

of Wayne County Road Commissioners, requesting the dedication of certain property owned by the City of Detroit, to be used in the widening of Mack Avenue. This property is at the present time occupied by a building used for restaurant purposes, for which rental is being paid to the City. The petition of the Road Commission requests dedication of the property with the understanding that the rent for the restaurant is to be paid to the City of Detroit and the building permitted to remain on the land until the property is required for the actual physical widening.

We are therefore suggesting the adoption of the attached resolution authorizing the Controller to execute a quit claim deed dedicating the property but to withhold delivery of the deed until such time as the property is needed for the actual physical widening, so that the City can retain title and the right to the rental from the building.

We recommend the adoption of the attached resolution.

Very truly yours,  
JOHN H. WITHERSPOON,  
Asst. Corporation Counsel.

Approved:  
WILLIAM E. DOWLING,  
Corporation Counsel.

Wayne County Road Commissioners  
March 5, 1946.

To the Honorable, the Common Council:

Gentlemen—On December 26, 1945, this Board made a formal application for dedication of the following described property in connection with the widening of Mack Avenue:

The easterly part of lots 4 and 5 of "Columbia" Freund's Subdivision of Lots 26 to 33, inclusive, of Michael Cadieux Estate Private Claims 506 and 564, Grosse Pointe (now City of Detroit), Wayne County, Michigan, as recorded in Liber 17, page 93, Wayne County Records; said easterly part of Lots 4 and 5 is all that part of said Lots 4 and 5 lying easterly of the westerly line of Mack Avenue as proposed to be widened, which proposed westerly line of Mack Avenue is described as beginning at a concrete monument set in the southerly line of Lot 1 of said subdivision, distant N. 29d. 04m. 37s. West, 38.45 feet from the existing southeast corner of said Lot 1; thence N. 44d. 12m. 49s. East, 131.58 feet along the proposed westerly right of way line of Mack Avenue; thence N. 34d. 31m. 08s. East, 139.90 feet also measured along the proposed westerly right of way line of Mack Avenue to a point of intersection with the existing westerly right of way of Mack Avenue.

Said easterly part of Lots 4 and 5

measures 50.89 feet along the line common to Lots 3 and 4; 40.07 feet along the line common to Lots 4 and 5 and 29.28 feet along the line common to Lots 5 and 6 of said subdivision.

We are about to institute condemnation proceedings for the widening of Mack Avenue and we are desirous of obtaining this dedication from you in order that we may complete the right of way acquisitions at an early date.

Very truly yours,  
WM. J. STRASSER,  
Engineer of Right of Way.

By Councilman Dorais:

Resolved, That the Controller be and he is hereby authorized and directed to dedicate and convey by quitclaim deed to the Board of County Road Commissioners of Wayne County, for highway widening purposes, the property described as:

The easterly part of Lots 4 and 5 of "Columbia" Freund's Subdivision of Lots 26 to 33, inclusive, of Michael Cadieux Estate Private Claims 506 and 564, Grosse Pointe (now City of Detroit), Wayne County, Michigan, as recorded in Liber 17, page 93, Wayne County Records; said easterly part of Lots 4 and 5 is all that part of said Lots 4 and 5 lying easterly of the westerly line of Mack Avenue as proposed to be widened, which proposed westerly line of Mack Avenue is described as beginning at a concrete monument set in the southerly line of Lot 1 of said subdivision, distant N. 29d. 04m. 37s. West, 38.45 feet from the existing southeast corner of said Lot 1; thence N. 44d. 12m. 49s. East, 131.58 feet along the proposed westerly right of way line of Mack Avenue; thence N. 34d. 31m. 08s. East 139.90 feet also measured along the proposed westerly right of way line of Mack Avenue to a point of intersection with the existing westerly right of way of Mack Avenue.

And be it further,

Resolved, That the Controller be and he hereby is authorized and directed to withhold delivery of the deed until the land described therein is actually needed for the physical widening of Mack Avenue.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Oakman, Rogell, and the President Pro Tem.—6.

Nays—None.

Corporation Counsel

May 1, 1946.

To the Honorable, the Common Council:

Gentlemen—Some time ago you referred to this office a petition relative to an exchange of property located to the North of Mack Avenue

and bounded on the East and North by Canyon Avenue and on the West by Moon Avenue. It appears from the petition that the Augustinian Fathers (7988), desire to acquire a site for a high school to be erected and operated by that Order. The piece of property desired is owned by the City of Detroit, a part of which was acquired by tax foreclosure proceedings and a portion acquired from the State. The property in question has been allocated to the Department of Parks and Recreation for development and use.

