## VILLAGE COMMISSION PROCEEDINGS

Regular meeting of the Village Commission, held Monday evening, January 17, 1927 at 8 o'clock.

Present: Commissioners Ladd and Bell. Absent: President Shain.

Minutes of meeting of January 10, 1927 approved as printed.

34—Hearing on the method of assessment and necessity for the pavement on George Street was scheduled for 8 o'clock. Petition was filed objecting to the pavement, and several were present who asked that the pavement be constructed.

35—Moved by Commissioner Ladd that the hearing on George Street paving be adjourned to Monday evening, January 31, 1927 at 8:30 o'clock. Yeas: Ladd and Bell. Nays: None.

36—Moved by Commissioner Bell that the petition for the proposed amendment to the Charter of the Village of Birmingham, amending Chapter 5, Sections 1 and 3, and Chapter 9, Section 1 and 3, reading as follows:

### CHAPTER V.
### Officers to be Elected

Section 1. There shall be elected at large in the Village the following officers, viz: one President, Six Commissioners and, the Clerk.

### Terms of Office

Section 2. The Clerk, shall be elected for a term of one year. The President and the six Commissioners shall each be elected for a term of two years.

The term of office of all elective officers shall commence at 12 o'clock noon, on the third Monday of March following their election; provided however, that a special election shall be called under this amendment for the purpose of electing four Commissioners. Such special election shall be called within sixty days after the adoption of this amendment and the terms of the two Commissioners receiving the greatest number of votes shall end on the third Monday of March, 1929, and the terms of the two Commissioners receiving the next highest number of votes shall end on the third Monday of March, 1928.

At the next regular election after the adoption of this amendment, a President, Clerk and three Commissioners shall be elected and thereafter a President shall be elected at each regular annual election in alternate years and a clerk and three commissioners shall be elected at each annual election.

All officers shall hold office until their successors are elected and have qualified.

### CHAPTER IX.
### COMMISSION
### Composition and Powers

Section 1. All the powers of the Village, except as herein otherwise provided are hereby vested in the Commission which shall consist of a President and six Commissioners to be elected at large.

### Quorum

Section 2. Four members of the Commission shall constitute a quorum for the transaction of business, but a lesser number may meet and adjourn from time to time and all pending business and business noticed or set down for hearing at such meeting shall be taken up and heard at such adjourned meeting or at the next regular meeting without further notice.

Approved.

Governor

be accepted and submitted to the electors of the Village of Birmingham for their consideration at the next regular municipal election to be held March 14, 1927 after the same has been approved by the Governor. Yeas: Ladd and Bell. Nays: None.

37—Moved by Commissioner Ladd that the plans for the new Public Library as submitted and approved by the Library Board in accordance with their letter of this date, be accepted and that the Library Board be instructed to proceed with the advertising for bids to be received on the 14th day of February. Yeas: Ladd and Bell. Nays: None.

38—Moved by Commissioner Bell that the Library Board be authorized to proceed with the removal of buildings on the property for the new Library, as soon as they find it necessary in preparation for the site of the new Library. Yeas: Ladd and Bell. Nays: None.

39—Moved by Commissioner Ladd that the Committee appointed to investigate the relative advantages of Village or Village form of government be allowed the sum of $200 to be used to employ a Field Expert in connection with the work of the sub-committee on "Taxation and School Problems." Yeas: Ladd and Bell. Nays: None.

41—Moved by Commissioner Bell that the following preamble and resolution be adopted:

THIRD RESOLUTION ON SO. MAPLE-SON STREET WATERMAIN.

This, Whereas, pursuant to a resolution, adopted by the Commission on December 20, 1927, the Village Assessor of the Village of Birmingham has prepared special assessment rolls, according to maps, diagrams and estimates on file with the Village Clerk for the construction of an 8-inch Cast Iron Watermain on So. Madison Street, from Lincoln Avenue to Clawson Road, in the Village of Birmingham, and

Whereas, he has reported them to this Commission as required by law, now

Be it resolved, that said Special Assessment Roll be filed with the Village Clerk and be entitled Special Assessment Roll No. 98, and that the Commission of the Village of Birmingham meet in the Village Clerk's office in the Village of Birmingham on January 31, 1927, at 8 o'clock P. M. to hear objections and objections of persons interested in said special assessment, and that a notice of such hearing be published as required by law. Yeas: Ladd and Bell. Nays: None.

