

after deducting legal and advertising expenses agreed to by this office amounted to a net premium to the city of \$10,413, and reduced our interest cost from 2¼% to 2.018%.

We are requesting an amendment to the State Act, in the next session of the legislature, that will allow municipalities to sell the certificates at public sale and pay the vendor in cash from the proceeds of said sale. This will enable municipalities to secure the most favorable prevailing interest rates at the time of deliveries of voting machines.

This completes the issuance of such certificates authorized by your Honorable Body on November 3, 1953, J.C.C. pages 2507-2509.

Respectfully submitted,  
E. P. RIEHL,  
Deputy Controller.  
Received and placed on file.

#### Controller

December 23, 1953.

Honorable Common Council:

Gentlemen—On December 17, 1953, there was delivered to the City Treasurer in New York City \$4,000,000 City of Detroit Non-Callable Public Sewer Bonds, Series S, dated August 15, 1953, maturing and bearing interest rates as follows:

\$680,000 due 8-15-55/64, inclusive, at 4% per annum.

\$912,000 due 8-15-65/70, inclusive, at 3¼% per annum.

\$1,004,000 due 8-15-71/76, inclusive, at 3% per annum.

\$996,000 due 8-15-77/81, inclusive, at 2¼% per annum.

\$408,000 due 8-15-82/83, inclusive, at 1% per annum.

The Treasurer was instructed to deliver these bonds to the successful bidder, The First National Bank of the City of New York, and to collect the sum of \$3,960,134.61, arrived at as shown below:

Principal—\$4,000,000.00.

Accrued interest to December 17, 1953—\$40,134.61.

Total—\$4,040,134.61.

Less: Cashier's check with proposal—\$80,000.00.

Balance due—\$3,960,134.61.

The principal, or \$4,000,000, was deposited in the National Bank of Detroit, and accrued interest in the amount of \$40,134.61 was deposited in the Manufacturers National Bank of Detroit.

This completes the sale of \$4,000,000 Public Sewer Bonds, Series S, authorized by your Honorable Body on April 28, 1953, J.C.C. pages 894-898.

Respectfully submitted,  
E. P. RIEHL,  
Deputy Controller.  
Received and placed on file.

#### Corporation Counsel

December 22, 1953.

Honorable Common Council:

Gentlemen—A report is herewith submitted in reference to the following:

Case No. 2188, in the Recorder's Court, entitled: In the matter of opening of Southern Avenue between Lonyo Road and Central Avenue, where not already opened and widened as a public street and highway.

This case, which was referred to the writer for trial, has been completed, and verdict rendered December 18, 1953, in the amount of \$42,350.00. The taking consisted of 4 parcels of land, a strip approximately 60 x 1512 feet from abutting property and adjacent to the north line of the Michigan Central R. R. right-of-way.

In order to make provision for payment, when confirmed, the attached resolution is submitted for your consideration.

Respectfully submitted,  
FRANK J. WENDT,  
Asst. Corp. Counsel.

By Councilman Garlick:

Whereas, Verdict was rendered December 18, 1953, in the amount of \$42,350.00, in Case No. 2188 in the Recorder's Court, entitled; In the matter of opening of Southern Avenue between Lonyo Road and Central Avenue, where not already opened and widened, as a public street and highway; and

Whereas, Money is available for the payment of said verdict; Now, Therefore, Be It

Resolved, That the City Controller and City Treasurer take all necessary steps to provide for the transfer of the sum necessary to pay the amount of said verdict, when confirmed, together with interest thereon, at the rate of five (5%) per cent per annum from the date of confirmation to the date of posting of the sum for payment thereof; and be it further

Resolved, That the City Treasurer be and he is hereby directed to make and file duplicate certificates showing the amount of money that is in the Treasury for the payment of the award, as is provided for under the provisions of the Charter of the City of Detroit.

Approved:

PAUL T. DWYER,  
Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

#### Corporation Counsel

December 16, 1953.

