VILLAGE COMMISSION PROCEEDINGS

Regular meeting of the Village Commission Held Monday evening, April 30, 1928 at 8 o'clock.

Present: President Ellerby, Commissioners Henry, Hulbert, McBride, White and Hersey.

Absent: Commissioner Halgren.

Minutes of meeting of April 23rd, 1928 approved as printed.

305—Moved by Commissioner Hersey that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9th, 1928, 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 a storm sewer on Merrill Street from Pierce Street to Southfield Avenue 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 for District No. 134, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

306—Moved by Commissioner Hulbert that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9, 1928, 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 a concrete pavement on Merrill Street, from Pierce Street to Southfield Avenue 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 for District No. 135, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

307—Moved by Commissioner McBride that the proceedings for paving Euclid Avenue be laid on the table indefinitely.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

308—Moved by Commissioner White that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9, 1928, 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 a concrete pavement on Willets Street from Woodward Avenue to Chester Street 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 for District No. 137, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

309—Moved by Commissioner Henry that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9, 1928, 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 a concrete pavement on Bates Street from Willetts Street to Brown Street 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 for District No. 138, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, Whtie, Hersey. Nays: None.

310—Moved by Commissioner McBride that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9th, 1928, 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 a concrete pavement on Henrietta Street from Maple Avenue to Brown Street 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 for District No. 139, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

311—Moved by Commissioner Hulbert that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9th, 1928, 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 a concrete pavement on Chester Street, between Maple Avenue and Willetts Street 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 for District No. 140, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

312—Moved by Commissioner Hersey that the following preamble and resolution be adopted: that

Whereas, pursuant to a resolution passed by this Commission on April 9th, 1928, 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 a pavement on Martin Street from Pierce Street to Chester Street 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 for District No. 141, and that the Commission of the Village of Birmingham meet in the Village Clerk's Office in the Village of Birmingham on May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections of persons interested in said special assessment, and that a notice of such meeting be published as required by law.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

313—Moved by Commissioner Hersey that the following resolution be adopted: Resolved that the Special Grading and Graveling Assessment Roll No. 131 on Pleasant Avenue from W. Maple Ave. to Lincoln Avenue heretofore prepared by the Village Assessor for defraying the cost of constructing the Grading and Graveling of Pleasant Avenue, after due hearing thereon and review by the Commission and Village Assessor and no objections having been heard therefrom, be in all things ratified and confirmed, and the Village Clerk be and is hereby instructed to certify the said assessment roll to the Village Treasurer for collection.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

314—Moved by Commissioner White that whereas the Health Officer reports that a contamination has been found repeatedly in the water of the Village, and,

Whereas, while thus far apparently without harmful results, a serious condition might develop, the Commission requests a further report from the Health Officer and the Village Manager on the necessities in the case and cost of equipping the water department for chlorination if that be found desirable.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

315—Moved by President Ellerby that Whereas this Commission deems it advisable to vacate, discontinue and abolish an alley extending southerly from Harmon Avenue and located between Greenwood and Baldwin Avenues, and believing that such alley is not now necessary or advisable and that the vacation of such alley is for the improvement of the Village, now

Be it resolved that a hearing on the vacation of such alley be held before this Commission on the 4th day of June, 1928 at 8 o'clock P. M. and that notices of such hearing, with a copy of this resolution be sent to each owner of property abutting along such alley, and that objections, by personal appearance or in writing, shall be made to the Clerk of that date.

Yeas: Ellerby, Henry Hulbert, McBride, White, Hersey. Nays: None.

316—Moved by Commissioner Hulbert that the following bills and payroll be paid:

	Voucher No.	
Labor Payroll	319	$ 933.80
Salaries, payroll	320	3,665.84
Mike Harabedian, labor	321	388.40
Chas. Plumstead, petty cash account	323	27.84
First Nat'l Bank, Bond and interest	322	6,487.00

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

Communication from Lloyd L. Stanley, Commander of American Legion inviting the Village Commission, Fire Department and Police Department to participate in the Memorial Day Parade read.

Communication from Freeman A. Willis regarding the continuation of sidewalk on Haynes Street read.

317—Moved by Commissioner Hersey that the matter of continuation of sidewalk on Haynes Street be referred to the Village Manager for investigation.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

318—Moved by Commissioner White that the following preamble and resolution be adopted: that

Whereas this Commission, by virtue of a resolution passed April 9th, 1928 determined that it is expedient and advisable that an 8" water main be constructed on Woodward Avenue from Bloomfield Court north to the existing water main south of the intersection of Redding Road in the Village of Birmingham, and

Whereas by virtue of the same resolution the Village Manager has prepared maps and diagrams of such above named improvement, and filed same with this Commission, together with an estimate of the cost of same amounting to $4,114.00 for the water main.

