

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-

tered vacating the alleys in the following cases:

Wayne Circuit Court Number 301-889; Location: Fielding, Stout, Dover and Cathedral Avenues; Common Council Petition 2455.

Wayne Circuit Court Number 302-412; Location: Tracey, Schaefer, Pembroke and Chippewa Avenues; Common Council Petition 2458.

Wayne Circuit Court Number 302-414; Location: Beland, Teppert, Parkgrove and Linnhurst Avenues; Common Council Petition 2633.

The Orders, among other matters, provide that public easements for public utility purposes shall be retained in the land comprising the alleys and, further, that the Clerk of the Court forward a certified copy to the Auditor General of the State of Michigan.

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

Respectfully submitted,
RAYMOND F. STACHURA,
Assistant Corporation Counsel

By Councilman Wise:

Resolved, that the City Clerk be, and he is hereby, directed to record the Orders vacating the public alleys in the Office of the Wayne County Register of Deeds, within thirty (30) days from the date hereof, in accordance with the foregoing communication from the Corporation Counsel.

Approved:

WALTER E. VASHAK,
Acting 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 7, 1959

Honorable Common Council:

Gentlemen—Attached hereto is proposed amendment to Chapter 123 of the Compiled Ordinances of the City of Detroit of 1954, being Ordinance 30-C, making clarifications in the ordinance and providing for parcels of land used for parking purposes which do not have attendants on duty and where admittance or parking is controlled by an arm or meter, also providing for attendants to be licensed only if they have a valid Michigan Operator or Chauffeur's license.

These amendments have been requested by the Public Vehicle Squad who have been assigned supervision over all parking lots or areas in the City of Detroit. This request has been approved by the Director of Traffic of the Detroit Police Department.

Respectfully submitted,
LAWRENCE E. EATON,
Assistant Corporation Counsel

By Councilman Wise:

AN ORDINANCE to amend Chapter 123 of the Compiled Ordinances of the City of Detroit of 1954, being Ordinance 30-C, by amending Sections 1, 6, and 13 thereof.

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

SECTION 1. That Chapter 123 of the Compiled Ordinances of the City of Detroit of 1954, being Ordinance 30-C, be and the same is hereby amended by amending Sections 1, 6, and 13 thereof to read as follows:

Section 1. (a) Open parking stations means any plot, piece or parcel of land used for the purpose of storing motor vehicles where the owner or person storing such vehicles is charged a fee and shall include such plots where shelters that are not completely enclosed are erected and which are open to the general public.

(b) Closed Parking Station means any plot, piece or parcel of land used for the purpose of storing ~~more than~~ FIVE motor vehicles OR MORE where the owner or person storing such vehicle is assigned space to be occupied by the motor vehicle; where the owner or person storing such vehicle at all times retains complete control over any such vehicle stored and does not deliver any such vehicle into the possession or control of any owner, attendant or helper of such station; and where the owner or person storing such vehicle is charged a weekly or monthly fee for the use of such space assigned, but not including parking in residential areas as provided by Section 5.1 of the Zoning Ordinance of Detroit.

(c) CLOSED PARKING STATION SHALL INCLUDE ANY PLOT, PIECE, OR PARCEL OF LAND USED FOR THE PURPOSE OF STORING FIVE MOTOR VEHICLES OR MORE WHERE ADMITTANCE THERETO IS CONTROLLED BY AN AUTOMATIC ARM OR GATE WHICH IS ACTIVATED BY A COIN BEING INSERTED IN THE OPERATING MECHANISM THEREOF, OR WHERE THE PARKING SPACES ARE CONTROLLED BY METERS WHICH ARE ACTIVATED BY COINS BEING INSERTED THEREIN, AND DOES NOT HAVE AN ATTENDANT ON DUTY AT ALL TIMES, AND FURTHER THE OWNER OF THE MOTOR VEHICLE RETAINS COMPLETE CONTROL THEREOF.

Sec. 6(a). Each licensee shall maintain at each entrance to such open parking station a permanently affixed sign suitable to apprise persons using such open parking station, the name of the licensee, the hours of the day and/or night during which such places are open for storing motor vehicles, the rates charged and the closing hour of such station. Where more than one rate is charged for