

December 29, 1959, (J. C. C. Page 2577.)

Respectfully submitted,
G. L. CARLSON,

Real Estate Supervisor.

By Councilman Rogell:

Whereas, The Common Council did by resolution on December 29, 1959, (J. C. C. Page 2577), approve the acquisition of land for Streets and Traffic Engineering and other municipal public purposes; 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 Streets and Traffic Engineering and other municipal public purposes, located on the North side of Mack, East of the Walter P. Chrysler Expressway, 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:

Lots 1 through 9 both inclusive, Subdivision of the North part of Out Lot No. 185 and the South 1 acre of Cut Lot 186, Rivard Farm, according to the plat thereof as recorded in Liber 6, Page 29 of Plats, Wayne County Records.

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:

WALTER E. VASHAK,
Acting Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Carey, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Corporation Counsel

January 22, 1960.

Honorable Common Council:

Gentlemen—Attached hereto please find resolution of necessity and public improvement in reference to the acquisition of land for Parks and Recreational and other municipal public purposes, located at the Northwest corner of Marietta and Pennsylvania Avenues as requested by Common Council on July 7, 1959, (J. C. C. Page 1368).

Respectfully submitted,
G. L. CARLSON,
Real Estate Supervisor.

By Councilman Rogell:

Whereas, The Common Council did by resolution on July 7, 1959, (J. C. C. Page 1368), approve the acquisition of

land for Parks and Recreational and other Municipal Public Purposes; 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 Parks and Recreational and other Municipal Public Purposes, located at the Northwest corner of Marietta and Pennsylvania Avenues, 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:

The South 39.83 feet of Lot 267 and South 10 feet of Lot 268 Brandon's Subdivision of that part of Private Claim 337 and 257 between Jefferson Avenue and Mack Avenue and West of the East line of Cadillac Boulevard; also the South 34 feet of that part of Private Claim 257 between Jefferson Avenue and Mack Street, Hamtramck, Wayne County, Michigan, as recorded in Liber 9, Page 32 of Plats, Wayne County Records.

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:

WALTER E. VASHAK,
Acting Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Carey, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Corporation Counsel

January 20, 1960.

Honorable Common Council:

Gentlemen—We are returning herewith petition of Woodmere Cemetery Association (1957—No. 13180) giving notice of claim to strip of land formerly used for D.S.R. car line, south side of West Vernor, west of Woodmere Avenue.

This strip of land, 40 feet wide, was conveyed by the petitioner to the Detroit United Railway for rail-road purposes on September 22, 1924, recorded in Liber 3140, Page 102 of recorded Deeds. Subsequently, the property was deeded to the City subject to use of the D.S.R. for street railway purposes. This use was discontinued and the tracks were removed by the D.S.R.

Your Honorable Body, upon recommendation of the City Plan Commission, released the strip for sale in accordance with resolution of

March 13, 1956 (J.C.C. page 456).

We are attaching hereto opinion of the Legal Division wherein they advise the title to the property has reverted to the petitioner as provided in the original grant.

We, therefore, recommend the above resolution authorizing the sale be rescinded.

Respectfully submitted,
G. L. CARLSON,
Real Estate Supervisor.

Approved:
WALTER E. VASHAK,
Acting Corporation Counsel.

By Councilman Rogell:
Resolved, That the resolution adopted March 13, 1956 (JCC p. 456), authorizing release for sale of the former D.S.R. right-of-way on the south side of Vernor Highway between Woodmere ave. and the City Limits, be and the same is hereby rescinded.

Adopted as follows:
Yeas—Councilmen Carey, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.
Nays—None.

Corporation Counsel
January 22, 1960.

Honorable Common Council:
Gentlemen—A report is submitted relative to the following:

The City of Detroit acquired, through eminent domain proceedings, a strip of land ten (10) feet in depth along Larned Street between Woodward and Griswold for widening of Larned Street when the Gas Company building is erected.

At the corner of Griswold and Larned is a small building 13 x 15 feet in size situated in part on this ten (10) foot strip and part on the Gas Company property. The building itself is owned by the White Tower System.

The attached proposed agreement contains the following:

The White Tower System desires to maintain this location until the same interferes either with the street widening plans of the City or the construction of the office building.

The White Tower System will pay for use of said land the sum of Two hundred dollars per month, \$133.35 to the City of Detroit, and \$66.65 to the National Bank. The White Tower System to furnish public liability and property damage insurance.

The agreement is cancelable on two weeks notice by the Bank or City with penalties for failure to remove.

Respectfully submitted,
BERT R. SOGGE,
Asst. Corporation Counsel.

By Councilman Rogell:
Resolved, That the agreement between the City of Detroit, National Bank of Detroit and the National White Tower System, Inc., covering the use of a parcel of land at the

southeast corner of Griswold and Larned sts., as outlined in the foregoing communication, be and the same is hereby approved, and the City Controller is hereby authorized to execute said agreement on behalf of the City of Detroit.

Adopted as follows:
Yeas—Councilmen Carey, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.
Nays—None.

Corporation Counsel
January 6, 1960

Honorable Common Council:
Re: Claim No. 17819—Fred Sullivan. Gentlemen—Mr. Fred Sullivan filed a claim (5297) in August, 1959, for damages to his automobile as result of a collision with the Belle Isle sight-seeing train. This claim was referred to the insurance company at that time.

We are now in receipt of a demand from the authorized adjusters for Illinois Appleton and Cox—their underwriters at Lloyds—who have investigated the claim and agreed on a settlement. A compromise settlement of \$158.25 was agreed upon between the insurance company and the claimant; and as the policy protecting the City contained a \$100 deductible clause, the request is that the City of Detroit forward its draft to the office of Toplis and Harding, Wagner and Glidden, Inc., payable to Illinois Appleton and Cox in the amount of \$100.00.

We, therefore, recommend that your Honorable Body direct the City Controller to draw a warrant in favor of Illinois Appleton and Cox in the amount of \$100.00 to be delivered upon receipt of properly executed releases satisfactory to the Office of Corporation Counsel.

Respectfully submitted,
ALFRED SAWAYA,
Assistant Corporation Counsel.

By Councilman Van Antwerp:
Resolved, that the City Controller be and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Illinois Appleton and Cox in the sum of \$100.00 in full payment of any and all claims which they may have against the City of Detroit by reason of the \$100 deductible clause relative to automobile damages sustained by Fred Sullivan with a sight-seeing train at Belle Isle on August 24, 1959, and that said amount be paid upon presentation of releases approved by the Office of the Corporation Counsel.

Approved:
WALTER E. VASHAK,
Acting Corporation Counsel:
Adopted as follows:
Yeas—Councilmen Carey, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.
Nays—None.