

ing to the statute in such case made for the opening and extension of Chester Street according to the plans and diagrams before said Village Commission.

Whereas the entire expense of said improvements is estimated to be the sum of \$9755.00.

Now, Therefore, Be It Resolved that said improvement so authorized and made is of such a nature that the expense thereof should be wholly paid for by special assessment against the lands benefited thereby.

Resolved further that an assessment district shall be established previous to the levying of such special assessment, said district to consist of all the lands and parcels of land within that portion of the Village described as follows:

From the south side of Maple Avenue, south on the West side of Pierce St., to the South side of Brown Street, south side of Brown Street east to the West side of Woodward, west side of Woodward south to the north side of Lincoln, west on the north side of Lincoln to Watkins, north on the west side of Watkins to the north side of Brown, west on the north side of Brown to the east side of Southfield and north on the east side of Southfield to the South side of Maple Ave., and east on the south side of Maple to the West side of Pierce Street.

Further resolved that a special assessment shall be levied against all the lands and parcels of land within the special assessment district aforesaid for the entire cost of the improvement aforesaid in proportion of benefits derived therefrom and that such assessment shall be made payable in five annual installments.

Resolved further that the Village Manager shall cause to be prepared a map showing the district aforesaid and all the lots and parcels of land lying within the same.

Resolved further that this Commission shall meet at the City Hall in the Village of Birmingham on Monday, May 7, 1923, at 8:00 o'clock P. M., to hear suggestions and objections to the proposed assessment and the method thereof. Yeas, 5; Nays, 0.

132—Moved by President McBride that the following preamble and resolution be adopted:

Whereas the Commission of the Village of Birmingham deem it advisable to borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for the purpose of extending the present sewer system of the Village by adding thereto one main trunk line sewer extending from a point in Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village, said main trunk sewer to be known as the Rouge Trunk Sewer in accordance with plans, drawings and estimates on file with the Village Clerk at a cost not to exceed the amount of said estimate on file with the Village Clerk in the sum of, to-wit: \$40,325.00.

Now, Therefore, Be It Resolved, that the question of raising the amount required upon the faith and credit of the Village for the purpose of extending its sewer system, as aforesaid, in accordance with plans, drawings and estimates now on file in the office of the Village Clerk be submitted to the electors of the Village for their approval at a special election to be held on Tuesday, May 15th, A. D. 1923, between the hours of 7:00 o'clock A. M. and 8:30 o'clock P. M. Central Standard Time, such election to be held in the Town Hall on the northwest corner of Merrill and Bates Streets in the Village of Birmingham, and

Further Resolved that the Board of Registration shall meet at the office of the Village Clerk in the Village of Birmingham on Saturday, the 5th day of May, A. D. 1923, between the hours of 7:00 o'clock A. M. and 8:30 o'clock P. M. Central Standard Time.

Further Resolved that the form of ballots to be used in submitting the foregoing Proposition 1 shall be as follows:

PROPOSITION 1
Shall the Village of Birmingham borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for extending the present sewer system by adding thereto one new main trunk line sewer extending from Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village.

YES
Shall the Village of Birmingham borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for extending the present sewer system by adding thereto one new main trunk line sewer extending from Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village.

NO
Further Resolved that, Whereas there is now pending in the Circuit Court of Oakland County the following cases, against the Village of Birmingham for damages, to-wit:

Julia C. Adams, plaintiff, No. 12445
John A. Mercier, plaintiff, No. 12446
Jay S. Williams, plaintiff, No. 12447
Albert Stoll, Jr., plaintiff, No. 12448
Frederike Lambert, plaintiff, No. 12449

And whereas said cases are ready for trial and have been set for trial for the week of April 23rd, 1923.

And, whereas the case of Julia C. Adams was tried before Honorable Glenn C. Gillespie, Circuit Judge for the County of Oakland and a Jury, at the September 1922 term of said Court and a judgment was rendered against the Village of Birmingham for the sum of One Thousand Dollars, and costs.

And whereas the said Honorable Glenn C. Gillespie has set aside said judgment as being inadequate in amount, thus making it necessary to try said case again, at a large expense, to the Village of Birmingham.

And whereas the trial of said cases means the expenditure of a large amount of money in securing expert testimony from engineers and also a large amount of money for attorney fees and Court costs.

And whereas a proposition of settlement of all five of said cases had been negotiated in the amount of Five Thousand Dollars including all damages and costs.

And whereas we believe it for the best interests of the taxpayers of the Village of Birmingham to cease litigation of the said so-called water cases and settle the same for the amount above stated.

And, whereas we are advised by Counsel that the claims of the respective plaintiffs are such that they are entitled to go to a Jury to assess their damages and the result of trial before a Jury will undoubtedly result in a verdict against the Village, the amounts of which it is impossible to determine, and that the results of the trials

of the cases will exceed the amount in their opinion that the same can be settled for, besides the large expense the Village is required to incur in the trials, and that it is for the best interests of said Village to settle said cases.