A sketch is attached identifying the parcels involved as Parcels A to H, which will serve to clarify the exchange contemplated.

Petitioner proposes to purchase certain parcels owned by the City of Grosse Pointe lying Westerly of Moon Avenue and to effect an exchange of that portion of said parcels lying Northerly of the center line of Warren Avenue indicated as Parcels G and H with the State Land Office Board in order that the City would acquire from said Board said Parcels G and H in exchange for the parcels desired by the petitioner. Parcels desired by the petitioner are located between Mack Avenue and Warren Avenue and described as Parcels B, D and F.

The trade has been recommended and approved by the City Plan Commission and the Parks and Recreation Department. It was referred to this office for an opinion because a portion of the property was acquired by the City of Detroit from the State Land Office Board and the question of our right to make an exchange was involved.

The State Land Office Board is empowered to trade or exchange property and the petitioner's request can, therefore, be granted by a conveyance of that portion of the property acquired by the City from the State located between Mack and Warren Avenues and designated as Parcels B and F. Parcel D was acquired by the City in tax foreclosure proceedings and that parcel can be conveyed directly to petitioner. The State could then trade Parcels F and B, located between Warren and Mack Avenues, for Parcels H and G, located Westerly of Moon Avenue and between Warren and Canyon Avenues. Parcels H and G could then be conveyed by the State Land Office Board to the City of Detroit for park and recreation purposes.

In addition, a small piece of the property now owned by the City of Detroit, located immediately to the North of Mack Avenue, is desired by the County of Wayne for the widening of Mack Avenue. A portion of this parcel was acquired by the City of Detroit by tax foreclosure proceed-

ings and part of it by conveyance from the State of Michigan. The City can dedicate its portion designated as Parcel C for the widening of Mack Avenue and the other part described as Parcels A and E can be conveyed to the State of Michigan, which would be empowered to convey said property to the petitioner and by the petitioner to the County of Wayne for the purpose of widening Mack Avenue.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
JOHN H. WITHERSPOON,  
Asst. Corporation Counsel.

Approved:

WILLIAM E DOWLING,  
Corporation Counsel.

By Councilman Dorais:

Whereas, The Augustinian Fathers desire to acquire a parcel of land now owned by the City of Detroit for the purpose of erecting a high school thereon; and

Whereas, The County of Wayne desires a portion of said property for the widening of Mack Avenue; and

Whereas, The Order of the Augustinian Fathers agrees to purchase parcels of property now owned by the City of Grosse Pointe, to be exchanged and ultimately to be conveyed to the City of Detroit for use by the Parks and Recreation Department; and

Whereas, Said exchange appears to be desirable for the City of Detroit, as indicated by the communication from the City Plan Commission and the Corporation Counsel hereinbefore set forth. Now, therefore, be it

Resolved, that the Controller be and he hereby is authorized and directed to execute a quit claim deed covering parcel A, described as:

All that part of lot 13 of plat of partition of P. C. 300, being the estate of Oliver Rivard as recorded in Liber 221 of deeds on page 329, Wayne County Records, more particularly described as follows: Beginning at a point in the intersection of the easterly line of Moon Avenue, 30 feet wide as now established, with the northerly line of Mack Avenue as now established; thence along the northerly line of Mack Avenue, N. 18d. 52m. 47s. E., 107.86 feet to a point in the easterly line of said lot 13; thence along said easterly line of lot 13, N. 27d. 01m. W., 72.67 feet to a point in the proposed new northerly line of Mack Avenue as proposed to be widened; thence along said proposed northerly line of Mack Avenue, S. 19d. 03m. 13s. W., 105.90 feet to a point in the easterly line of Moon Avenue, 30 feet wide;