Now be it resolved that all lots and parcels of land fronting and abutting on said above named street will be benefited by said improvement, and shall constitute a Special Assessment District upon which a special assessment shall be levied to defray a portion of the expense of constructing such above named improvement, and

Be it further resolved that the Village of Birmingham shall bear 31.5% of the cost of constructing such above named improvement, and that the lots and parcels of land embraced in said Special Assessment District shall be assessed 68.5% of construction of said improvement, or approximately $2.07 per front foot, according to benefits derived therefrom, and that the special assessment shall be divided into five equal installments, payable annually, beginning with the date of confirmation of a Special Assessment Roll for the above purpose, and

Be it further resolved that this Commission shall meet at the Village Clerk's Office in the Village of Birmingham on Monday May 14, 1928 at 8 o'clock P. M. to hear suggestions and objections to the proposed improvement, and the method of assessment thereon.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

319—Moved by Commissioner Hulbert that the Clerk be authorized to advertise for bids for the installation of water mains in Golf View Heights Subdivision; Bloomfield Court; Woodward Avenue, Oak to Bloomfield Court; Hamilton Avenue; Euclid Avenue, Ferndale to Woodward; Merrill St. Pierce to Southfield; and Forest Avenue—Woodward to Brownell St.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

320—Moved by Commissioner White that the Clerk be authorized to advertise for bids for the installation of storm sewer on Holland, Webster, Cole and Torry Avenues, Martin, Bates, Merrill, Henrietta, Willetts and Chester Streets. Bloomfield Court, Hamilton, Euclid and Forest Avenues.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

321—Moved by Commissioner McBride that the following bonds be sold:

Hanna Street Pavement,
Brownell Street Pavement,
Oak Street Pavement,
Fire Station,
Woodward Sewer and Water Reconstruction,
Water Extension,
Municipal Building.

and that an ad be inserted in the Michigan Investor asking for sealed bids on the above bonds, said bids to be received by the Village Clerk at her office in the Village Hall until 2 P. M. Eastern Standard Time on May 14, 1928 at which time the bids will be publicly opened and read.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

322—Moved by Commissioner Hersey that it be recorded in the minutes that, in the judgment of this Commission the period of usefulness of the following improvements are:

Hanna St. Pavement—in excess of six years.
Brownell St. Pavement—in excess of six years.
Oak Street Pavement—in excess of six years.
Fire Station—in excess of twenty-six years.
Woodward sewer and water reconstruction—in excess of twenty years.
Water extension—in excess of twenty years.
Municipal Building—in excess of thirty years.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

323—Moved by Commissioner Hulbert that the following preamble and resolution be adopted:

Whereas, this Commission adopted certain resolutions determining that the Village-at-large should pay a portion of the cost of certain improvements within the Village of Birmingham under special assessment power provided in Chapter XXI of the Village Charter, said resolutions describing, and assigning Special Assessment District Numbers to the several properties so improved and so assessed, together with the several amounts to be paid by the Village-at-large from the general funds of said Village as it's share of the cost of each improvement, as follows:

District No.	Improvement	Date of Resolution	Amount
105	Hanna St. pavement	May 9, 1927	$ 3,633.00
106	Brownell St. pavement	May 31, 1927	1,760.50
	Brownell St. pavement—re-ass't	Nov. 14, 1927	347.44
109	Oak St. pavement	June 27, 1927	6,247.60
	Oak St. pavement—re-ass't	Nov. 14, 1927	296.97
	TOTAL		$12,285.51

and,

Whereas, the amounts listed above aggregate $12,285.51,

Now, be it resolved, that the bonds of the Village be issued in the amount of $12,285.51 for the purpose of raising money to pay the Village-at-large share of the cost of paving Hanna, Brown, and Oak Streets. Said issue to consist of 1 bond of $2833.31, 1 bond of $452.20 and 9 bonds of $1000.00 denomination, numbered 1 to 11 both inclusive, to be dated May 1, 1928 and payable $2833.31 June 1, 1928, $2452.20 June 1, 1929, $3000.00 June 1, 1930 and $2000.00 June 1, 1931 and 1932, all of said bonds to be designated Paving Bonds.

All the above bonds to bear interest at a rate not to exceed 6% per annum, payable semi-annually on May 1st, and November 1st of each year at a financial institution agreed upon between the Village Commission and the purchaser, and the full faith and credit of the Village of Birmingham be hereby pledged for the punctual payment of said bonds, and interest thereon when they shall become due, and

Be it further resolved that said bonds shall conform to all the provisions of the Charter of the Village of Birmingham relating to General Obligation bonds for public improvements, and

Be it further resolved that the President and Clerk be hereby authorized to sign and execute said bonds, when printed, and that the Corporate Seal of the Village be affixed to each bond, and that interest coupons be attached, bearing fac-simile signatures of the President and Clerk, and that said bonds when executed, be delivered to the Village Treasurer, who is hereby authorized and directed to surrender same to the purchaser upon receipt by him of the purchase price as agreed upon in the accepted bid, and,

Be it further resolved that said bonds be in substantially the following form:

Form of Bond

No.________ $________

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND
VILLAGE OF BIRMINGHAM
______Bond.

