

edly performing those duties. After consultation with that Department and careful consideration of the request, your Committee recommends that petition be denied.

Respectfully submitted,  
**JAMES H. GARLICK,**  
 Chairman.

Accepted and adopted.

#### FRIDAY, JULY 25

Chairman Sweeny submitted the following reports of Committee of the Whole for above date, and recommended their adoption:

##### Curb Cuts

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Wayne Oil Co. (7847), for permit to cut curb for driveway into gasoline station at Livernois and Buena Vista. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,  
**HENRY S. SWEENEY,**  
 Chairman.

By Councilman Sweeny:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to the Wayne Oil Company, to lower the curbing for driveway into gasoline station at the northeast corner of Livernois and Buena Vista Avenues as follows:

One additional curb cut of 19 ft. 4 in. north of and adjoining present 33-ft. cut, making a total cut of 52 ft. 4 in. out of 59 ft. 4 in. on Livernois Ave. Pumps back 12 ft. Old drive-in station.

Provided, Ordinance grade is used, and grantee files a bond in the sum of \$1,000.00 for each drive-in station to guarantee paving of driveways inside of lot lines; and further

Provided, That said work shall be performed under the supervision of the Department of Public Works and in accordance with plans submitted to and approved by said department.

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said driveways and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said grantee at its expense, and further

Provided, That said permit issued by the Department of Public Works is granted with the distinct under-

standing that in the event of the charter of the City of Detroit of the amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for a annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said charter, or ordinance or resolution, and that said grantee does hereby bind himself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, Van Antwerp, and the President—6.

Nays—None.

##### Encroachments

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Pressel Realty (7839), for building encroachment by a Macotta facing on building at 16319-29 E. Warren Ave. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
**HENRY S. SWEENEY,**  
 Chairman.

By Councilman Sweeny:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Pressel Realty to encroach beyond the lot line upon public property to the extent of one inch by the placing of Macotta facing on front of building at 16319-29 E. Warren Ave., between Courville and Three Mile Drive, for a distance of 80 ft. along Warren Ave., and maintain said encroachment during the life of the building.

Provided, That at any time said building is again remodeled, rebuilt or otherwise changed, it is placed on the proper lot line with no encroach-

ment on public property; and

further  
Provided, That said work shall be performed under the supervision of the Department of Public Works, and the Department of Buildings and Safety Engineering, and in accordance with plans submitted to and approved by said departments; and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, Van Antwerp, and the President—6.

Nays—None.

#### Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Detroit Gray Iron Foundry (7838), for permission to install six electric conduit lines under and across Wight Street between Meldrum and Iron Sts. After consultation with the Department of Public Works, and the Public Lighting Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

HENRY S. SWEENEY,  
Chairman.

By Councilman Sweeny:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to the Detroit Gray Iron Foundry, 6403 Wight St., to install six underground electric conduit lines from its powerhouse on the north side of Wight St., between Meldrum and Iron Sts., to its building on the south side of said street. Said lines to be installed in tile encased in six-inch concrete, and to be not less than three feet below top grade of street.

Provided, that said work shall be performed under the supervision of the Department of Public Works and the Public Lighting Commission, and in accordance with plans submitted to and approved by said departments.

Provided That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said electric conduit lines and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said

Department by said grantee at its expense; and further

Provided, That said permit issued by the Department of Public Works is granted with the distinct understanding that in the event of the charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said charter or ordinance or resolution, and that said grantee does hereby bind himself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void; and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, Van Antwerp, and the President—6.

Nays—None.

#### Sidewalk Repairs

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Chester Stelmaszczuk (7820), protesting against being charged for repairing sidewalk on Gilbo side of 8414 Montlieu, and that same be repaired at city's expense. After consultation with the Department of Parks & Recreation, and careful consideration of the matter, your committee recommends that said petition be denied.

Respectfully submitted,

HENRY S. SWEENEY,  
Chairman.

Accepted and adopted.

#### Taxes

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Norman Adilman (4497), for cancellation of part of personal tax for year 1939. After consultation with the Board of Assessors, and careful