

Ann Arbor, Mich., July 28, 1902.

To the Common Council:

The undersigned, City Clerk, begs leave to submit the following as his report of the proceedings of the common council, having under consideration the matter of condemning the property in the sixth ward known as the "Cat Hole" and the property in the fourth ward known and designated as the Henning property. The council sitting in pursuance to its order and appointment for that purpose met at the council chamber on Monday, July 28, 1902, at 2 o'clock p. m., and due proof of the publication of the notice of the meeting having been filed, the roll of aldermen being called, the quorum being found to be present, that chairman announced that the council would enter upon the consideration of the same, and after hearing M. M. Wheelock, H. G. Prettyman, in person and by their representative attorneys, and there being no other persons desiring to be heard, Ald. Hamilton offered the following resolution:

Whereas, the common council of the city of Ann Arbor was on the 7th day of July, 1902, petitioned by ten freeholders of said city to lay out and establish a public common or park of all that property known as Block 18 of Ormsby and Paige's addition to the city of Ann Arbor; and

Whereas, after the reception of said petition, and at a meeting of the common council held on said 7th day of July, 1902, upon reading and filing said petition, and after fully considering the same, the said common council did determine that the aforesaid proposed improvement was advisable and said common council did by resolution declare said public improvement to be necessary, and that they deem it necessary to take the private property described in said petition as aforesaid for a public park, and that said improvement was for the use and benefit of the public; and

Whereas, at the meeting last aforesaid, said common council of the city of Ann Arbor did direct that the city

clerk, in the name of the said common council, give notice of the pendency of the question of ordering such proposed improvement to the owners, occupants or persons interested, or their agent, by personal service, if they reside within the city of Ann Arbor, and if they reside without said city then to make such service by posting up notices in five different places in said city, which notice should state the time and place when and where the common council would meet to consider the same, and also a description of the property to be constituted into said common or park. Said city clerk was further directed to serve and post said notice at least ten days before the time fixed for said hearing; and

Whereas, at said last mentioned meeting of said common council it was further ordered that a meeting of the common council for the hearing of said owners or occupants of said lands, and all persons interested therein, was then and there fixed for two o'clock p. m. of the 28th day of July, 1902, in the court house in the city of Ann Arbor; and

Whereas, it appears by the records in the city clerk's office, and by the affidavit of Frank H. Warren, Marshal of said city of Ann Arbor, that said notice was not personally served upon the owner of said block 18, by reason of the absence from said city of said owner; and

Whereas, it further appears by said affidavit of said Frank H. Warren that the notices required hereinbefore mentioned were properly posted in five or more public places in said city, and a copy thereof sent to E. Henning, the owner of said property, to No. 32-154 Lake St., Chicago, Ill.; and

Whereas, in compliance with said resolution, and notice, the common council of the city of Ann Arbor have convened at the time and place mentioned in said notice, and after hearing all persons interested in the lands aforesaid, and duly considering the same, it is

Resolved, and hereby determined by said common council to lay out and

establish said public park or common in accordance with the petition aforesaid; and be it further

Resolved, that the president do appoint a committee of three members of this common council who are directed to obtain the terms and conditions upon which a release of the title of said lands for such public common or park can be acquired, and also a statement of the damages accruing to all persons from the establishment of said public park or common, and also the release of the title to said property, and all such damages, be acquired by purchase, compromise or otherwise, and that such committee report the result of their negotiation to this council with all convenient dispatch.

Adopted as follows:

Yeas—Ald. Hamilton, Schlenker, Clancy, Kearns, Schumacher, Johnson, Grose, Coon, Jenney, Fischer, Pres. Haarer—11. Nays—0.

By Ald. Jenney:

Whereas, the common council of the city of Ann Arbor was on the 7th day of July, 1902, petitioned by ten freeholders of said city, to lay out and establish a public common or park, of all that property known as lots 1, 2, 3, 4 and 5 of the eastern addition to the village, now city, of Ann Arbor, described as follows: Beginning at a point in the south line of East Washington street, 2 chains east of the southeast corner of East Washington street and Twelfth street; thence easterly along the south line of East Washington street 2.75 chains; thence southerly along the east line of the west one-half of the southwest quarter of section 28, 4.59 chains; thence westerly parallel to the south line of East Washington street 2.75 chains; thence northerly 4.59 chains to the place of beginning. Also lot D of R. S. Smith's third addition to the city of Ann Arbor, except a piece of land out of the northeast corner of said lot D, having a frontage of 138.24 feet on East Washington street and a depth of 136.62 feet, now owned by Sarah F. Moseley; and