KNOW ALL MEN BY THESE PRESENTS, that the Village of Birmingham, Oakland County, Michigan, acknowledges itself to owe, and hereby firmly held and bound unto the bearer in the sum of ________ Dollars, lawful money of the United States of America, which sum it promises to pay at the office of ________, of ________, ________, on the ________ day of ________, A. D. ________ with interest thereon from the date hereof at the rate of ____ per cent per annum, payable semi-annually on the ________ day of ________ and ________ of each year upon the surrender of the annexed coupons as they severally became due. In case of the inability, neglect or refusal of said ________ to act, then the principal and interest of this bond shall be payable at such other financial institution as the then Village Commission shall designate.

This bond is one of a series of ____ bonds, aggregating $________, of even date and like tenor, issued under the provisions of Section 22 of Chapter XX of the Charter of the Village of Birmingham for the purpose of raising money to pay that portion of the cost of ________________

And it is hereby certified and recited that the amount of this bond does not exceed the limit of indebtedness prescribed by the said charter, and that all acts, conditions and things required to be done, performed and happened in regular and due form according to the law.

The full faith and credit of the Village of Birmingham are hereby irrevocably pledged for the prompt payment of the principal and interest of this bond when they shall become due.

In witness whereof, the Village of Birmingham has caused it's Corporate seal to be hereunto affixed, and this bond to be signed by it's President and Clerk this ________ day of ________ A. D. ________

VILLAGE OF BIRMINGHAM,
By ________________ President.

Seal.
Countersigned:
________________ Clerk.

No.________ $________

COUPON

The Village of Birmingham hereby acknowledges that there will be due the bearer ________ Dollars, lawful money of the United States of America, at the office of ________, ________, on the ________ day of ________ A. D. ____, payable out of the General Funds of said Village of Birmingham, being for six months interest on it's ________ bond No.________ dated ________

VILLAGE OF BIRMINGHAM,
________________ President
________________ Clerk.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

324—Moved by Commissioner McBride that the following preamble and resolution be adopted:

Whereas certain special assessment rolls hereinafter listed have been duly confirmed for defraying that part of the cost of installing certain improvements which the Commission determined should be paid by the property so improved, in resolutions passed on the dates given following each, to-wit:

District No.	Improvement	2nd resolution	roll confirm.	Amount
105	Hanna St. pavement	5-9-27	6-6-27	$10,899.00
106	Brownell St. pavement	5-31-27	6-27-27	5,281.50
	Brownell St. pavement—re-ass't	11-14-27	12-12-27	1,042.34
109	Oak St. pavement	6-27-27	8-1-27	31,237.40
	Oak St. pavement—re-ass't	11-14-27	12-12-27	1,484.87
				$49,945.11

and,

Whereas said rolls have been duly certified to the Village Treasurer for collection in 5 equal annual installments, beginning with the year 1927.

Now be it resolved that bonds of the Village be issued in anticipation of the collection of said assessment rolls, and payable from the proceeds of the collection thereof in accordance with the provisions of Section 22 of Chapter XX of the Charter of the Village of Birmingham, said bonds to be dated May 1st, 1928, to bear interest at a rate not to exceed 6% per annum, payable semi-annually on May 1st and November 1st of each year at a financial institution agreed upon between the Commission and the purchaser, and that the full faith and credit of the Village be hereby pledged for the punctual payment of said bonds, and interest on same from the Special Funds created for the purpose, when the same shall be collected. Said issues to consist of the following:

HANNA STREET PAVEMENT—A total of $10,899.00 consisting of 1 bond of $2899.00 and 8 bonds of $1000.00 denomination, payable $2899.00 May 1, 1928, and $2000.000 May 1st, 1929, 1930, 1931, and 1932.

BROWNELL STREET PAVEMENT—A total of $6,323.84 consisting of 1 bond of $2,323.84 and 4 bonds of $1000.00 denemination, payable $2,323.84 May 1, 1928 and $1000.00 May 1, 1929, 1930, 1931, and 1932.

OAK STREET PAVEMENT—A total of $32,722.27, consisting of 1 bond of $12,722.27, and 20 bonds of $1000.00 denomination, payable $12,722.27 May 1, 1928 and $5000.00 May 1, 1929, 1930, 1931, and 1932, and

Be it further resolved that the President and Clerk be hereby authorized to sign and execute said bonds when printed, and that the Corporate Seal of the Village be affixed to each, and that interest coupons be attached to said bonds, bearing fac-simile signatures of the President and Clerk, and that the bonds, when signed and executed be delivered to the Village Treasurer whi is hereby authorized to surrender same to the purchaser upon receipt of the purchase price as agreed upon in the accepted bid, and

Be it further resolved that said bonds be in substantially the following form:

No.________ $________

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND
VILLAGE OF BIRMINGHAM
Special Assessment ______ Bond.

