

April 6

plant along the MCRR right-of-way and across Mellon Ave. within the railroad right-of-way west of Lowdell Ave. Provided same is installed at least 3 ft. below the top grade of the street.

St. Brigid Parish (665), to install an underground conduit for the purpose of carrying a 6 in. steam line and a return line; said conduit line to extend from the boiler room in present school building at the S. E. corner of Indiana and Schoolcraft Aves., to cross Indiana Ave. at approximately 90 ft. south of Schoolcraft to new church building on the S. W. corner of Indiana and Schoolcraft Aves. Provided, said conduit line is installed at least 3 ft. below the top grade of the street, and encased in 6 ins. of concrete.

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

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 utility 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, upon refusal to pay same, this permit shall immediately become void and further

Provided, That 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 Comstock, Edgecomb, Garlick, Kronk, Miriani, Nowicki, Oakman, Smith, and the President—9.

Nays—None.

### Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Composite Forgings, Inc. (730), to cross over public alley from 2300-58 W. Jefferson Ave., with certain utility lines. After consultation with the Dept. of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

DEL A. SMITH,  
Chairman.

By Councilman Smith:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to Composite Forgings, Inc., to erect overhead a 16 inch, 26 gauge, galvanized jacket to provide for a 5 in. low pressure steam line, two one-inch hot water and return lines, two 1½ in. oil and return lines and a one inch compressed air line from building at 2300-58 W. Jefferson Ave., across the east/west public alley between Fifteenth and Traver Sts. to Lot 4, Candler's Sub. etc., south side of W. Fort St.

Provided, Same is erected 16 ft. 10 in. above the top grade of the alley, and that said work shall be performed under the supervision of the Dept. of Public Works and the Dept. of Buildings & Safety Engineering, and in accordance with plans submitted to and approved by those departments, and further

Provided, Petitioner shall first furnish an approved surety bond in the sum of \$5,000.00, saving and protecting the City of Detroit, harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit and providing for the faithful performance by the grantee of the terms hereof, and files same with the City Controller, and further

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 utility 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 Comstock, Edgecomb, Garlick, Kronk, Miriani, Nowicki, Oakman, Smith, and the President—9.

Nays—None.

**Street Openings**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Anne Sarar et al (7996), to provide an outlet for the dead-end portions of Lesure and Tracey aves., lying south of Keeler. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be denied.

Respectfully submitted,

DEL A. SMITH,  
Chairman.

Accepted and adopted.

**Vacation of Alleys**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of General Houses, Inc. (7347), for the vacation of alleys south of Outer Drive between Harned and Conant aves. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be denied.

Respectfully submitted,  
DEL A. SMITH,  
Chairman.

Accepted and adopted.

**Zoning**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Tobias-Courtney, Inc. (77), requesting the rezoning of its property on the north side of Fenkell between Stansbury and Schaefer Highway from R1 to B2 classification. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be denied.

Respectfully submitted,  
DEL A. SMITH,  
Chairman.

Accepted and adopted.

**MONDAY, APRIL 5**

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

**Finance**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred the following communications from city departments requesting the transfer of funds, approval of contracts, vouchers, etc. After consultation with the City Controller, and careful consideration of the requests, your committee recommends that same be approved in accordance with the accompanying resolutions.

Respectfully submitted,  
WM. A. COMSTOCK,  
Chairman.

**Corporation Counsel**

April 6, 1948.

To the Honorable, the Common Council:

Gentlemen—Your Honorable Body, by resolution, authorized the acquisition of the following properties:

Case No. 1272—In the matter of acquisition of land for right-of-way for River Rouge Siphon (Northwest Interceptor) between Fort Street and River Rouge.