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thence along said easterly line of Moon Avenue, S. 26d. 05m. 53s. E., 74.26 feet to the place of beginning, to be used for street purposes and to be known as Mack Avenue, containing .12859 acres more or less;

and parcel E. described as:  
 All that part of Lot 12 of Jane L. Fisher's Subdivision of part of Private Claim No. 241, Grosse Pointe, Wayne County, Michigan, as recorded in Liber 7 of Plats on page 19, Wayne County Records, more particularly described as follows: Beginning at a point in the intersection of the westerly line of said Lot 12 with the northerly line of Mack Avenue as now established; thence along said northerly line of Mack Avenue N. 18d. 52m. 47s. E., 389.55 feet to a point in the westerly line of Canyon Avenue, 60 feet wide as now established; thence along said westerly line of Canyon Avenue, N. 27d. 01m. W., 69.38 feet to a point, said point being in the proposed new northerly line of Mack Avenue; thence southerly 19d. 03m. 13s. W., 388.52 feet to a point in the westerly line of said lot 12; thence along the westerly line of said lot 12, S. 27d. 01m. E., 71.07 feet to the place of beginning, to be used for street purposes and to be known as Mack Avenue, containing .4512 acres more or less.

to the State of Michigan, said lands, when acquired by petitioner are to be conveyed to the County of Wayne to be used in the widening of Mack Avenue; and be it further

Resolved, that the Controller be and he hereby is authorized and directed to execute a quit claim deed covering parcel C described as:

All that part of Lot 11 of Jane L. Fisher's Subdivision of part of Private Claim No. 241, Grosse Pointe, Wayne County, Michigan, as recorded in Liber 7 of plats on page 19, Wayne County Records, more particularly described as follows: Beginning at a point in the intersection of the westerly line of said Lot 11 with the northerly line of Mack Avenue as now established; thence along said northerly line of Mack Avenue, N. 18d. 52m. 47s. E., 372.68 feet to a point in the easterly line of said Lot 11; thence along said easterly line of said Lot 11, N. 27d. 01m. W., 71.07 feet to a point; the said point being in the proposed new northerly line of Mack Avenue as proposed to be widened; thence along said proposed northerly line of Mack Avenue, S. 19d. 03m. 13s. W., 371.57 feet to a point in the westerly line of said Lot 11; thence along said westerly line of said lot 11, S. 27d. 01m. E., 72.67 feet to the place of beginning, to be used for street purposes and to be known as Mack

Avenue, containing .4416 acres more or less, to the County of Wayne for use in the widening of Mack Avenue; and be it further

Resolved, that the Controller be and he hereby is authorized and directed to convey by quitclaim deeds parcel B described as:

All that part of Lot 13 of plat of partition of P. C. 300 being the estate of Oliver Rivard as recorded in Liber 221 of Deeds on page 329, Wayne County Records, more particularly described as follows: Beginning at a point in the easterly line of Moon Avenue, 30 feet wide as now established, said point being distant N. 26d. 05m. 53s. W., 74.26 feet from the intersection of the said easterly line of Moon Avenue with the northerly line of Mack Avenue as now established, said point also being in the new northerly line of Mack Avenue as proposed to be widened; thence along said proposed new north line of Mack Avenue, N. 19d. 03m. 13s. E., 105.90 feet to a point in the easterly line of said Lot 13 of last mentioned subdivision; thence along said easterly line of said Lot 13, N. 27d. 01m. W., 1225.97 feet to a point in the southerly line of Warren Avenue, 105 feet wide as now established; thence along said southerly line of Warren Avenue, S. 63d. 24m. 47s. W., 53.36 feet to a point in the easterly line of Moon Avenue, 30 feet wide as now established; thence along said easterly line of Moon Avenue, S. 25d. 54m. 43s. E., 631.06 feet to a point; thence continuing along said easterly line of Moon Avenue, S. 26d. 05m. 53s. E., 669.17 feet to the place of beginning, containing 1.8854 acres more or less,

and parcel F described as:

All that part of Lot 12 of Jane L. Fisher's Subdivision of part of Private Claim No. 241, Grosse Pointe, Wayne County, Michigan, as recorded in Liber 7, of Plats on page 19, Wayne County Records, more particularly described as follows: Beginning at a point in the westerly line of said lot 12, said point being distant N. 27d 01m W., 71.07 feet from the intersection of said westerly line of Lot 12 with the northerly line of Mack Avenue as now established, said point also being in the new northerly line of Mack Avenue as proposed to be widened; thence along said proposed new north line of Mack Ave., N. 19d 03m 13s E., 388.52 feet to a point in the westerly line of Canyon Avenue, 60 feet wide as now established; thence along said westerly line of Canyon Avenue, N. 27d 01m W., 694.52 feet to a point in the southerly line of Warren Ave., 105 feet wide as now established;

thence along said southerly line of Warren Avenue, S. 63d 24m 47s W., 279.82 feet to a point in the westerly line of said Lot 12 of last mentioned subdivision; thence along said westerly line of said lot 12, S. 27d 01m E., 966.17 feet to the place of beginning, containing 5.3338 acres more or less.

