

\$500,000—Due July 14, 1955 at 99.582—\$497,910.00.

Yield 1.654%.

Sewage Disposal System Improvement & Extension Fund:

\$900,000—Due July 14, 1955 at 99.585—\$896,265.00.

Yield 1.642%.

\$200,000—Due July 14, 1955 at 99.582—\$199,164.00.

Yield 1.652%.

\$6,470,000—Total—\$6,455,415.31.

With the exception of the Sewage Disposal System investments authorized by Ordinance 517-E, dated November 9, 1950, as last amended, all investments were authorized under resolution adopted by your Honorable Body on June 8, 1954.

Respectfully submitted,

E. P. RIEHL,

Deputy Controller.

Received and placed on file.

Controller

April 18, 1955.

Honorable Common Council:

Gentlemen—Pursuant to resolutions adopted by 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: May 27, 1952, page 1255.

JCC: March 15, 1955, page 413.

Charles E. Kitchen, Alexander Stewart, Samuel Barr, James McGarrie, Robert J. Russell, Robert Cumming and Thomas Barr, Acting Trustees for West Chicago Gospel Hall Assembly, to be held for the uses and purposes as set forth in Declaration of Trust dated August 8, 1930, and recorded August 9, 1930, in L. 3435 of Deeds, page 303, W.C.R., of 7345 W. Chicago Ave., Detroit 4, Michigan.

Lot 36 of Stoepel's Greenfield Highlands Sub.

JCC: April 5, 1955, pages 619-620.

JCC: February 15, 1955, page 243.

Kogan Realty Company, a Michigan Corporation.

"The east 9 feet of Coyle Avenue, north of Pembroke Avenue, as platted in San Bernardo Park No. 3 etc."

Respectfully submitted,

J. H. WITHERSPOON,

Controller.

Received and placed on file.

Controller

April 18, 1955.

Honorable Common Council:

Gentlemen—In pursuance of resolutions adopted by your Honorable Body, the following surety bonds have been filed with this office:

Edward Mooney, Roman Catholic Archbishop of the Archdiocese of the City of Detroit and St. Brigid Parish, principal.

The Aetna Casualty and Surety Company, surety, Amount, \$5,000.

Covers permit to install a heating

main under and across Wisconsin Avenue, authorized under resolution adopted January 11, 1955, J.C.C. pp. 32/33.

Harry Suffrin, Inc., principal.

Standard Accident Insurance Company, surety.

Amount—\$10,000.

Covers permit to construct a display of flower boxes to encroach 7 inches beyond the property line, on both Shelby and State Streets side of building, as outlined in resolution adopted March 22, 1955, J.C.C. page 500.

The bonds have been approved as to form and execution by the Corporation Counsel.

Respectfully submitted,

E. P. RIEHL,

Deputy Controller.

Received and placed on file.

Corporation Counsel

April 7, 1955.

In the matter of vacation of public alleys, etc. Wayne Circuit Court Nos. 280, 243, 280, 242 and 280, 244.

Honorable Common Council:

Gentlemen—This is to inform your Honorable Body that on April 6, 1955, an Order was signed by Hon. Lila M. Neuenfelt, Circuit Judge, vacating the alley located in the City of Detroit and bounded by Hoyt, Anvil Avenues, Rossini and Fairmont Drives. (Common Council Petition 1826; Wayne Circuit Court No. 280, 243).

Also, on April 7, 1955, Orders were signed by Hon. Frank B. Ferguson, Circuit Judge, vacating the following public alleys:

(1) Hoyt, Anvil Avenues, Collingham and Carlisle Drives, Wayne Circuit Court No. 280, 242, Common Council Petition No. 1717.

(2) Boulder, Cordell, Eastburn Avenues and Bringard Drive, Wayne Circuit Court No. 280, 244, Common Council Petition No. 1904.

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 Council.