42—Moved by Commissioner Ladd that the pay roll and bills be allowed as read:

George Newman, $80.00; Wm. Luth, $70.10; W. Brown, $70.20; W. Hourn, $70.20; D. Symons, $64.80; H. Hewer, $70.20; C. Higby, $70.60; Edward Harmon, $10.80; John Berry, $1.20; Thomas Burgess, $3.90; Dane Farnum, $5.40; Ray Gravlin, $17.00; Elmwood Plumbing and 2 trucks, $75.00; John Berry, $64.80; Thomas R. Roy, $32.00; Mike Harshedian, $67.5.10; Roy Whitten, $130.09. Yeas: Ladd and Bell. Nays: None.

43—Moved by Commissioner Bell that the $500 deposited by Wm. McCallum as surety against damage to Public Property while moving house from So. Woodward to Henrietta Street, be refunded. Yeas: Ladd and Bell. Nays: None.

44—Moved by Commissioner Bell that the following telegram of January 14th, 1927, be approved:

Jan. 14, 1927

State Administrative Board,
Lansing, Michigan.
Att: Frank F. Rogers, State Highway Commissioner.

The Village Commission of Birmingham protest against the recommendation of the Oakland County Highway Commission as approved by the State Administrative Board for a width of One Hundred feet on Woodward Avenue through Village of Birmingham. We believe that the requirements of two car lines, parking space and adequate sidewalks makes a width of more than One Hundred feet necessary, and we respectfully request your most careful consideration of these conditions, bearing in mind the future development of this community.

David H. Ladd, President Pro Tem.
S. O. Bell, Commissioner.

Yeas: Ladd and Bell. Nays: None.

45—Communication from the Detroit Automobile Club was read and placed on file.

46—Moved by Commissioner Ladd that the following preamble and resolution be adopted:

Whereas, by authority of a certain resolution, numbered 3[illegible], passed June 28, 1926, the following proposition was submitted to the qualified electors of the Village of Birmingham, at a special election held July 29, 1926,

(1) "Shall the Village of Birmingham borrow the sum of $175,000.00 and issue the bonds of the Village therefor, for the purpose of constructing and building a new library and equipping same," and

Whereas, more than three fifths (3-5) of the voters, voting on the above named election, voted in favor of the proposition, and it was duly determined by the Village Commission that said proposition was approved by more than the (three fifths (3-5) vote required by the Charter.

Now be it resolved, that bonds of the Village be issued in the amount of $175,000.00 for the purpose of constructing and equipping a new library; said issue to consist of 175 bonds of $1000.00 denomination numbered 1 to 175, both inclusive, dated March 1, 1927, and payable as follows: $2,000.00 March 1, 1928 to 1932 inclusive; $5,000.00, 1933 to 1937 inclusive; $7,000.00, 1938 to 1940 inclusive; $8,000.00, 1941 to 1943 inclusive; $9,000.00, 1944 to 1946 inclusive; all to bear interest at a rate not to exceed five per cent (5%) per annum, payable semi-annually on March 1 and September 1st of each year, both principal and interest to be made payable at a financial institution agreed upon between the Village Commission and the purchaser of the bonds at the time of accepting their bid.

Be it further resolved that the President and Clerk be hereby authorized to sign and execute said bonds on behalf of the Village of Birmingham, and cause the corporate seal of the Village to be affixed thereto, said bonds and interest coupons be attached to said bonds bearing facsimile signatures of said President and Clerk, and that said bonds, when executed, be delivered to the Village Treasurer, who is hereby authorized to surrender them to the successful bidder, upon payment to him of the purchase price, according to their accepted bid, and

Be it further resolved that the above described bonds be designated "New Library Bonds" and shall be in substantially the following form:

