

Association, which was referred to the Police Department who concur in the request of licensing shuffleboards under the provisions of Chapter 141, we have drawn the necessary amendments.

One amendment repeals the Shuffleboard Ordinance and the other includes them in the Mechanical Amusement Device Ordinance.

Respectfully submitted,  
LAWRENCE E. EATON,  
Asst. Corporation Counsel.

Approved:  
WALTER E. VASHAK,  
Acting Corporation Counsel.

By Councilman Smith:  
AN ORDINANCE to repeal Ordinance 434-E, being Chapter 113 of the Compiled Ordinances of the City of Detroit for the year 1954.

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

Section 1. That Ordinance 434-E, being Chapter 113 of the Compiled Ordinances of the City of Detroit for the year 1954 is hereby repealed.

Approved as to form:  
WALTER E. VASHAK,  
Acting Corporation Counsel.

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

By Councilman Smith:  
AN ORDINANCE to amend Section 1 of Ordinance 518-F, being Chapter 141 of the Compiled Ordinances of the City of Detroit for the year 1954, as amended.

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

SECTION 1. That Section 1 of Ordinance 518-F, being Chapter 141 of the Compiled Ordinances of the City of Detroit for the year 1954, as amended, be and the same is hereby amended to read as follows:

Section 1. Definition. The term "Amusement Game or Device" as used in this ordinance shall mean any game or device used for amusement purposes only ~~excluding~~ including miniature pool tables OF NOT OVER FIFTY (50) INCHES BY NINETY (90) INCHES (OUTSIDE DIMENSIONS), SHUFFLEBOARDS and miniature bowling alleys but shall not include or permit the operation of any gambling or gaming device or any device susceptible or adaptable to or for gaming purposes and shall not include or permit table top devices under Ordinance 143-D, being Chapter 112 of the Compiled Ordinances for 1954 or other devices licensed under the provisions of other Ordinances of the City of Detroit.

Section 2. This Ordinance is hereby declared to be necessary for the preservation of the public peace, health and safety, and is hereby given immediate effect.

Approved as to form:  
WALTER E. VASHAK,  
Acting Corporation Counsel.  
Read twice by title, ordered printed and laid on the table.

Corporation Counsel  
December 11, 1961.

Honorable Common Council:  
Gentlemen—You have requested a report and recommendation regarding Petition No. 11969 filed by David Rott and Harry Rott for adjustment of personal property taxes based on assessment against Cortland Enterprises, Inc., a Michigan corporation, with respect to furniture and furnishings situated at 1130 Parker Avenue.

You denied this petition on November 8, 1961, following recommendation of the Board of Assessors, based on the fact that petitioners are not the parties assessed. Reconsideration was requested by petitioners urging that a legal question was involved.

No supporting authority was submitted by petitioners' representative although I have telephoned him to say that I would welcome whatever legal references he might have in support of his position. We have received nothing to controvert our view that a personal property assessment is the personal liability solely of the one whose name appears on the assessment roll (O.A.G. 1928-30, p. 176 and cases cited).

The right to collect by resorting to enforcement of a lien on the property involves separate questions and arises from other statutory provisions.

Thus, in the case of personal property, Michigan law treats an assessment as being against the person. This is in contrast to an assessment of real property on the basis of which the land and not the owner is taxed. Neither the Charter (Title VI, Ch. 4, Sec. 31, nor Ordinance 80-D (Ch.73, Municipal Code, City of Detroit, 1954) may be construed to authorize personal assessments to be vacated or corrected on the petition of one who is not named on the roll.

Respectfully submitted,  
JULIUS C. PLISKOW,  
Asst. Corporation Counsel.

Approved:  
NATHANIEL GOLDSTICK,  
Corporation Counsel.

By Councilman Van Antwerp:  
Resolved, That in view of the foregoing opinion, denial of petition of David and Harry Rott (11969) be and the same is hereby reaffirmed.

Adopted as follows:  
Yeas—Councilmen Carey, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.  
Nays—None.

Corporation Counsel  
December 18, 1961.

Honorable Common Council:  
Gentlemen—In accordance with the request of your Honorable Body, we are submitting herewith draft of resolution for the vacation of certain parts of the alley to the rear of the

new First Federal Savings and Loan Association (12243), building at the corner of Michigan and Woodward Avenues. Also, for the vacation of portions of Michigan and Woodward Avenues at the corner of this property.

