—None.

Vacation of Alleys

To the Honorable, the Common Council:

Gentlemen: To your Committee of the Whole was referred petition of Tony Leo (5258), for the vacation of alley in block bounded by Greendale, Grixdale, Omira aves. and the Grand Trunk Railroad. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,

EUGENE I. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:

Resolved, That all of public alleys 10 and 15 feet wide in block bounded by the Detroit, Grand Haven and Milwaukee R. R., Omira Avenue, Greendale Avenue and Grixdale Avenue, more particularly described as all of north and south public alley 10 feet wide as platted in Kiefer Homes Subdivision of part of S. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of Section 12 and part of N. E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of Sec. 12, T. 1 S. R. 11 E., lying east of D. G. H. & M. R. R., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 34 Page 14 of plats of Wayne County Records, lying between the southerly line of Greendale Avenue, 50 feet wide as now established, and the northerly line of Greendale Avenue, 50 feet wide as now established, and lying west of and adjoining the westerly line of lots 281 and 316 of last mentioned subdivision, and west of and adjoining the westerly line of 15 foot east and west public alley, hereinafter described and herein vacated;

Also., all of east and west public alley, 15 feet wide as platted in Kiefer Homes Subdivision heretofore mentioned, lying south of and adjoining the southerly line of lots 281 to 284 both inclusive, and north of and adjoining the northerly line of lot 316, all lots as platted in last mentioned subdivision, said alley also lying between the westerly line of Omira Avenue, 50 feet wide as now established, and a line, said line being the westerly line of lot 316 of last mentioned subdivision, extended northerly;

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property,

Provided, petitioner pays into the City Treasury the sum of \$137.64 to reimburse the City of Detroit for the cost of the original paving of Grixdale and Greendale Avenues across the alleys herein vacated, said amount to be credited to General Road Fund Revenue Code No. 143-6221-1, and further,

Provided, that if at any time in the future it becomes necessary to remove existing alley returns at the intersection of the alleys herein vacated, and to reconstruct the curbing and sidewalks incidental with such removal, the entire cost of such work shall be borne by the petitioners, their heirs, executors or assigns, in accordance with their agreement on file with the original petition, and further,

Resolved, That upon compliance with the above provisos the City Controller be and he is hereby directed to issue a Quit Claim deed to Anthony A. Leo and Antoinette Leo, his wife, as owners in fee of the adjoining property, and further,

Resolved, That upon receipt of proper evidence that all taxes are

paid on the abutting property, the City Engineer be and he is hereby directed to release said deed.

Adopted as follows:

Yeas—Councilmen Castator, Cody, Dorais, Sweeny, Van Antwerp, and the President—6.

Nays—None.

Finance

To the Honorable, the Common Council:

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

Respectfully submitted,
EUGENE I. VAN ANTWERP,
Chairman.

Controller

November 12, 1945.

To the Honorable, the Common Council:

Gentlemen—This office has had referred to it claims of the Red Indian Oil Company, 12401 Cloverdale Avenue, against the City of Detroit for unreturned containers covering shipments consigned to various City departments during the period from February 10, 1938 to November 20, 1940 and for discounts not allowed by the vendor during 1940, 1943 and 1944.

These claims have been carefully investigated by this office and were found to be justified. The City's liability has been established as \$389.00 for unreturned containers and \$550.82 for discounts taken in error, or a total liability of \$939.82, and we recommend that your Honorable Body authorize the payment of the same.

In view of the above facts, may we respectfully request the adoption of the attached resolution.

Respectfully submitted,
CHARLES G. OAKMAN,
Controller.

By Councilman Sweeny:

Resolved, that the City Controller be and he is hereby authorized and directed to transfer the sum of \$939.82 from General Surplus to Account 51-S, "Miscellaneous Expense—Payment of unreturned containers and discounts deducted in error," within the General Fund.

Approved:

PAUL T. DWYER,
Acting Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Castator, Cody,