KNOW ALL MEN BY THESE PRESENTS, that the Village of Birmingham, Oakland County, Michigan, acknowledges itself to owe, and to be hereby held and firmly bound unto the bearer in the sum of ________ Dollars, lawful money of the United States of America, which sum it promises to pay at the office of ________ of ________, ________ on the ______ day of ________ A. D. ____, with interest thereon from the date hereof at the rate of ____ per cent per annum, payable semi-annually on the ______ day of ______ and ______ of each year upon surrender of the annexed coupons as they severally mature, said principal and interest however, being payable from the Special Assessment Fund created for the purpose. In case of the inability, neglect or refusal of said ________ to act, this bond shall be payable at such other financial institution as the then Commission shall designate.

This bond is one of a series of ______ bonds of even date and like tenor dated ________ numbered 1 to ____ both inclusive, aggregating $______ issued under the provisions of Chapter 22 of Section XX of the Charter of the Village of Birmingham in anticipation of the collection of a special assessment roll which has been duly made and confirmed by the Village Commission for the purpose of paying that portion of the cost of installing a ________________ within the said Village of Birmingham which the Commission has determined shall be paid by a special assessment district for ______ No.____ in a resolution adopted ______, ____, ____, which assessment has been divided into five equal anonual installments beginning with the year 1927, and collection of which has been duly authorized and directed by the Village Commissioner.

And it is hereby certified and recited that the amount of this bond does not exceed any limit of debt as prescribed by the Village Charter and that all acts, conditions and things required to be done precedent to and in the issuing of this bond have been done, performed and happened in regular and due form according to law.

The full faith and credit of the Village of Birmingham are hereby pledged for the punctual payment of the principal and interest of this bond from the special assessment fund, when the same shall have been collected.

In testimony whereof, the Village of Birmingham has caused it's corporate seal to be hereunto affixed, and this bond to be signed by it's President and Clerk this ____ day of ________, A. D. ____

VILLAGE OF BIRMINGHAM,
By ________________ President.

Seal.
Countersigned:
________________ Clerk.

COUPON

No.________ $________

The Village of Birmingham hereby acknowledges that there will be due the bearer ________ Dollars, lawful money of the United States of America, payable at the office of ______ of ______, ______, on the ______ day of ______, ______, out of the special assessment fund created for the purpose, being for six months interest on it's special assessment ______ Bond No. ______ dated ______.

VILLAGE OF BIRMINGHAM,
________________ President.
________________ Clerk.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

325—Moved by Commissioner White that the following preamble and resolution be adopted.

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

Proposition 2

"Shall the Village of Birmingham borrow the sum of Forty Thousand Dollars ($40,000.00) and issue bonds of the Village therefor, for the purpose of building and constructing a Fire Hall in the Village of Birmingham?" and,

Whereas by authority of a resolution passed February 20th, 1928 the following propositions were submitted to the qualified electors of the Village of Birmingham at the regular election held March 12th, 1928.

Proposition 1

"Shall the Village of Birmingham borrow the sum of Sixty-six Thousand Dollars ($66,000.00) and issue the bonds of the Village therefor, for the purpose of completing the New Municipal Building, etc."

Proposition 4

"Shall the Village of Birmingham borrow the sum of Twenty Thousand Dollars ($20,000.00) and issue the bonds of the Village therefor, for the purpose of reconstructing and modifying the sewer and water systems and cross connections therefor on Woodward Ave from Oak Street to Lincoln Avenue, etc."

Proposition 5

"Shall the Village of Birmingham borrow the sum of Twenty Thousand Dollars ($20,000.00) and issue the bonds of the Village therefor for the purpose of paying the Village-at-large share of the cost of extensions and additions to the water systems of the Village of Birmingham as may be deemed necessary and authorized by the Village Commission" and,

Whereas more than three fifths of the voters at the above named elections voted in favor of the above propositions, and it was duly determined and confirmed that said propositions were approved by more than the three-fifths vote required by the Village Charter, now be it resolved.

That bonds of the Village be issued in the amount of $40,000.00 for the purpose of building and constructing a Fire Hall, said issue to consist of 40 bonds of $1000.00 denominations, numbered 1 to 40 both inclusive and to mature $1000.00 in 1929 to 1944, inclusive, $2000.00 1945 to 1950 inclusive, and $3000.00 1951 to 1954 inclusive, in the amount of $66,000.00 for the purpose of completing the New Municipal Building and paying the unpaid balance on lots and parcels of land on which the said municipal building is to be erected, said issue to consist of 66 bonds of $1000.00 denomination, numbered 1 to 66 both inclusive, and to mature $1000.00 in 1929 to 1938 inclusive, $2000.00 in 1939 to 1942 inclusive, and $3000.00 in 1943 to 1958 inclusive.