And whereas the members of the Commission before settling said cases are desirous of having the approval of their action by the taxpayers of the Village of Birmingham.

Now, Therefore, Be It Resolved, that the Commission call a special election to be held at the Village of Birmingham, Michigan, on the 15th day of May, 1923, for the purpose of allowing the taxpayers of the Village of Birmingham an opportunity of approving or rejecting the proposition of settling said water cases, so-called by paying the said sum of Five Thousand Dollars.

Be it further resolved that said resolution to be voted upon at said election in the Village of Birmingham on the 15th day of May, 1923, read as follows:

PROPOSITION 2
Resolved: That the Commission of the Village of Birmingham settle the following named cases by paying a total amount of Five Thousand Dollars:

Julia C. Adams vs. Village of Birmingham, No. 12445.
John A. Mercier, vs. Village of Birmingham, No. 12446.
Jay S. Williams, vs. Village of Birmingham, No. 12447.
Albert Stoll, Jr., vs. Village of Birmingham, No. 12448.
Frederike Lambert, vs. Village of Birmingham, No. 12449.

FOR THE RESOLUTION []
AGAINST THE RESOLUTION []

Further resolved that the form of registration and election notices to be given shall be as follows:

Notice is hereby given that at a special election to be held on Tuesday, the 15th day of May, A. D. 1923, in the Town Hall on the northwest corner of Merrill and Bates Streets in the Village of Birmingham between the hours of 7:00 o'clock A. M. and 8:30 o'clock P. M. Central Standard Time, the following propositions shall be submitted to the electors for their approval.

PROPOSITION 1
Shall the Village of Birmingham borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for extending the present sewerage system by adding thereto one new main trunk line sewer extending from Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village, in accordance with resolution adopted by the Commission of the Village of Birmingham at a regular meeting held on the 23rd day of April, A. D. 1923, of which the following is a true copy:
Moved by President McBride that the following preamble and resolution be adopted:

Whereas the Commission of the Village of Birmingham deem it advisable to borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for the purpose of extending the present sewer system of the Village by adding thereto one main trunk line sewer extending from a point in Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village, in accordance with plans, drawings and estimates now on file in the office of the Village Clerk at a cost not to exceed the amount of said estimate on file with the Village Clerk in the sum of, to-wit: \$40,325.00.

Now, Therefore, Be It Resolved that the question of raising the amount required upon the faith and credit of the Village for the purpose of extending its sewer system, as aforesaid, in accordance with plans, drawings and estimates now on file in the office of the Village Clerk be submitted to the electors of the Village for their approval at a special election to be held on Tuesday, May 15th, A. D. 1923, between the hours of 7:00 o'clock A. M. and 8:30 o'clock P. M. Central Standard Time, such election to be held in the Town Hall on the northwest corner of Merrill and Bates Streets in the Village of Birmingham, and

Further Resolved that the Board of Registration shall meet at the office of the Village Clerk in the Village of Birmingham on Saturday the 5th day of May, A. D. 1923, between the hours of 7:00 o'clock A. M. and 8:30 o'clock P. M. Central Standard Time.

Further Resolved that the form of ballots to be used in submitting the foregoing propositions shall be as follows:

PROPOSITION 1
Shall the Village of Birmingham borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for extending the present sewerage system by adding thereto one new main trunk line sewer extending from Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village.

YES
Shall the Village of Birmingham borrow the sum of \$40,325.00 and issue the bonds of the Village therefor for extending the present sewerage system by adding thereto one new main trunk line sewer extending from Residence Park Subdivision southwesterly along the bank of the River Rouge to a point in the center line of Linden Road on Birmingham Park Allotment Subdivision southwesterly of the Village.

NO
Resolved: That the Commission of the Village of Birmingham settle the following named cases by paying a total amount of Five Thousand Dollars:

Julia C. Adams vs. Village of Birmingham, No. 12445.
John A. Mercier, vs. Village of Birmingham, No. 12446.
Jay S. Williams, vs. Village of Birmingham, No. 12447.
Albert Stoll, Jr., vs. Village of Birmingham, No. 12448.
Frederike Lambert, vs. Village of Birmingham, No. 12449.

FOR THE RESOLUTION []
AGAINST THE RESOLUTION []

Notice is hereby given that the Board of Registration of the Village of Birmingham shall meet in the Village Clerk's office in said Village between the hours of 7:00 o'clock A. M. and 8:30 o'clock P. M. on Saturday the 5th day of May, 1923, for the purpose of completing the registration of electors of the Village of Birmingham. Yeas, 5; Nays, 0.
133—Moved by President McBride that the meeting adjourn. Yeas, 5; Nays, 0.
HAZEL CLARK, Village Clerk.