Whereas, after the reception of said petition, and at a meeting of the common council held on said 7th day of July, 1902, upon reading and filing said petition, and after fully considering the same, the said common council did determine that the aforesaid proposed improvement was advisable and said common council did by resolution declare said public improvement to be necessary, and that they deem it necessary to take the private property described in said petition as aforesaid for a public park, and that said improvement was for the use and benefit of the public; and

Whereas, at the meeting last aforesaid, said common council of the city of Ann Arbor did direct the city clerk, in the name of the said common council, to give notice of the pendency of the question of ordering such proposed improvement to the owners, occupants or persons interested, or their agent, by personal service, if they reside within the city of Ann Arbor, and if they reside without said city then to make such service by posting up notices in five different places in said city, which notice should state the time and place when and where the common council would meet to consider the same, and also a description of the property to be constituted into said common or park. Said city clerk was further directed to serve and post said notice at least ten days before the time fixed for said hearing; and

Whereas, at said last mentioned meeting of said common council it was further ordered that a meeting of the common council for the hearing of said owners or occupants of said lands, and all persons interested therein, was then and there fixed for two o'clock p. m. of the 28th day of July, 1902, in the court house in the city of Ann Arbor; and

Whereas, it appears by the records in the city clerk's office, and by the affidavit of Frank H. Warren, Marshal of said city of Ann Arbor, that said notice was personally served upon Horace G. Prettyman, Marion M. Wheelock, Sarah F. Moseley and

Charles Dwyer, administrator, who claim to own or be interested in said property; and

Whereas, it further appears by said affidavit of said Frank H. Warren that the notices required hereinbefore mentioned were properly served; and

Whereas, in compliance with said resolution and notice the common council of the city of Ann Arbor convened at the time and place mentioned in said notice, and after hearing all persons interested in the lands aforesaid, and duly considering the same, it is hereby

Resolved and determined, by said common council, to lay out and establish said public park or common in accordance with the petition aforesaid: and be it further

Resolved, that the president do appoint a committee of three members of this common council who are directed to obtain the terms and conditions upon which a release of the title of said lands for such public common or park can be acquired, and also a statement of the damages accruing to all persons from the establishment of said public park or common, and also the release of the title to said property, and all such damages be acquired by purchase, compromise or otherwise, and that such committee report the result of their negotiation to this council with all convenient dispatch.

Adopted as follows:

Yeas—Ald. Hamilton, Schlenker, Clancy, Kearns, Schumacher, Johnson, Grose, Coon, Jenney, Fischer, Pres. Haarer—11. Nays—0.

The chair appointed the following committee to confer with the property owners as to the price of said land: Ald. Hamilton, Jenney and Grose.

On motion the council adjourned.

JAS. E. HARKINS,
City Clerk.

Council Chamber, Aug. 4, 1902.

Regular session.

Called to order by Pres. Haarer.

Roll call: Present—Ald. Hamilton, Douglas, Schlenker, Clancy, Kearns, Johnson, Roberts, Grose, Coon, Jenney, Burg, Fischer, Pres. Haarer—13. Absent—Ald. Koch, Schumacher—2.

Minutes of the previous meeting read and approved.

The following petitions and communications were presented:

A petition signed by Junius E. Beal et al., asking that Ann street be left the present width, the resolution to narrow the same to 38 feet notwithstanding.

Ald. Fischer moved that the prayer of the petitioners be granted and the board of works be directed to have street paved 42 feet wide. Carried.

The petition of John Shadford et al., asking that Traver street be not changed in grade was received and read.

The petition of A. H. Lloyd et al. for new walk on east side of Washtenaw avenue between Hill street and Oxford road; petition of G. H. Wild asking the franchise of the D., Y., A. A. & J. R. R., if changed, to have Main and Packard streets sprinkled and road leveled up; the petition of A. H. Lloyd asking the drainage of a lot between Hill street and Oxford road; petition of Frederick Schmidt et al. for a light on Packard street and Fifth avenue; petition of Caroline Rolf et al. relative to putting West Madison street in condition, were referred to the proper committees.

Ann Arbor, Mich., July 31, 1902.

Board of Public Works, City, Wm. H. McIntyre, Pres.:

Gentlemen—I have investigated complaints made regarding damage done at the corner of Willard and East University avenue by reason of the overflow of storm water sewer and flow of water at this place. My estimate for correcting the difficulty is as follows:

80 feet of 24-inch sewer pipe
at 72c.....\$ 57 60