In the amount of $20,000.00 for the purpose of reconstructing and modifying the sewer and water systems and cross connections therefor on Woodward Avenue from Oak St. to Lincoln Ave., said issue to consist of 20 bonds of $1,000.00 denomination number 1-20 both inclusive, and to mature $1000.00 in 1929 to 1948 both inclusive.

And in the amount of $20,000.00 for the purpose of paying the Village-at-large share of the cost of extensions and additions to the Village Water systems as may be deemed necessary and authorized by the Village Commission, said issue to consist of 20 bonds of $1000.00 denomination numbered 1 to 20 both inclusive, and to mature $1000.00 in 1929 to 1948 inclusive.

All of said bonds to be dated May 1, 1928 and to bear interest at a rate not to exceed 5% per annum, payable semi-annually on May 1st and November 1st of each year at a financial institution to be agreed upon between the Commission and the purchaser at the time their bid is accepted, and

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 to each bond, and that interest coupons be attached to said bonds bearing fac-simile signatures of said Village President and Clerk, and that said bonds, when executed, be delivered to the Village Treasurer, who is hereby authorized to surrender same to the purchaser upon receipt by him of the purchase price, according to their accepted bid, and,

Be it further resolved that said bonds be in substantially the following form:

No.________ $________

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND
VILLAGE OF BIRMINGHAM
______Bond

KNOW ALL MEN BY THESE PRESENTS, that the Village of Birmingham, Oakland County Michigan, acknowledges itself to owe, and for value received hereby promises to pay the bearer the sum of ________ Dollars, lawful money of the United States of America on the first day of ________ 19____, with interest thereon from the date hereof at the rate of ____ per cent per annum, payable semi-annually on the first day of ____ and ____ of each year upon presentation and surrender of the annexed interest coupons as they severally mature. Both principal and interest of this bond is made payable at the ________ of ________ 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 ______ bonds of even date and like tenor, aggregating $________ issued for the purpose of ________________ and has been authorized by a three-fifths vote of the electors of said Village of Birmingham voting thereon at the ________ election held in the said Village on the ____ day of ________ 19____, in accordance with provisions of Section 24 of Chapter XX of the Village Charter adopted by the voters of the said village at an election held October 25th, 1917.

This bond is payable out of the interest and sinking fund of the 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 the 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 it's Village Commission, has caused this bond to be signed by it's President, and countersigned by it's Clerk, and it's corporate seal to be hereunto affixed as of the ________ day of ________ 19____

VILLAGE OF BIRMINGHAM.
By ________________ President.

Seal.
________________ Clerk.

COUPON

No.________ $________

The Village of Birmingham, Oakland County, Michigan, will pay the bearer ________ Dollars, lawful money of the United States of America, on the ________ day of ________ 19____, at the ________ being the semi annual interest due that date on it's ________ Bond No.______, dated ________ 19____.

VILLAGE OF BIRMINGHAM.
________________ President.
________________ Clerk.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

326—Moved by Commissioner Hulbert that the following Bonds be accepted and placed on file:

Insley Excavating Co.—Sewer Builder.
Michaels & Co. Inc.—Electricians.
James W. Parry—Village Manager.

Yeas: Ellerby, Henry, Hulbert, McBride, White, Hersey. Nays: None.

327—Moved by Commissioner Hulbert that Ordinance No. 140 be adopted.

Ordinance No. 140

AN ORDINANCE REPEALING SECTIONS 6, 7, AND 8 OF ORDINANCE NO. 76 OF THE VILLAGE OF BIRMINGHAM, AND ADDING FOUR NEW SECTIONS THERETO, TO BE KNOWN AS SECTIONS 16, 17, 18, AND 19 RESPECTIVELY OF ORDINANCE NO. 76.

THE VILLAGE OF BIRMINGHAM ORDAINS:

That Sections 6, 7, and 8 of Ordinance No. 76, of the Village of Birmingham, be and they are hereby repealed, and four (4) new sections are hereby added to be known as Sections 16, 17, 18 and 19 respectively, or Ordinance No. 76, the additions to read as follows:

Section 16. The Village Commission is hereby authorized and empowered to enter into a contract with any suitable person or persons for the purpose of furnishing of proper vessels or tanks for the reception of garbage and other refuse matter, and for furnishing the necessary vehicles for collecting and removing the same in the manner directed by the said Commission. Said Village Commission shall have the power to make such rules and regulations and requirements to be contained in said contract, as said Commission may from time to time deem for the best interests of the Village, and said Commission shall have power to regulate the gathering of night-soil, and the collecting and conveying of dead animals, garbage, slops and other refuse matter in the Village of Birmingham, and to regulate the carrying or drawing of said refuse matter through or upon the streets of the Village of Birmingham. The persons thus entering into a contract for the collection and removal of such garbage, dead animals and other refuse matter, as hereinbefore stated, shall, upon the recommendation of the said Village Commission received a license for that purpose, issued by the Village Clerk, for which said license, or any renewal thereof, the Licensee shall pay the sum of ($5.00) Five Dollars, and no license shall be issued to any other person, firm or corporation for the gathering of such garbage or refuse; and such a person so licensed shall give a bond to the Village of Birmingham, with sufficient sureties, and in such amount as may be required by said Village Commission, and a new bond shall be given as often as there is any renewal of the license aforesaid. The condition of such bond shall be, that the license shall in all things carry out the provisions of the contract thus entered into between himself and the Village of Birmingham, and such rules and regulations as from time to time may be passed by the Village Commission.

Section 17. The person so licensed, as hereinbefore stated, shall receive no compensation from the Village of Birmingham, but shall be permitted to charge the residents of the said Village of Birmingham for the collection and hauling of garbage, a sum not to exceed that contained in the contract or agreement between the said licensee and the Village of Birmingham, such sums to be in full compensation and payment for the service so rendered and contemplated by the provisions of this ordinance, and for which sums the said licensee shall remove all the garbage and refuse offered for removal in any and all parts of the said Village of Birmingham as often as the Village Commission shall direct. The rate of charge for collecting and removing garbage from hotels, stores, restaurants, or other public places in the Village of Birmingham shall be that agreed upon between the licensee and the owner or Manager of the property from which such garbage or refuse is to be collected, if the said licensee and the said owner or manager cannot agree as to the compensation to be paid for such collection and removal, then such price may be fixed by the Manager of the Village of Birmingham, and his decision shall be final.

Section 18. The person so licensed and authorized as hereinbefore stated to collect and remove garbage and all other refuse matter, as aforesaid, shall provide proper vehicles which shall be water tight, and kept in that condition, and shall be covered on top so as to prevent the contents dropping or spilling, or any odor escaping therefrom, and, when unloaded, the box of said vehicle shall be thoroughly washed and disinfected, and kept in a sanitary condition.

Section 19. This ordinance is necessary for the immediate preservation of the public health, and its passage is urgent to secure the continuation and extension of an existing contract between the Village of Birmingham and John F. Somers, and shall take effect immediately upon publication.

Made and passed by the Village Commission of the Village of Birmingham this 30th day of April A. D. 1928.

________________ President
________________ Clerk

Yeas:—Ellerby, Henry, Hulbert, McBride, White, Hersey
Nays:—None

328—Moved by President Ellerby that the License and Contract with John M. Somers for collection of garbage be temporarily extended for one week.

Yeas:—Ellerby, Henry, Hulbert, McBride, White, Hersey.
Nays:—None

Communication from A. W. Dorgan regarding City Planning read.

329:—Moved by President Ellerby that the communication from A. W. Dorgan regarding City Planning be received and placed on file.

Yeas:—Ellerby, Henry, Hulbert, McBride, White, Hersey.
Nays:—None.

Moved by Commissioner Hersey that the meeting adjourn.

Years:—Ellerby, Henry, Hulbert, McBride, White, Hersey.
Nays:—None.

MYRTLE E. CARSON
Village Clerk.

Miss Margaret Gregson of La-Grange, Ill., a student at Bryn Mawr, has won the European scholarship given to the senior with the highest academic standing at that institution each year.

INVALID 2 YEARS, WOMAN, 68, DIES

Miss Mary F. B. Harris, died Sunday at her home 218 Lincoln avenue. She has been a resident of Birmingham for 24 years coming here from Royal Oak township where she was born August 15, 1860. She was ill 6 years.

Mrs. Harris is survived by two brothers: Orin Harris of Detroit and Abraham of Birmingham.

Services were at 4 p. m. from the Harris home and burial was in Royal Oak cemetery.

Karl Greichen of Chicago went to the store to get some onions for a night lunch and on his return found his wife had eloped with a boarder.