By Councilman Connor:

RESOLVED, That the City Clerk be and he is hereby directed to record the attached Orders, to-wit:

(1) Hoyt, Anvil Avenues, Rossini and Fairmont Drives;

(2) Hoyt, Anvil Avenues, Collingham and Carlisle Drives; and

(3) Boulder, Cordell, Eastburn Avenues and Bringard Drive, within 30 days of the date hereof, vacating the

public alleys located in the City of Detroit and bounded by the above streets, and converting same to a public easement for public utility purposes, in accordance with the foregoing communication from the Corporation Counsel.

Approved:

P. T. DWYER, Corp. Council.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—8.

Nays—None.

Corporation Council

April 8, 1955.

IN RE: Louis E. Walton, plaintiff, vs. Avery Duff and City of Detroit, U.S. District Court No. 13025.

Honorable Common Council:

Gentlemen—The above law suit was brought by Louis E. Walton against Patrolman Avery Duff and the City of Detroit in the U.S. District Court for \$25,000 damages by reason of a claim for false arrest, and assault, which occurred in the Receiving Hospital on June 28th, 1953, at which time Walton was arrested for Disturbing the peace.

The case was assigned to U.S. District Judge Ralph M. Freeman for trial on April 7th, 1955, and after a conference with Judge Freeman and council for the plaintiff, it was agreed to settle the claim for \$200.

It developed during the hearing that the officer making the original arrest was Patrolman Joseph Luttenberger and that the officer who released the plaintiff was Luttenberger's partner, Avery Duff, the defendant in this case. The suit therefore named the wrong officer, but we felt that instead of permitting an amendment naming the officer causing the arrest and going through the litigation again, that we would agree to a settlement of \$200.00 in full for plaintiff's claims.

In view of the fact that we believe that all the officers involved acted in good faith, we recommend the acceptance of this settlement.

Respectfully Submitted,
NATHANIEL H. GOLDSTICK

Asst. Corporation Council.

Approved:

P. T. DWYER, Corp. Council.

By Councilman Connor:

Resolved, That the City Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of Louis E. Walton in the sum of \$200.00 in full settlement of any and all claims which he may have against the City of Detroit through U.S. District Court Suit No. 13025, as outlined above; said sum to be paid upon presentation of release in form approved by the Corporation Counsel, and Stipula-

tions and Orders of Discontinuance of U.S. District Court suit No. 13025.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—8.

Nays—None.

Corporation Counsel

April 8, 1955.

Honorable Common Council:

Gentlemen—We are enclosing herewith resolution for the proration of taxes in the matter of acquisition of land for off-street parking and other municipal public purposes, located in area bounded by Second Avenue, First street, Howard to Abbott streets. Recorder's Court File No. 2183.

Respectfully submitted,

E. A. WALINSKE

Director Bureau of Real Estate.

By Councilman Connor:

Whereas, the City of Detroit acquired title and right of possession to the property involved in condemnation proceedings known as:

In the matter of acquisition of land for off-street parking and other municipal public purposes, located in area bounded by Second Avenue, First street, Howard to Abbott streets. On March 30, 1955, when the funds were posted for the payment of the award: and

WHEREAS, Act No. 24 of the Public Acts of 1947 provides that the unit of government that is the petitioner in the condemnation proceeding, pay the taxes and special assessments on property that is acquired after the date the assessment roll is required to be completed and before the tax is due and payable; and

WHEREAS, Section 35, Chapter IV, Title VI of the Charter of the City of Detroit authorized the adoption of a resolution to provide for the payment by the City of general taxes on a prorate basis upon properties acquired during the fiscal year of acquisition; Now, Therefore, Be It

RESOLVED, That the City Treasurer be and he is hereby authorized to deduct from the payment of said award, all taxes and special assessments levied upon the property acquired therein, including State, County and taxes levied by the City of Detroit, except that taxes levied by the City of Detroit for the fiscal year beginning July 1, 1954 and ending June 30, 1955, shall be deducted for that proportion represented by that part of the fiscal year beginning July 1, 1954 and ending March 30, 1955; And Be It Further

RESOLVED, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the City Treasurer for that proportion of the taxes levied by the City of Detroit upon the properties in-