Honorable Common Council:

Gentlemen—On August 6, 1952, O. B. Hart Company, a Michigan corpora-

ation, commenced an action in trespass on the case, Wayne Circuit Court cause No. 269-240, against the City of Detroit claiming damages in the amount of \$10,000. Said Company accused the City of Detroit of appropriating 7 feet of land for alley purposes from the rear of lots owned by it, namely, Lots 1 to 5, inclusive, of C. W. Harrah's Seven Mile Road Subdivision located on the south side of West Seven Mile Road, Detroit, Michigan. Subsequent to the commencement of said suit, the Board of County Road Commissioners of Wayne County was also made a party defendant in said cause. Said Board was also accused of appropriating 7 ft. of land for street purposes from the front of said lots.

The City of Detroit has denied appropriating said 7 ft. of land. The attorney for said O. B. Hart Company has submitted to our office a proposition for settlement, a copy of which is hereto attached. We have been informed by the City Engineer that acceptance of the proposition will not affect the City's rights in said alley in any way, nor the status quo of the parties as it existed at the commencement of said cause.

We recommend the acceptance of the attached quitclaim deed from said O. B. Hart Company to the City of Detroit, and that your Honorable Body adopt the attached resolution authorizing the Controller's office to execute a quitclaim deed on behalf of the City of Detroit to the O. B. Hart Company, a copy of which is hereto attached, to effectuate the said settlement.

Respectfully submitted,  
ANDREW DIMAGGIO,  
Assistant Corporation Counsel.

By Councilman Garlick:

Resolved, That the Corporation Counsel is hereby authorized to settle the case of O. B. Hart Company, a Michigan corporation, v. City of Detroit, et al., Wayne Circuit Court cause No. 269-240, in conformity with the foregoing communication; and to effectuate settlement thereof, the quit claim deed of O. B. Hart Co., a Michigan corporation, to the City of Detroit covering "the 20 ft. East-West public alley first south of West Seven Mile Road and parallel thereto, east of Greenview ave., the north line of which lies 153 ft. south of and parallel to the north line of Sec. 11, T 1 S., R. 10 E., said alley having been laid out in C. W. Harrah's Seven Mile Road Subdivision recorded in Liber 57, page 79 of Plats, Wayne County Records, lying adjacent to lots 1 to 5, both inclusive of said subdivision", be and the same is hereby accepted and the City Controller is directed to record said deed

in the office of the Register of Deeds for Wayne County, and further

Resolved, That the City Controller be and he is hereby authorized and directed to execute a quit-claim deed, on behalf of the City of Detroit, to O. B. Hart Company, a Michigan corporation, covering the north 7 ft. of lot 134, C. W. Harrah's Seven Mile Road Subdivision, etc., said deed to be prepared and approved by the Corporation Counsel as to form and execution.

Approved:

PAUL T. DWYER,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

#### Board of Assessors

December 23, 1953.

Honorable Common Council:

Gentlemen—We herewith transmit to your honorable body Assessment Roll number 320-C, for constructing cement sidewalks in front and adjoining the lots and parcels of land described therein.

The usual notice required by law has been given to the parties in interest, as will appear by the annexed notice and affidavit of publication. We have, therefore, signed the same, and report them to your honorable body.

Respectfully submitted,  
HOMER R. MARSON,  
President.

By Councilman Connor:

Resolved, That Assessment Roll number 320-C in the amount of \$12,085.47, for constructing cement sidewalks in front of and adjoining the lots and parcels of land described therein, are hereby approved and confirmed, that the description of premises and the names of persons contained therein are received as correct; and that the sums set forth in the said Assessment Roll is the correct one which each individual or set of individuals should be assessed at and pay, and that the said assessments be collected from the several persons liable to pay the same according to law.

I approve the form of the above resolution.

PAUL T. DWYER,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

#### Board of Assessors

December 23, 1953.

Honorable Common Council:

Gentlemen—We respectfully request