This is all in exchange for other pieces of property on the site, to be deeded to the City by First Federal Savings and Loan Association plus the payment by First Federal to the City of the sum of \$57,680.00.

This is all in accordance with the previous approval of your Honorable Body as submitted to you by the City Plan Commission, and the Surplus Property Committee and this resolution has been approved by the City Plan Commission and by the City Engineer as to the descriptions of the properties included.

Respectfully submitted,

VANCE G. INGALLS,

Assistant Corporation Counsel.

Approved:

NATHANIEL H. GOLDSTICK,  
Corporation Counsel.

By Councilman Van Antwerp:

Whereas, The Common Council has received from the First Federal Savings & Loan Association of Detroit a petition (No. 12243), praying that parts of streets and alley described as follows be vacated:

Part of the west side of Woodward Avenue between Michigan and State Street described as:

That Westerly part of that part of Woodward Avenue being wider than 120 feet wide lying North of Michigan Avenue, 100 feet wide and East of and adjacent to Lots 44 and 45, Plan of Section 8 in the City of Detroit, Governor and Judges Plan as recorded in Liber 34 Page 543 of Deeds, recorded in 1848, said lots being further described in Liber 19 Page 83 of Plats, Wayne County Records, said part being described as:

Beginning at a point in the East line of said Lot 45, distant South 89 degrees 52 minutes 15 seconds West 46.46 feet, as measured along the North line of Michigan Avenue, 100 feet wide and North 0 degrees 13 minutes 15 seconds West 12.80 feet as measured along said East line of Lot 45, from the intersection of the North line of Michigan Avenue, 100 feet wide with the extension, having a bearing of South 30 degrees 12 minutes East of the Westerly line of that part of Woodward Avenue being 120 feet wide; thence continuing North 0 degrees 13 minutes 15 seconds West along the East line of said Lots 45 and 44, 65.66 feet; thence South 30 degrees 12 minutes East along a line parallel and one foot (1.00 foot) Westerly of the extension of the Westerly line of that part of Woodward Avenue being 120 feet wide, 56.88 feet; thence South 59 degrees 48

minutes West at right angles, 32.81 feet to the point of beginning. Said parcel containing 933.12 square feet of land;

Part of the North side of Michigan Avenue between Woodward and Griswold, described as:

A part of Michigan Avenue 100 feet wide lying South of and adjacent to the Southerly line of Lot 45, Plan of Section 8 in the City of Detroit, Governor and Judges Plan as recorded in Liber 34 Page 543 of Deeds, recorded in 1848, said Lot being further described in Liber 19 Page 83 of Plats, Wayne County Records, said part being described as:

Beginning at a point in the North line of Michigan Avenue, 100 feet wide, said point being South 89 degrees 52 minutes 15 seconds West 22.12 feet from the Southeast corner of said Lot 45; thence South 59 degrees 48 minutes West 2.00 feet; thence North 30 degrees 12 minutes West 1.16 feet; thence North 89 degrees 52 minutes 15 seconds East along the North line of Michigan Avenue 2.31 feet to the point of beginning. Said parcel containing 1.155 square feet of land;

Parts of the alley on the North side of Michigan Avenue between Woodward and Griswold described as:

A part of the alley being adjacent to the rear of Lot 44, Plan of Section 8, Governor and Judges Plan in the City of Detroit, as recorded in Liber 34 Page 543 of Deeds, recorded in 1848, being described as:

Beginning at the angle point in the Northerly line of said Lot 44, said point being South 60 degrees 01 minutes 05 seconds West from the Northeast corner of said Lot 44, distant 81.92 feet; thence continuing South 60 degrees 01 minute 05 seconds West 7.08 feet; thence South 30 degrees 12 minutes East 4.11 feet; thence North 29 degrees 48 minutes 45 seconds East along the rear line of said Lot 44, 8.17 feet to the point of beginning. Said parcel of land containing 14.55 square feet.

