

dition of the alley in the block bounded by Elmwood, Ellery, Arndt and Benson Streets.

After investigation I respectfully recommend that your Honorable Body adopt the accompanying resolution, ordering the forced paving of alley in question.

Respectfully submitted,

JOHN W. REID,
Commissioner.

By Councilman Dingeman:

Resolved, That the Department of Public Works be and is hereby directed, to consider the advisability of paving all alleys in the block bounded by Elmwood, Ellery, Arndt and Benson, under the forced paving clause of the city charter.

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.

Nays—None.

From the Department of Public Works

October 11, 1928.

To the Honorable, the Common Council:

Gentlemen—Under date of June 19, 1928, the Common Council authorized the Mayor and the City Clerk to execute agreement between the New York Central Railroad and the City of Detroit, providing additional underclearance for the proposed grade separation at Hastings and Russell Streets.

We are forwarding herewith executed copy of agreement for printing in the Common Council proceedings.

Respectfully submitted,

JOHN W. REID,
Commissioner.

THIS AGREEMENT made this 14th day of September, nineteen hundred and twenty-eight (September 14, 1928) by and between The New York Central Railroad Company, (successor to Lake Shore and Michigan Southern Railway Company) hereinafter referred to as the Railroad Company, and the City of Detroit, Michigan, hereinafter referred to as the City.

WHEREAS, the parties hereto together with the Michigan Central Railroad Company, the Grand Trunk Railway Company, the Wabash Railroad Company, and the Detroit United Railway Company (succeeded by said City) did enter into a certain agreement bearing date of the twenty-fifth day of August, nineteen hundred and nine (August 25, 1909) providing for the separation of grades at various crossings from John R. Street to Russell Street inclusive, in said City, and the parties hereto and the Michigan

Central Railroad Company entered into a supplemental agreement bearing date of the eleventh day of August, nineteen hundred and twenty-four (August 11, 1924) covering the separation of grades at these and other crossings in said City, and

WHEREAS, said agreement bearing date of the twenty-fifth day of August, nineteen hundred and nine (August 25, 1909), provided for the separation of grades at the various crossings according to profiles attached thereto, which said profiles stated specifically among other things, that the underclearance at Hastings Street shall be thirteen feet (13 feet) and that the underclearance at Russell Street shall be fourteen feet (14 feet) and

WHEREAS, it is now proposed to separate grades at the crossings of the Railroad Company mentioned hereto at Hastings Street and Russell Street, the said City desires to increase the underclearance over that provided for in said agreement, from thirteen (13) feet to fourteen (14) feet at Hastings Street and from fourteen (14) feet to fifteen (15) feet at Russell Street, by the depression of said streets one (1) additional foot.

Therefore, it is agreed;

That said City shall pay the total cost of depressing said Hastings Street and said Russell Street an additional one (1) foot over that provided for in said agreement, such cost to include the total cost of constructing concrete protection over existing sewer in Russell Street, the additional street excavation, paving, walks, etc., the additional work required for shoring and protecting building on approaches; the additional masonry required for the increased height of bridge abutments and bents, together with the cost of any other work made necessary by providing such additional underclearance.

All of the terms and conditions of the agreements herein mentioned and described shall continue and be in full force, except as modified and amended by the terms of this supplemental agreement.

IN WITNESS WHEREOF, the parties herto have caused these presents to be signed on their part by the proper officers of said Railroad Company and said City, on the day and year above written.

NEW YORK CENTRAL RAILROAD COMPANY,

By D. R. MAC BAIN,
General Manager.

CITY OF DETROIT,

By JOHN C. LODGE,
Mayor.

By RICHARD W. READING,
City Clerk.

Accepted and placed on file.