FORM OF BOND AND COUPON

No. $

UNITED STATES OF AMERICA, STATE OF MICHIGAN, COUNTY OF OAKLAND,
VILLAGE OF BIRMINGHAM
NEW LIBRARY BOND

Know all Men by these presents: that the Village of Birmingham, County of Oakland, State of Michigan, acknowledges itself to owe, and for value received hereby, promises to pay the bearer the sum of [illegible] dollars, lawful money of the United States of America, on the first day of August 19[illegible] with interest thereon from the date hereof until paid at the rate of [illegible] per cent per annum, payable semi-annually on the first day of March and September of each year upon presentation and surrender of the annexed interest coupons as they severally mature. Both principal and interest of this bond is hereby made payable at [illegible]

and for the prompt payment of this bond, both as to principal and interest, the full faith, credit and resources of the Village of Birmingham are hereby irrevocably pledged.

This bond is one of a series of [illegible] bonds of even date and like tenor, aggregating $[illegible], issued for the purpose of building and equipping a new public library in the Village of Birmingham, Oakland County, Michigan, and has been authorized by a three fifths vote of the electors of said Village of Birmingham voting thereon at the general election held in the said Village on the 29th day of July, 1926, in accordance with the provisions of section 24 of Chapter XX of the Village Charter adopted by the voters of said Village at an election held October 25, 1915.

This bond is payable out of the interest and Sinking Fund of the said Village of Birmingham, and it is hereby certified and recited that all acts, things and conditions required by law precedent to and in the issuing of this bond exist and have been done and performed in regular and due form as required by law, and that the total indebtedness of said Village, including this bond, does not exceed any constitutional, Charter or statutory limitation.

In witness whereof, the Village of Birmingham, Oakland County, Michigan, by its Village Commission, has caused this bond to be signed by its President and Countersigned by its Clerk, and its Corporate Seal to be hereunto affixed as of the first day of [illegible] A. D. 1927.

(signed) VILLAGE OF BIRMINGHAM

By [illegible] President

Seal Countersigned

[illegible] Clerk

Coupon

No. $

The Village of Birmingham, Oakland County, Michigan, will pay the bearer the sum of [illegible] Dollars, lawful money of the United States of America on the first day of [illegible] 19[illegible] at [illegible] being the semi-annual interest due that date on its [illegible] dated March 1, 1927.

Yeas: Ladd and Bell. Nays: None.

47—Moved by Commissioner Bell that it be recorded in the minutes that in the judgment of this Commission, the period of usefulness of the said Library is to be built with the proceeds of the sale of New Library bonds in the amount of $175,000.00 is in excess of twenty-six (26) years. Yeas: Ladd and Bell. Nays: None.

48—Moved by Commissioner Bell that the President Pro Tem and Clerk be authorized to execute agreement with Elmer G. Ford, covering drawing ground, for the Village of Birmingham. Yeas: Ladd and Bell. Nays: None.

49—Communication from Governor Fred W. Green, approving the appointments as passed by the Village Commission January 3, was read and placed on file.

50—Communication from John B. Williams requesting street lights at the corner of Cambridge and Yorkshire Roads, and Cambridge and Dorchester Roads, Birmingham Estates, read.

51—Moved by Commissioner Ladd that the Manager be instructed to have street lights erected at the following locations: 600 C. P. Corner Lakeview and Woodward; 600 C. P. Harmon, west of Lakeview; 600 C. P. Corner Cambridge and Yorkshire Roads; 600 C. P. Corner Cambridge and Dorchester Roads; 600 C. P. Woodward and Bowers; 600 C. P. Woodward between George and Landon; 600 C. P. Woodward between Landon and Lincoln Avenue. Yeas: Ladd and Bell. Nays: None.

52—Moved by Commissioner Ladd that the State and County taxes on property already purchased for Civic Center in the amount of $1282.74 be paid from the Civic Center fund account. Yeas: Ladd and Bell. Nays: None.

Moved by Commissioner Ladd that the meeting adjourn. Yeas: Ladd and Bell. Nays: None.