A part of the alley being adjacent to the rear of Lots 45 and 46 Plan of Section 8, Governor and Judges Plan in the City of Detroit, as recorded in Liber 34, Page 543 of Deeds, recorded in 1848, being described as:

Beginning at a point in the rear line of said Lot 45, said point being South 60 degrees 01 minute 05 seconds West along the Northerly line of said Lot 44, 81.92 feet and thence South 29 degrees 48 minutes 45 seconds West along the rear line of said Lots 44 and 45, 18.50 feet; thence continuing South 29 degrees 48 minutes 45 seconds West 11.93 feet to the common corner of said Lots 45 and 46; thence North 62 degrees 01 minute West 7.08 feet along a line common to the rear of said Lot 46

and the adjacent alley; thence North 60 degrees 01 minute 05 seconds East 14.06 feet to the point of beginning. Said parcel containing 42.18 square feet of land; and

Whereas, petitioner is the owner of the property abutting on the streets and alley in question; and

Whereas, the Common Council does hereby determine that it is to the best interest of the public that the parts of the streets and alley described above be vacated;

Now, Therefore, Be It Resolved, that the hereinbefore described portion of the City streets and alley be and the same are hereby vacated and discontinued and shall cease to exist as public highways and alley; and

Be It Further Resolved, That the Controller is directed to execute a deed quit claiming the interest of the City of Detroit in said premises to First Federal Savings and Loan Association of Detroit to be delivered to petitioner upon receipt of payment of the sum of Fifty-seven Thousand Six Hundred Eighty Dollars (\$7,680.00) and a warranty deed from First Federal Savings and Loan Association of Detroit to the City of Detroit covering premises described as:

A southeasterly part of Lot 45, plan of Section 8 in the City of Detroit, Governor and Judges Plan as recorded in Liber 34 on Page 543 of deeds, recorded in 1848 being further described in Liber 19 on Page 83 of plats, Wayne County Records, said part being described as: Beginning at the southeast corner of said Lot 45, said corner being on the north line of Michigan Avenue, 100 feet wide, and measuring south 89 degrees 52 minutes 15 seconds West, 46.46 feet from the intersection of the north line of Michigan Avenue, 100 feet wide, with the extension having a bearing of south 30 degrees 12 minutes East, of the westerly line of that part of Woodward Avenue being 120 feet wide; thence from said southeast corner of Lot 45, north 0 degrees 13 minutes 15 seconds West, 12.80 feet; thence south 59 degrees 48 minutes West, 25.54 feet; thence north 89 degrees 52 minutes 15 seconds East, 22.12 feet along the north line of Michigan Avenue to the point of beginning.

Said parcel containing 141.62 square feet of land.

The northeasterly 1 foot of Lot 44, plan of Section 8 in the City of Detroit, Governor and Judges Plan as recorded in Liber 34 on Page 543 of deeds, recorded in 1848, said lot being further described in Liber 19 on Page 83 of plats, Wayne County Records, said 1 foot being more particularly described as: Beginning at the northeast corner of said Lot 44; thence south 60 degrees 01 minute 05 seconds west along the northerly line of Lot 44, 1.00 feet; thence south 30 degrees

12 minutes east on a line parallel to the westerly line of Woodward Avenue, 120 feet wide, 83.12 feet; thence north 0 degrees 13 minutes 15 seconds west along the east line of said Lot 44, 2.00 feet; thence north 30 degrees 12 minutes west along the westerly line of Woodward Avenue, 120 feet wide, 81.39 feet to the point of beginning.

said parcel containing 82.255 square feet of land.

Further Resolved, That the cost, if any, of removal or relocation of any utilities in the vacated portions of the alley and streets shall be paid by the First Federal Savings and Loan Association.

Description Correct:

Engineer of Streets

By: W. Koltunchik

Date: 12-14-61

Adopted as follows:

Yeas — Councilmen Carey, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.

Nays—None.

Corporation Counsel

December 18, 1961.

Honorable Common Council:

Gentlemen—Attached hereto please find proposed amendments to Section 10.1C and new sections, 10.1J and 10.1L, of Ordinance 171-D, the Zoning Ordinance of the City of Detroit.

Respectfully submitted,

JOHN F. HATHAWAY,

Asst. Corporation Counsel.

By Councilman Van Antwerp:

Resolved, That Notice Is Hereby Given, That a public hearing as provided by law will be held by this Common Council in its Chamber on Friday, the 26th day of January, A. D. 1962, at 10:00 A. M., for the purpose of considering the advisibility of amending Ordinance 171-D, the Zoning Ordinance of the City of Detroit, as set forth in the following proposed amendment.

Approved:

WALTER E. VASHAK,

Acting Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Carey, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.

Nays—None.

By Councilman Van Antwerp:

AN ORDINANCE to amend Ordinance 171-D, entitled: "An Ordinance to establish districts in the City of Detroit; to regulate the use of land and structures therein; to regulate and limit the height, the area, the bulk and location of buildings; to regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; to regulate and determine the area of yards, courts and other open spaces; to regulate the density of population; to pro-