

sider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Corporation Counsel

March 15, 1957.

Honorable Common Council:

Gentlemen—The City of Detroit, through tax foreclosure proceedings, has acquired certain properties as described in Exhibit "F" attached.

We, therefore, respectfully request that your Honorable Body authorize the City Treasurer to cancel the outstanding tax liens as detailed in above mentioned exhibit totaling \$4,382.50 plus court costs of \$292.85.

Respectfully submitted,
E. A. WALINSKE, Director
Bureau of Real Estate.

Approved:

P. T. DWYER, Corp. Counsel.

By Councilman Rogell:

Resolved, That the City Treasurer be and is hereby authorized and directed to cancel tax liens as shown and described in Exhibit "F," attached and on file in the office of the City Clerk; and be it further

Resolved, That the City Controller prepare the proper journal entries.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Youngblood, and the President Pro Tem Van Antwerp—6.

Nays—None.

Corporation Counsel

March 15, 1957.

Honorable Common Council:

Gentlemen—Attached hereto please find resolution of necessity and public improvement in reference to the widening of Lyndon Avenue at the Southwest corner of Whitcomb Avenue, where not already opened and widened as a public street and highway, as requested by your Honorable Body on October 2, 1956 (J.C.C. Page 2134).

Respectfully submitted,
E. A. Walinske, Director,
Bureau of Real Estate.

By Councilman Rogell:

Whereas, The Common Council did by resolution on October 2, 1956 (J. C. C. Page 2134), approve the acquisition of land for the widening of Lyndon Avenue at the Southwest corner of Whitcomb Avenue; Now, Therefore, Be It

Resolved, That it is hereby declared necessary by the Common Council of the City of Detroit to make the following described improvement in said City, and that the same is for the use or benefit of the public, viz: Acquisition of land for the widening of Lyndon Avenue at the Southwest corner of Whitcomb Avenue, where not already opened and widened as a public street and highway, and that they deem it necessary to take private

property for the purpose of making such improvement, which said property is situated in said City of Detroit, and described as follows:

All that part of the Southwest ¼ of Section 19, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, described as follows: beginning at the intersection of the extended west line of Whitcomb Avenue 100 feet wide as now established with the East-West ¼ Section line of said Section 19, thence South 1 degree 48 minutes 02 seconds East, 30.00 feet to a point; thence along a line South 88 degrees 01 minutes 25 seconds West, 40.29 feet to a point; thence along a line North 24 degrees 06 minutes 43 seconds East, 33.4 feet to a point in the East-West ¼ Section line of said Section 19; thence along said ¼ Section line North 88 degrees 01 minutes 30 seconds East, 25.7 feet to the place of beginning.

And Be It Further Resolved, That the Corporation Counsel be and he is hereby directed to institute the necessary proceedings on behalf of the City of Detroit in the Recorder's Court of the City of Detroit to carry out the object of this resolution in regard to taking private property by said City:

Approved:
P. T. DWYER, Corp. Counsel.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Youngblood, and the President Pro Tem Van Antwerp—6.
Nays—None.

Corporation Counsel

March 21, 1957.

Honorable Common Council:

Gentlemen—This is to advise your Honorable Body that on March 19, 1957 Orders were entered in the following cases by Hon. George E. Bowles, Circuit Judge, vacating public alleys:

Wayne Circuit Court Number 289-980 — Shakespeare, Cushing, Carlisle and East Eight Mile Road, Common Council Petition 10032.

Wayne Circuit Court Number 289-981 — Greenview, Faust, Plymouth and Wadsworth Avenues, Common Council Petition 5524.

The Orders provide that public easements for public utility purposes be retained in the lands formerly comprising the alleys.

We submit herewith a resolution directing the City Clerk to record the attached true copies of the Orders with the Wayne County Register of Deeds.

Respectfully submitted,
ALFRED SAWAYA,
Asst. Corporation Counsel.

By Councilman Rogell:

Resolved, That the City Clerk be and is hereby directed to record the Orders vacating public alleys, in the office of the Wayne County Register of Deeds, within 30 days from the

date hereof, in accordance with the foregoing communication from the Corporation Counsel.

Approved:

P. T. DWYER, Corporation Counsel.
Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Youngblood, and the President Pro Tem Van Antwerp—8.
Nays—None.

Corporation Counsel

March 22, 1957.

Honorable Common Council:

Gentlemen — In accordance with your communication of January 25, 1957, a hearing was held, attended by Dr. Frederick of the Health Department, Mr. Morton Sterling, Smoke Abatement Bureau, George C. Stone, President of the Metropolitan Auto Wash Owners Association, Mr. William E. Buffalino of the Teamster's Union, and the writer, at which time the attached ordinance governing the limits of auto wash racks was drafted.

