

prior to the tax date. Although our records show that the defendant filed a sworn statement for the year 1956, it is claimed that such statement was filed in error.

We are now in receipt of an offer of \$100.00 submitted by defendant's attorney in full settlement of the subject suit. After giving due consideration to the amount submitted, which is \$16.00 less the amount necessary to satisfy the subject taxes in full, including accrued interest and court costs, we believe that it is to the best interest of the City to accept the same, and we accordingly recommend its acceptance with the concurrence of the City Treasurer.

A certified check to cover the above settlement offer has been received by this office and is being held pending action thereon by your Honorable Body.

Respectfully submitted,
JOSEPH MAISANO,
Asst. Corporation Counsel.

Approved:
WALTER E. VASHAK,
Acting Corporation Counsel.
CHAS. WILLIAMS,
City Treasurer.

By Councilman Carey:

In accordance with the foregoing communication,

It Is Hereby Resolved That the offer of \$100.00 submitted in full settlement of the 1956 personal property taxes assessed to John Singos, doing business as Park View Sandwich Shop, be and the same is hereby accepted.

It Is Hereby Further Resolved That the City Treasurer be and he is hereby authorized and directed to apply the said sum of \$100.00 on account of the above taxes and that any unpaid balance remaining after said application be and the same is hereby cancelled.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9
Nays—None.

Corporation Council

April 13, 1959

Honorable Common Council:

Gentlemen—We are attaching hereto Communication wherein the Board of Wayne County Road Commissioners request the conveyance of land for the Widening of Seven Mile Road between Lahser and Berg Roads.

The property required is the northerly 22 ft. of the Redford Golf Club property and is described as follows:

The South 22 feet of the North 55 feet of the Northeast $\frac{1}{4}$ of Section 9, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan, excepting the east 33 feet and the west 33 feet thereof; also excepting from said South 22 feet the East 212.5 feet of the West 662.54 feet of

that part of said Northeast $\frac{1}{4}$ of Section 9 lying east of the adjoining Berg Road. Containing 1.1619 Acres.

The State Highway Department has in similar cases followed the same procedure on rights of way within the city limits, as provided in the so-called Tri Party Expressway contracts, being the acquisition cost plus costs or replacement of improvements.

The acquisition cost in this case, based on the condemnation awards, is \$1,561.60.

The Department of Parks and Recreation has estimated the cost of re-erecting fences and the rebuilding of the golf course to be \$9,568.87, making a total of \$11,096.87.

The Board has title to a strip of land abutting the golf course, being 5 feet wide and 212.50 feet along the south side of Seven Mile Road, east of Berg Road, which they will convey to the City of Detroit. The value of this strip, based on the awards, would be \$33.60, which would make the net reimbursement to the City in amount of \$11,063.27.

The above-mentioned strip is described as follows:

The South 5 feet of the North 27 feet of the East 212.5 feet of the West 662.54 feet of that part of the Northeast $\frac{1}{4}$ of Section 9, Town 1 South, Range 10 East, City of Detroit, Wayne County, Michigan, lying South of and adjoining Seven Mile Road, East of and adjoining Berg Road.

The County Engineers desire to begin construction as soon as possible and we, therefore, recommend the City Controller be authorized to execute a deed as soon as presented.

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

Approved:
WALTER E. VASHAK,
Acting Corporation Counsel.

By Councilman Connor:

Resolved, That the City Controller be and he is hereby authorized and directed to issue quit claim deed to the County of Wayne covering the S. 22 ft. of the N. 55 ft. of N.E. $\frac{1}{4}$ of Sec. 9, T. 1 S., R. 10 E., City of Detroit, etc., as more particularly described in the foregoing communication, upon receipt of deed from the County of Wayne covering the S. 5 ft. of the N. 27 ft. of the E. 212.5 ft. of the W. 662.54 ft., etc., as above described, and upon payment to the City of Detroit of the sum of \$11,063.27, said first above described property to be used for the widening of W. Seven Mile Road between Lahser and Berg Roads, and further

Resolved, That the Corporation Counsel is directed to prepare said deed.

Adopted as follows:
Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van

Antwerp, Wise and President Beck—9.
Nays—None.

Reconsideration

Councilman Smith moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas— Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Councilman Lincoln then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Corporation Counsel

April 3, 1959.

Honorable Common Council:

Gentlemen—Attached hereto please find resolution of necessity and public improvement in reference to the acquisition of land to eliminate a non-conforming use located on the West side of Concord between Sylvester and Pulford Avenues, as requested by your Honorable Body on March 24, 1959, (J.C.C. Page 455).

Respectfully submitted,

E. A. WALINSKE,

Director Bureau of Real Estate.

By Councilman Van Antwerp:

Whereas, The Common Council did by resolution on March 24, 1959, (J.C.C. Page 455), approve the acquisition of land for the purpose of eliminating a non-conforming use, 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 improvements in said City, and that the same is for the use or benefit of the public, viz: Acquisition of land to eliminate a non-conforming use, 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 located on the West side of Concord between Sylvester and Pulford Avenues, and is described as follows:

Lot 32, John W. Fox's Subdivision of the north part of Lots 3 and 4 subdivision of Lots 2 and 3, subdivision of Rear Concession, Private Claim 19 and part of Lot 4 of said rear concession, Detroit, Wayne County, Michigan, as recorded in Liber 14, Page 71 of Wayne County Plats.

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:

NATHANIEL H. GOLDSTICK,
 Corporation Counsel.

Adopted as follows:

Yeas— Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Corporation Counsel

April 6, 1959

Honorable Common Council:

Gentlemen—Re: Ronald R. Schram and State Farm Mutual Automobile Insurance Company v. James D. Linn et al.

The above claim is for damages resulting from the pushing of an automobile, then illegally parked, by a police tow car. The car was accidentally pushed into a telephone post, resulting in damages amounting to \$363.79.

The insurance company has agreed to settle this claim for \$150.00.

As a result of this incident, we are now exploring the possibility of enlarging the police liability insurance for automobile accidents to include this type of damage.

In view of the fact that the officers were following instructions and were acting in good faith and in the performance of their duty, we do not believe that they should be personally held accountable for the damages that resulted. We therefore recommend the payment of the sum of \$150.00 in full settlement of this claim.

Respectfully submitted,

ANDREW F. VALENTI,

Assistant Corporation Counsel

Approved:

NATHANIEL H. GOLDSTICK,
 Corporation Counsel

By Councilman Wise:

Resolved, that the City Controller be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Ronald R. Schram and State Farm Mutual Automobile Insurance Co. in the sum of \$150.00 in full payment of any and all claims which they may have against the City of Detroit for damages to 1953 Ford vehicle owned by Ronald R. Schram, 1958 license No. EH 3988, while being towed or pushed from a No Parking zone by the Police Department on March 4, 1958.

Adopted as follows:

Yeas— Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Corporation Counsel

April 9, 1959

Honorable Common Council:

Gentlemen—This is to inform your Honorable Body that orders were en-