to the State of Michigan: Provided said Land Office Board conveys to the City of Detroit for public purposes parcel G described as:

All that part of Lots 14 and 15 of plat of partition of P. C. 300, being the estate of Oliver Rivard as recorded in Liber 221 of deeds on page 329, Wayne County Records, more particularly described as follows: Beginning at a point in Lot 14 of last mentioned subdivision, said point being the intersection of the northerly line of Chandler Park Drive, 150 feet wide as now established with the westerly line of Moon Avenue, 30 feet wide as now established; thence along said westerly line of Moon Avenue, N. 25d 55m 20s W., 2073.90 feet to a point in the southerly line of Canyon Avenue, 33 feet wide as now established at this point; thence along the southerly line of Canyon Avenue, N. 61d 40m 20s W., 354.19 feet to a point in the westerly line of Lot 15 of last mentioned subdivision; thence along said westerly line of said Lot 15, S. 25d 59m E., 2353.64 feet to a point in the northerly line of Chandler Park Drive, 150 feet wide; thence along said northerly line of Chandler Park Drive, N. 66d 14m 27s E., 204.58 feet to the place of beginning, containing 10.4489 acres more or less,

and parcel H described as:

All that part of Lots 14 and 15 of Plat of partition of P. C. 300, being the estate of Oliver Rivard as recorded in Liber 221 of deeds on page 329, Wayne County Records, more particularly described as follows: Beginning at a point in Lot 14 of last mentioned subdivision said point being the intersection of the northerly line of Warren Avenue, 105 feet wide as now established with the westerly line of Moon Avenue, 30 feet wide as now established; thence along the said westerly line of Moon Ave., N. 25d 54m 20s W., 1861.27 feet to a point in the southerly line of Chandler Park Drive, 150 feet wide as now established; thence along said southerly line of Chandler Park Drive, S. 66d 14m 27s W., 204.50 feet to a point in the westerly line of lot 15 of last mentioned subdivision; thence along said westerly line of Lot 15, S. 25d 57m 28s E., 1871.35 feet to a point in the northerly line of Warren Ave.,

105 feet wide; thence along said northerly line of Warren Avenue, N. 63d 24m 47s E., 202.65 feet to the place of beginning, containing 8.71867 acres more or less.

And be it further resolved, That the Controller be and he hereby is authorized and directed to convey by quitclaim deed parcel D described as:

All that part of Lot 11 of Jane L. Fisher's Subdivision of part of Private Claim No. 241, Grosse Pointe, Wayne County, Michigan, as recorded in Liber 7 of Records, page 19, Wayne County Records, more particularly described as follows: Beginning at a point in the westerly line of said Lot 11, said point being distant N. 27d 01m W., 72.67 feet from the intersection of the northerly line of Lot 11, with said westerly line of Mack Avenue as now established, said point also being in the new northerly line of Mack Avenue as proposed to be widened; thence along said proposed new north line of Mack Ave., N. 19d 03m 13s E., 371.57 feet to a point in the easterly line of said lot 11; thence along said easterly line of said lot 11, N. 27d 01m W., 966.17 feet to a point in the southerly line of Warren Avenue, 105 feet wide as now established; thence along said southerly line of Warren Avenue, S. 63d 24m 47s W., 267.61 feet to a point in the westerly line of said lot 11 of last mentioned subdivision; thence along said westerly line of said Lot 11, S. 27d 01m E., 1225.97 feet to the place of beginning, containing 6.7334 acres more or less,

to the Province of Our Mother of Good Counsel of the Augustinian Order, organized and existing under the laws of the State of Illinois, in consideration of their purchase of Parcels H and G, hereinbefore described and conveyance to the State of Michigan so that said parcels may be conveyed by the State Land Office Board to the City of Detroit; and be it further

Resolved, That a certified copy of this resolution be forwarded by the City Clerk to the State Land Office Board.

Approved:

WILLIAM E. DOWLING  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Oakman, Rogell, and the President Pro Tem.—6.  
Nays—None.

Corporation Counsel

May 6, 1946

To the Honorable, the Common Council:

Gentlemen—At the request of the Detroit Board of Commerce I am sub-