LEGAL NOTICES

NOTICE OF MORTGAGE FORECLOSURE SALE

Default having been made in the terms and conditions of a certain mortgage made by Margaret McLeod, of the Village of Berkley, County of Oakland, and State of Michigan, to Agnes Matteson, of the City of Highland Park, Michigan, which said mortgage was dated the twenty-ninth day of September, 1927, and was recorded in the office of the Register of Deeds for Oakland County in Liber 491, page 551-4 Oakland County Records on October 3, 1927, whereby the power of sale in said mortgage contained has become 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 $619.66 and no suit or proceedings at law or in equity having been instituted to recover said monies 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 ninth day of July, A. D. 1928, 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 on said mortgage together with seven per cent interest, insurance premium 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 Berkley, County of Oakland, State of Michigan, and described as follows—

Lot numbered Three Hundred Twenty-seven (327) and the southerly 10 feet of Lot numbered Three Hundred Twenty-Eight (328) Brookline Hills Subdivision of part of Northeast ¼ of Section 18 and part of Northwest ¼ Section 17, Town 1 North, Range 11 East (now the Village of Berkley) Oakland County, Michigan, according to the plat thereof recorded May 4, 1916, in Liber 13 of Plats, on Page 36, Oakland County Records.

AGNES MATTESON,
Mortgagee

Dated: March 29th, 1928.
Torbet & Allerton, Attorneys,
Business Address:
605 Murphy Bldg.,
Highland Park, Mich.

51-11

NOTICE OF MORTGAGE SALE

Default having been made in the terms and conditions of a certain trust mortgage, made by William H. Klug and Rosette Klug, his wife, of the City of Detroit, Michigan, to the American Trust Company, a corporation organized and existing under and by virtue of the laws of the State of Michigan, and having its principal office in the City of Detroit, in said State of Michigan, as Trustee, which said trust mortgage was dated the seventh day of June, A. D. 1926, but as of the First day of May, A. D. 1926, and was recorded in the office of the Register of Deeds for the County of Oakland in said State of Michigan, in liber Four Hundred Eighteen of mortgages on pages forty-nine to one hundred eight both inclusive, on which said trust mortgage there is claimed to be due and unpaid for principal, interest and Federal Income tax at the date of this notice, the sum of $148,432.06 Dollars, and no suit or proceeding at law or in equity having been instituted to recover said monies or any part thereof,

NOW THEREFORE, by virtue of the power of sale contained in said trust mortgage, and of the statute in such case made and provided, notice is hereby given that said trust mortgage will be foreclosed by a sale of said mortgaged premises or some part thereof on Saturday the Tenth day of December A. D. 1927, at twelve o'clock noon Eastern Standard Time; that at the time last aforesaid, the undersigned will sell at public auction to the highest bidder for cash at the northerly or Huron Street entrance to the Oakland County Building in the City of Pontiac, Oakland County, Michigan, that being the building wherein the Circuit Court for the County of Oakland is held, the lands and premises described in said trust mortgage or so much thereof as may be necessary to realize the amount due as aforesaid, together with interest thereon at the rate of six and one-half per cent per annum, payable semi-annually, and all legal costs allowed by law, and provided for in said trust mortgage, including the statutory attorney fees to-wit:

Land in the Township of Royal Oak, County of Oakland, State of Michigan, more particularly described as:

Lots numbered 3 to 11 both inclusive; Lots 14 to 28, both inclusive; Lots 30 to 87, both inclusive; Lots 39 and 40; Lots 42 to 50, both inclusive; Lots 54 to 82, both inclusive; Lots 88 to 114, both inclusive; Lots 117 to 119, both inclusive; Lots 121 to 124, both inclusive; Lots 126 to 128, both inclusive; Lots 130 to 144, both inclusive; Lots 146 and 147; Lots 150 to 152, both inclusive; Lots 154 and 155; Lots 157 to 161, both inclusive; Lots 163, 164, 167, 169, and 170; Lots 176 to 182, both inclusive; Lots 185 to 188, both inclusive; Lots 190 to 192, both inclusive; Lots 195 to 199, both inclusive; Lots 201 to 214, both inclusive; Lots 216 to 227, both inclusive; Lots 229 and 230; Lots 232 to 239, both inclusive; Lots 241, 242, and 244; Lots 253 to 257, both inclusive; Lots 261, 262, 264, 265, 266, 269, 270, and 271, all in Kensington Highland Subdivision being a subdivision of a part of the southeast one-quarter of section Six, town one north, Range eleven east, according to the plat thereof as recorded in the office of the Register of Deeds for said Oakland County in liber 23 of plats on page 10.

Together with the hereditaments and appurtenances thereof.

Dated, Detroit, Michigan, September 9th, 1927.

AMERICAN TRUST COMPANY, Trustee
MORTGAGEE.

Race Haass and Allen,
Attorneys for Mortgagee,
1726 Dime Bank Bldg.,
Detroit, Michigan.

The sale of the foregoing premises has been adjourned to January 14th, A. D 1928, at twelve o'clock noon, Eastern Standard time to be held at the northerly or Huron Street entrance to the Oakland County Building in the City of Pontiac, Oakland County, Michigan.

FRANK SCHRAM, Sheriff.
By JOHN C. McILROY, Deputy Sheriff.

Dated December 10th, A. D. 1927.

