

By Ald. Theisen:

Resolved, That authority and permission be and is hereby granted to the Public Lighting Commission to expend whatever surplus may remain on hand in the appropriations aggregating \$26,239.10 allowed for constructing conduits in Grand River avenue for the use of the Public Lighting Commission, Police and Fire Departments, for the purpose of constructing lateral conduits, hand-holes, manholes and lamp-post foundations required in Grand River avenue and intersecting streets, and the City Controller be and he is hereby directed to make the proper entry upon his books showing said transfer.

Adopted as follows:

Yeas—Ald. Allan, Ellis, Field, Freiwald, Garvey, Glinnan, Goeschel, Grindley, Gutman, Harpfer, Heine-man, Keating, Koenig, Konkell, Korte, Lempke, Ostrowski, Owen, Reinhardt, Rosenthal, Rutter, Schulte, Shapland, Skrzycki, Theisen, Thompson, Tossy, Trevor, Vernor, Walsh, Watson, Zoeller and the President—33.
Nays—None.

Health and City Hospitals.

To the Honorable Common Council:

Gentlemen—Your Committee on Health and City Hospitals to whom was referred a communication from the Board of Health, asking for the approval and confirmation of the following contracts that they had entered into, namely, with George D. Nutt \$88,099.00 for the erection of two City Hospital buildings, with C. M. Rousseau & Son, for printing 1,000 copies of its annual report for the fiscal year ending June 30, 1909, for \$212.89, and with Charles H. Ager for \$250.00 for moving a small-pox building from one location to another on the hospital grounds, respectfully report that we have considered the matter and believing that the amounts are reasonable and that the contracts have been made with the lowest bidders in each case recommend that the several contracts be confirmed.

Respectfully submitted,
JAMES VERNOR,
D. ROSENTHAL,
GEO. A. OWEN,
X. B. KONKEL,
WM. GUTMAN.

Accepted and leave being granted, the following resolution was offered.

By Ald. Vernor:

Resolved, That the contracts entered into by the Board of Health with George D. Nutt, in the sum of \$88,099.00 for the erection of two City Hospital buildings, with C. M. Rousseau & Sons in the sum of \$212.89 for printing 1,000 copies of the annual report of the Board of Health for the fiscal year ending June 30, 1909, and with Charles Ager in the sum of \$250.00 for the moving of a small-pox building from one location to another on the hospital grounds, be and they are hereby approved and confirmed.

Adopted as follows:

Yeas—Ald. Allan, Ellis, Field, Freiwald, Garvey, Glinnan, Goeschel, Grindley, Gutman, Harpfer, Heine-man, Keating, Koenig, Konkell, Korte, Lempke, Ostrowski, Owen, Reinhardt, Rosenthal, Rutter, Schulte, Shapland, Skrzycki, Theisen, Thompson, Tossy,

Trevor, Vernor, Walsh, Watson, Zoeller and the President—33.
Nays—None.

Liquor Regulation.

To the Honorable Common Council:

Gentlemen—Your Committee on Liquor Regulation, to whom was referred the various applications and bonds submitted by the City Clerk at this session, respectfully report that we have had the same under consideration and recommend that the applications of the Sacramento Valley Wine Co., and Arthur Lehman & Co., for wholesale liquor license be accepted and that the bonds filed by them at this session be adopted.

Respectfully submitted,
EDWARD J. KORTE,
JOHN HARPFER,
ALBERT T. ALLAN,
LOUIS H. LEMPKE,
JOHN C. GARVEY.

Accepted and adopted as follows.

Yeas—Ald. Allan, Ellis, Field, Freiwald, Garvey, Glinnan, Goeschel, Grindley, Gutman, Harpfer, Heine-man, Keating, Koenig, Konkell, Korte, Lempke, Ostrowski, Owen, Reinhardt, Rosenthal, Rutter, Schulte, Shapland, Skrzycki, Theisen, Thompson, Tossy, Trevor, Vernor, Walsh, Watson, Zoeller and the President—33.
Nays—None.

Special.

To the Honorable Common Council:

Gentlemen—Your Committee on Street Openings and Grade Separation, to whom was referred the petition of the Michigan Central Railroad Company, affecting Fourteenth avenue, Fifteenth street, Sixteenth street, Seventeenth street, Eighteenth street, Nineteenth street, Twentieth street and the intersecting streets and alleys, beg leave to report that we have had the matter under consideration and recommend the adoption by the Common Council of the following ordinance.

GEO. A. OWEN,
Chairman.

JAMES VERNOR,
MARTIN J. OSTROWSKI,
OTTO C. GOESCHEL.

Committee on Grade Separation.

GEO. H. ELLIS,
LOUIS H. LEMPKE,
WALTER M. TREVOR,
WILLIAM F. ZOELLER.

Committee on Street Openings.

Following is the ordinance:

AN ORDINANCE to provide for vacating certain streets and alleys, for changing and establishing the grade of certain streets and alleys, and for other purposes.

It is hereby ordained by the people of the City of Detroit:

Section 1. All that part of Fifteenth street described as follows:
Commencing at the intersection of the easterly line of Fifteenth street and the northerly line of Baker street, thence northerly along the easterly line of Fifteenth street to a point 87.75 feet distant southerly along said easterly line of Fifteenth street from the southeast corner of Fifteenth and Marquette streets, thence northerly to a point in the westerly line of Fifteenth street, said point be-

15 lng 24.77 feet distant southerly
 16 from the northwestern corner of
 17 Fifteenth and Marantette streets,
 18 thence southerly along the west-
 19 erly line of Fifteenth street to the
 20 northerly line of Baker street,
 21 thence easterly along the northerly
 22 line of Baker street to the place of
 23 beginning, is hereby vacated.

