

one of the parcels in Case No. 2238, Land for Civic Center, located in blocks bounded by First, Cass, Woodbridge, Jefferson, and First, Wayne, Jefferson and Larned Avenues.

Parcel No. 19 was occupied by the Cadillac Coffee Company, which company used the five floors for roasting coffee. In determining the fixture removal damage which involved the detaching and reattaching of the machinery, the respondent introduced three witnesses, one being Mr. Robinson of Jabez, Burns & Sons, Inc., of New York, who stated their company does 95% of the moving of this type of business. Mr. Robinson testified the cost of removing the trade fixtures and reattaching and putting in operation would cost \$32,000.

The jury entered an award of \$6,000.

An appeal was taken which would delay adjudication for a considerable length of time and may result in a new trial.

We can settle this matter in the amount of \$10,000 which is within range of the city's estimate.

Due to the issues involved and the delay, we believe it would be to the best interest of the City to settle this issue in the amount of \$10,000, as the total award.

A resolution is submitted for your consideration.

Respectfully submitted,
BERT R. SOGGE

Assistant Corporation Counsel.

Approved:

P. T. DWYER, Corp. Counsel.

By Councilman Smith:

Resolved, In conformance with the foregoing communication, the Corporation Counsel is authorized to settle the award for damages for fixture removal as to Parcel No. 19 to the Cadillac Coffee Company, in a total amount of \$10,000.00, which shall be in full for all damages caused by said taking, and Be It Further

Resolved, That the City Treasurer and the City Controller are hereby directed to honor voucher in said amount when presented.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Corporation Counsel
July 7, 1955.

Honorable Common Council:

Gentlemen—This is to inform your Honorable Body that on June 29, 1955, three orders were signed by the Honorable Frank FitzGerald, Wayne Circuit Judge, vacating three alleys located in the City of Detroit and bounded by the following streets or avenues:

(a) Evergreen Road, Plainview,

Elmira and Plymouth, (Council Petition No. 3132).

(b) Fenmore, Archdale, Trojan and Hessel Avenues, (Council Petition No. 3227).

(c) Archdale, Longacre, Dover and Cathedral Avenues, (Common Council Petition No. 4594).

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

Assistant Corporation Counsel.

By Councilman Youngblood:

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) Evergreen Road, Plainview, Elmira and Plymouth

(b) Fenmore, Archdale, Trojan and Hessel Avenues

(c) Archdale, Longacre, Dover and Cathedral

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, Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Corporation Counsel

July 6, 1955.

Honorable Common Council:

Gentlemen—The personal taxes for the year 1953 assessed to A. Kirkpatrick Company, P.O. Box 156, Rehoboth Beach, Delaware, was referred to this office for collection. The original amount of the tax without interest amounted to \$112.98.

Inasmuch as this was a foreign corporation, it was necessary to contact an attorney in Delaware to process the claim. The first attorney that we contacted, because of personal reasons, declined to accept the case. Subsequently we wrote to Tunnell & Tunnell, Attorneys-At-Law in Georgetown, Delaware, as to their willingness to take the case and effect collection. Various correspondence followed and on June 23, 1955, they mailed us their check for \$61.50, they having collected \$75.00 and retained 18% or \$13.50 as their commission.

This matter has been discussed