Same has been approved as to form and is attached for your consideration.

Respectfully submitted,
JOHN F. HATHAWAY,
Asst. Corporation Counsel.

By Councilman Rogell:

AN ORDINANCE to amend Chapter 171 of the Compiled Ordinances of the City of Detroit of 1954, by amending Section 11 thereof and by adding a new section thereto to be known as Section 12.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Chapter 171 of the Compiled Ordinances of the City of Detroit of 1954, be and the same is hereby amended by amending Section 11 thereof and by adding a new section thereto to be known as Section 12, reading as follows:

Section 11. It shall be unlawful in the City of Detroit for any person, firm or corporation, or anyone acting in behalf of any such person, firm or corporation, to use any equipment for cleaning purposes, other than the cleaning of buildings or other fixed structures, that emits steam, water vapor, or high velocity water within ONE HUNDRED AND SEVENTY-FIVE feet of any dwelling or other residential occupancy, UNLESS SUCH EQUIPMENT IS SO ENCLOSED, DESIGNED OR OPERATED THAT THE NOISE LEVEL RESULTING FROM ITS USE, AS MEASURED AT ANY POINT WITHIN OR ON THE PROPERTY LINE OF THE NEAREST DWELLING OR OTHER RESIDENTIAL OCCUPANCY, DOES NOT EXCEED THE LEVELS SPECIFIED IN SECTION 12 BELOW, AND THAT THE EMISSION OF SUCH HIGH VELOCITY WATER, WATER VAPOR OR STEAM DOES NOT CREATE A NUISANCE TO THE NEIGHBORING PROPERTY.

Section 12. IT SHALL BE UNLAWFUL IN THE CITY OF DETROIT FOR ANY PERSON, FIRM OR CORPORATION, OR ANYONE ACTING IN BEHALF OF ANY SUCH PERSON, FIRM OR CORPORATION, TO USE ANY EQUIPMENT FOR CLEANING PURPOSES OTHER THAN THE CLEANING OF BUILDINGS OR OTHER FIXED STRUCTURES THAT EMITS STEAM, WATER VAPOR, OR HIGH VELOCITY WATER, UNLESS SUCH USE DOES NOT CREATE A NUISANCE; PROVIDED, HOWEVER, THAT ANY NOISE EMANATING FROM SUCH EQUIPMENT AT ANY AUTOMOBILE WASH RACK OR LOCATION USED FOR THE CLEANING OR WASHING OF AUTOMOBILES OR TRUCKS WHICH CAUSES A SOUND LEVEL OF 62 DECIBELS OR MORE AND WHICH ALSO EXCEEDS THE AMBIENT SOUND LEVEL BY 3 DECIBELS OR MORE SHALL BE DEEMED PRIMA FACIE EVIDENCE OF A NUISANCE. SOUND LEVEL MEASUREMENTS SHALL BE MADE WITHIN OR ON THE NEAREST PROPERTY LINE OF THE NEAREST BUILDING OR OTHER RESIDENTIAL OCCUPANCY WITH A METER DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH STANDARD NO. Z 24.3 ISSUED IN 1944 BY THE AMERICAN STANDARDS ASSOCIATION AND READINGS SHALL BE MADE USING THE "C" (FLAT) NETWORK AND SLOW (DAMPED) RESPONSE SETTINGS. SOUND LEVELS SHALL BE DETERMINED BY AN ARITHMETIC AVERAGE OF A MINIMUM OF 20 READINGS TAKEN AT APPROXIMATELY 15 SECOND INTERVALS. AMBIENT LEVELS SHALL BE DETERMINED WHEN NONE OF THE EQUIPMENT AT THE WASH RACK IS IN SERVICE.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Approved as to form:

P. T. DWYER, Corporation Counsel.

Read twice by title, ordered printed and laid on the table.

Corporation Counsel

March 19, 1957.

Honorable Common Council:

Gentlemen—On September 19, 1956, the City of Detroit was granted a renewal judgment in the amount of \$186.23 plus \$25.00 costs against H. J. Hayden by the Wayne County Circuit Court, Case No. 297-220. The entry of the foregoing judgment was consented to by Mr. Frederick J. Plotts who purported to be defendants counsel. Mr. Plotts had previously filed an appearance and answer on behalf of the defendant.

On January 22, 1957, a writ of garnishment was issued to the Bank of the Commonwealth. Following the service of the garnishment writ, Mr. Hayden came to our office and denied