

compensation from the City of Detroit, or from any official agent thereof, due to the trespass or damage resulting from removing any such encroachment upon a street, alley, or other public property.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Aurora Gasoline Co. (1138), to install two utility lines across Mellon Ave. and the S. Dix-Oakwood intersection. After consultation with the Dept. of Public Works and the Fire Marshal, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

ED CAREY,
Chairman.

By Councilman Carey:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to the Aurora Gasoline Co., to install and maintain a ten inch and a twelve inch pipeline for the transportation of petroleum and petroleum products across Mellon Ave., westerly to Lowdell, and across the S. Dix-Oakwood intersection, adjacent to the N.Y.C.R.R.

Provided, They are installed at least three feet below the top grade of the street and the work is performed under the supervision and rules and regulations of the Dept. of Public Works, Fire Marshal and Dept. of Buildings & Safety Engineering, in accordance with plans approved by those departments and also the Detroit Water Board with regards to the S. Dix-Oakwood intersection plans inasmuch as there are three water lines at this location, and further, that petitioner shall follow such procedure for traffic safety as required by the Dept. of Streets & Traffic, and that all applicable provisions of the Flammable Liquids Ordinance be adhered to, and further

Provided, That petitioner shall furnish an approved surety bond in the penal sum of \$10,000.00, 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 if the Commissioner of Public Works and Fire Marshall of the City of Detroit deem the amount of such bond inadequate at any time, they may demand a bond in an amount which they believe will suffi-

ciently protect the City's interest, and further provided, that grantee shall not assign or transfer any right that it may have hereunder without the consent of the City of Detroit, 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 at the expense of the grantee at any expressly on the condition that said utilities, and all obstructions in time when so directed by the Commission therewith shall be removed mon 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 Carey, Connor, Lincoln, Patrick, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

Permits

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the East Side Shopper (1115), for use of a mobile platform. After consultation with the Dept. of Public Works and careful consideration of the request, your committee recommends that same be granted and offers the following resolution.

Respectfully submitted,

ED CAREY,
Chairman.