

your Honorable Body whereby the Controller was authorized and directed to execute deeds for the sale of City-owned property, final payment has been received and deeds issued as follows:

JCC: July 20, 1943, page 2034.

Hygrade Food Products Corporation, a New York corporation, 2811 Michigan Ave., Detroit 16, Michigan.

"Lot 9, except a triangular piece in the northeast corner thereof deeded to the Michigan Central Railroad, and Lots 10 to 21, inclusive, of William Warner's Sub."

JCC: July 15, 1947, pages 1858-1859.

LeRoy J. Brophy and Josephine Brophy, his wife, 9222 Gratiot Avenue, Detroit 13, Michigan.

"All that part of Lot 22 of Joseph S. Visger's Gratiot Avenue Sub. and all that part of Lots 23, 24 and 25 of McCormack's-McClellan Ave. Sub.," etc.

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

Controller

April 14, 1954.

Honorable Common Council:
Gentlemen — Enclosed herewith is City Controller's Trial Balance for the month ended March 31, 1954.

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

(For trial balance, see Treasurer's report of April 13.)

Corporation Counsel

April 15, 1954.

Honorable Common Council:
In the Matter of Vacation of Public Alleys, etc., Wayne Circuit Court No. 275,750.

Gentlemen—This is to inform your Honorable Body that on April 14, 1954, two orders were signed by the Honorable Chester P. O'Hara, Wayne Circuit Judge, vacating two alleys located in the City of Detroit and bounded by the following streets or avenues:

(a) Anvil, Regent, Edmore and Collingham (Petition No. 1372);

(b) Anvil, Regent, Collingham and Carlisle (Petition No. 1379).

The orders provide that a public easement for public utility purposes be retained in the lands formerly comprising the alleys.

We submit herewith for your consideration a resolution directing the City Clerk to record the attached true copies of the orders with the Wayne County Register of Deeds, pursuant to the order of the Court.

Respectfully submitted,
ROBERT REESE,
Asst. Corporation Counsel.

By Councilman Beck:
Resolved, That the City Clerk be

and he is hereby directed to record the attached Orders within 30 days of the date thereof, vacating public alleys located in the City of Detroit, and bounded by the following streets or avenues:

(a) Anvil, Regent, Edmore and Collingham;

(b) Anvil, Regent, Collingham and Carlisle,

and converting the same to public easements for public utility purposes, in accordance with the foregoing communication from the Corporation Counsel.

Approved as to form:
P. T. DWYER, Corp. Counsel.

Adopted as follows:
Yeas—Councilman Connor, Rogell, Smith, Wise, Youngblood, and President Pro Tem Beck—6.
Nays—None.

Corporation Counsel

April 14, 1954.

Honorable Common Council:
Gentlemen—We have received an offer of settlement of the claim of the City of Detroit against the W. E. Wood Company, and herewith present same for your examination.

The claim stems from a refusal of the W. E. Wood Company to enter into a contract for the construction of the Northeast Low Lift Station of the Department of Water Supply (Contract No. NE-3), after that company, as low bidder, was awarded the contract. The contract documents called for payment of stipulated damages, totaling 5% of the bid price, if a successful bidder failed to enter into a contract, and in this case the amount of damages was \$106,270.

The refusal of the Wood Company was based on a claim that the bid as made was \$181,023.62 too low, due to errors in the preparation of the bid. The company instituted an equity action in the Wayne Circuit Court, asking that court to relieve it from the consequences of its mistake. There is precedent in the decisions of our Supreme Court for granting such relief under certain circumstances. The city's position, as represented by the answer filed in the suit has been that the claimed mistakes are not of such a character as to form a basis for a court decree favorable to the Wood Company. The case has not as yet been tried.

Under date of April 12th, the W. E. Wood Company, through its attorneys, Monaghan, Hart & Crawmer, made an offer in writing to pay \$35,000 in settlement of the city's claim. The Board of Water Commissioners have indicated by appropriate action their approval of such a settlement. We also believe that in the light of surrounding circumstances, the nature of the dispute and the