The sale of the foregoing premises has been adjourned to February 18th, A. D. 1928, at twelve o'clock noon, Eastern Standard time, to be held at the northerly or Huron Street entrance to the Oakland County Building in the City of Pontiac, Oakland County, Mich.

FRANK SCHRAM, Sheriff,
By Clarence E. Carson,
Deputy Sheriff.

Dated Jan. 14th, 1928.

The sale of the foregoing premises has been adjourned to April the 14th, A. D. 1928, at twelve o'clock noon, Eastern Standard Time, to be held at the northerly or Huron Street entrance to the Oakland County Building, in the City of Pontiac, Michigan.

FRANK SCHRAM,
Sheriff.

By JOHN C. McIlroy,
Deputy Sheriff.

Dated: February 18th, 1928.

The sale of the foregoing premises has been adjourned to Saturday, May the 12th, A. D. 1928, at twelve o'clock noon, Eastern Standard Time, to be held at the northerly or Huron Street entrance to the Oakland County Building in the City of Pontiac, Oakland County, Michigan.

FRANK SCHRAM,
Sheriff.
By CLARENCE E. CARSON,
Deputy Sheriff.

Dated April 14th, 1928. 1-4

STATE OF MICHIGAN—In the Probate Court for the County of Oakland.

At a session of said Court, held at the Probate Office in the City of Pontiac, in said County, on the 17th day of April A. D. 1928.

Present, Hon. Dan A. McGaffey, Judge of Probate.

In the Matter of the Estate of Ella A. Stewart, Deceased.

Charles Clare Stewart, executor of said estate having filed in said Court a petition praying for the examination and allowance of his final account, assignment of the residue of said estate, the determination of heirs of said deceased, and discharge of said executor;

It is Ordered, that the 14th day of May A. D. 1928, at nine o'clock in the forenoon, Eastern Standard Time, at said Probate Office, be and is hereby appointed for hearing said petition;

It is Further Ordered, that public notice thereof be given by publication of a copy of this order, for three successive weeks previous to said day of hearing, in the Birmingham Eccentric, a newspaper printed and Circulated in said County.

DAN A. McGAFFEY,
Judge of Probate.

(A True Copy.)
Florence Doty,
Deputy Probate Register. 1-3

AWNINGS
CAMPERS' SUPPLIES
Waterproof Coverings for Every Use
THE PONTIAC TENT & AWNING CO.
400 Oakland Ave. Phone 132

Pontiac Commercial and Savings Bank
Capital and Surplus
$1,050,000.00
Pontiac Trust Company
Capital and Surplus
$260,000.00
COMBINED RESOURCES OVER - $20,500,000.00

BIDS WANTED

Sealed proposals will be received at the office of the Village Manager, Village of Birmingham, Pierce and Martin Streets, Birmingham, Michigan, up to 12:00 noon, Eastern Standard time, May 9, 1928, for one motor driven pickup sweeper.

All proposals to be F. O. B. Birmingham, Michigan, and to include broom building equipment. Bidder to state delivery date and to include complete technical specifications.

The Village reserves the right to reject any or all proposals or to waive defects in proposals.

J. W. PARRY,
Village Manager.

MICHIGAN BELL TELEPHONE CO.

Long Distance Rates Are Surprisingly Low
For Instance:

for $1.40

or less, between 4:30 a. m. and 7:00 p. m.

You can call the following points and talk for THREE MINUTES for the rates shown. Rates to other points are proportionately low.

From Birmingham to:	Day Station-to-Station Rate
ALPENA, MICH.	$1.05
CHARLEVOIX, MICH.	1.25
CHEBOYGAN, MICH.	1.30
CHICAGO, ILL.	1.35
CINCINNATI, OHIO	1.40
GARY, IND.	1.00
GRAND HAVEN, MICH.	1.35
INDIANAPOLIS, IND.	1.35
LOCKPORT, N. Y.	1.35
MACKINAC ISLAND, MICH.	1.35
MUSKEGON, MICH.	1.05
PETOSKEY, MICH.	1.25
ST. JOSEPH, MICH.	1.05
TRAVERSE CITY, MICH.	1.15
PITTSBURGH, PA.	1.30

The rates quoted above are Station-to-Station Day rates, effective from 4:30 a. m. to 7:00 p. m.

Evening Station-to-Station rates are effective from 7:00 p. m. to 8:30 p. m., and Night Station-to-Station rates, 8:30 p. m. to 4:30 a. m.

A Station-to-Station call is one that is made to a certain telephone rather than to some person in particular.

If you do not know the number of the distant telephone, give the operator the name and address and specify that you will talk with "anyone" who answers at the called telephone.

A Person-to-Person call, because more work is involved, costs more than a Station-to-Station call. The rate on a Person-to-Person call is the same at all hours.

Additional rate information can be secured by calling the Long Distance operator