HAZEL E. LAWLER,
Village Clerk

### NOTICE OF MORTGAGE FORECLOSURE SALE.

Default having been made in the terms and conditions of a certain mortgage made by Lewis G. Pilgrim and Dorothy B. Pilgrim, his wife, of the Village of Ferndale, County of Oakland and State of Michigan to William O. Mortimer, of the City of Port Huron, Michigan, which said mortgage was dated the Eighth day of January, A. D. 1926, and was recorded in the office of the Register of Deeds for Oakland County in Liber 1503, page 13-16 Oakland County Records on January 20th, 1926, whereby the power of sale in said mortgage contained became operative.

There is by reason of said default now due and unpaid at the date of this notice upon said mortgage principal and interest the sum of $1975.14 and no suit or proceedings at law or in equity having been instituted to recover said moneys or any part thereof, now therefore by virtue of the power of sale contained in said mortgage, and the statute in such case made and provided, notice is hereby given that on Monday, the Twenty-eighth day of March, A. D. 1927, at eleven o'clock in the forenoon of said day, Eastern Standard Time, the undersigned will sell at Public Auction, at the front door of the Court House in the City of Pontiac, that being the place where the Circuit Court for the County of Oakland is held, the premises described in said mortgage or so much thereof as may be necessary to realize the amount due as aforesaid with seven per cent interest, insurance premiums and all legal costs allowed by law and provided for in said mortgage, including attorney fee, the following described premises situated in the Village of Ferndale, County of Oakland, and State of Michigan and described as follows:

Lot numbered One Hundred Twenty-six (126) Woodward Park Subdivision of part of Sections 27 and 28, Town 1 North of Range 11 East, Township of Royal Oak, County of Oakland, State of Michigan according to the plat thereof recorded with the Register of Deeds of Oakland County, Michigan in Liber 41 of Plats on page 12.

Dated December 16, 1926.

VICTORIA MORTIMER,
Executrix of Estate of
William O. Mortimer,
Deceased.

TORBERT & ALLERTON,
Attorneys
Business Address,
695 Murphy Bldg.,
Highland Park, Mich. 25-47

### NOTICE OF MORTGAGE SALE

Default having been made in the terms and conditions of a certain mortgage made by Chalil M. Jabour and Hilda Spring, his wife to Charles B. Lee and Jeanette Lee of Detroit, Michigan, dated the 2nd day of October, 1925, and recorded in the office of the Register of Deeds for Oakland County, Michigan, on the 16th day of October, 1925, in Liber 382 of Mortgages, on pages 351 and 352, which said mortgage provides that upon default in the payment of any installment of principal or interest and the same, or any part thereof, remaining unpaid for a period of thirty (30) days, the entire unpaid balance of said mortgage shall become due and payable forthwith at the option of said mortgagee, and by reason of said default, the entire principal having become and being hereby declared to be due and payable, on said mortgage at the date hereof which said principal and interest amounts to the sum of Nineteen Hundred Seventy-four and 34/100 ($1974.34) Dollars, and no proceedings at law or in equity having been instituted to recover said moneys or any part thereof, now therefore by virtue of the power of sale contained in said mortgage and the statutes in such case made and provided, notice is hereby given that on Saturday, the 12th day of March, 1927, at Twelve (12) o'clock noon, Eastern Standard time, at the easterly of Saginaw Street entrance to the Oakland County building of the Circuit Court for the County of Oakland, city of Pontiac, Michigan (that being the building in which the Circuit Court for the County of Oakland is held), the premises described in said mortgage, or so much thereof as may be necessary to pay the amount due as aforesaid and all legal costs allowed by law and provided for in said mortgage, including attorney fee, the following described premises situated in the Township of Royal Oak, Oakland County, Michigan, and are more particularly described as Lot Seventy (70), John Tekler's Bonnavoie Addition, the east half (½) of the northeast quarter (¼) of the northwest quarter (¼) of Section Twenty-five (25), Town One (1) North, Range (12) East, recorded in Liber 32, page 1 of Plats.

Dated: Detroit, Michigan, Dec. 8, 1926.

CHARLES B. LEE,
JEANETTE LEE,
Mortgagees.

STANTON, CLARKE,
Attorney for Mortgagees,
1221 First National Bank Bldg.,
Detroit, Michigan. 25-47

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