2 Sec. 2. All that part of Sixteenth
 3 street described as follows: Com-
 4 mencing at the intersection of the
 5 easterly line of Sixteenth street
 6 and the northerly line of Newark
 7 street, thence northerly along the
 8 easterly line of Sixteenth street to
 9 a point 174.86 feet distant northerly
 10 from the northeast corner of Six-
 11 teenth and Dalzelle streets, thence
 12 westerly to a point in the westerly
 13 line of Sixteenth street, said point
 14 being 189.16 feet distant northerly
 15 from the northwest corner of Six-
 16 teenth and Dalzelle streets, thence
 17 southerly along the westerly line
 18 of Sixteenth street to the northerly
 19 line of Newark street; thence
 20 southeasterly along the northerly
 21 line of Newark street to the place
 of beginning, is hereby vacated.

2 Sec. 3. All that part of Seven-
 3 teenth street described as follows:
 4 Commencing at the intersection of
 5 the easterly line of Seventeenth
 6 street and the northerly line of
 7 Newark street, thence northerly
 8 along the easterly line of Seven-
 9 teenth street to a point 376.11 feet
 10 distant southerly from the inter-
 11 section of the easterly line of Sev-
 12 enteenth street and the southerly
 13 line of Rose street, thence south-
 14 westerly to a point in the westerly
 15 line of Seventeenth street, said
 16 point being 387.97 feet distant
 17 southerly from the intersection of
 18 the westerly line of Seventeenth
 19 street and the northerly line of
 20 lot 295 at Macomb Park, thence
 21 southerly along the westerly line
 22 of Seventeenth street to the
 23 northerly line of Newark street,
 24 thence southeasterly along the line
 25 of Newark street to the place of
 beginning, is hereby vacated.

2 Sec. 4. All that part of Eigh-
 3 teenth street which lies between
 4 the north line of Newark street
 5 and the extension westerly of the
 6 northerly line of Lot 294 at Ma-
 comb Park, is hereby vacated.

2 Sec. 5. All that part of Twenti-
 3 eth street which lies between the
 4 northerly line of Newark street
 5 and the southerly line of Rose
 6 street, and between the present
 7 easterly line of Twentieth street
 8 and a line drawn directly from the
 9 northeasterly corner of Twentieth
 10 and Newark streets to the south-
 11 easterly corner of Twentieth and
 Rose streets, is hereby vacated.

2 Sec. 6. All that part of Dalzelle
 3 street which lies between the
 4 westerly line of Fifteenth street
 5 and the alley between Sixteenth
 6 and Seventeenth streets, is hereby
 vacated.

2 Sec. 7. All of Francis street is
 hereby vacated.

2 Sec. 8. All that part of Newark
 3 street which lies east of the east-
 4 erly line of Sixteenth street is
 hereby vacated.

2 Sec. 9. All that part of Maran-
 3 tette street between Fifteenth and
 4 Sixteenth streets is hereby vacat-
 ed.

2 Sec. 10. All that part of the pub-
 3 lic alley between Fourteenth and
 Fifteenth streets, Francis and

4 Marantette streets described as
 5 follows: Commencing at the inter-
 6 section of the easterly line of inter-
 7 alley and the northerly line of said
 8 Francis street, thence northerly
 9 along the easterly line of said
 10 alley to a point 347.75 feet distant
 11 southerly from the intersection of
 12 said easterly line and the southerly
 13 line of Marantette street, thence
 14 northwesterly to a point in the
 15 westerly line of said alley, thence
 16 point being 306.76 feet distant
 17 southerly from the intersection of
 18 said westerly line and the southerly
 19 erly line of Marantette street, thence
 20 southerly along the southerly
 21 erly line of said alley to the west-
 22 erly line of Francis street, thence
 23 southeasterly along the northerly
 24 line of Francis street to the place
 25 of beginning, is hereby vacated.

2 Sec. 11. All of the alley between
 3 Fifteenth and Sixteenth streets
 4 and parallel with said streets, de-
 5 scribed as follows: All of said al-
 6 ley between Francis and Maran-
 7 tette streets, also all of said alley
 8 between Marantette and Dalzelle
 9 streets, also all that part of said
 10 alley, described as follows: Com-
 11 mencing at the intersection of the
 12 easterly line of said alley and the
 13 northerly line of Dalzelle street,
 14 thence northerly along the easterly
 15 line of said alley 68.94 feet, thence
 16 northwesterly to a point in the
 17 westerly line of said alley, said
 18 point being 85.64 feet distant north-
 19 erly from the intersection of said
 20 westerly line and the northerly
 21 line of Dalzelle street, thence
 22 southerly along the westerly line
 23 of said alley 85.64 feet to the
 24 northerly line of Dalzelle street,
 25 thence easterly 20 feet to the place
 of beginning, is hereby vacated.

2 Sec. 12. All that part of the al-
 3 ley between Sixteenth, Seven-
 4 teenth, Francis and Rose streets,
 5 described as follows: Commencing
 6 at the intersection of the easterly
 7 line of said alley and the northerly
 8 line of Francis street, thence
 9 northerly along the easterly line
 10 of said alley to a point, said point
 11 being 298.45 feet distant southerly
 12 from the intersection of said east-
 13 erly line of said alley and the
 14 southerly line of Rose street,
 15 thence westerly to a point in the
 16 westerly line of said alley, said
 17 point being 300.84 feet distant
 18 southerly from the intersection of
 19 the westerly line of said alley and
 20 the southerly line of Rose street,
 21 thence southerly along the west-
 22 erly line of said alley to the north-
 23 erly line of Francis street, thence
 24 southeasterly along the northerly
 25 line of Francis street to the place
 of beginning, is hereby vacated.

2 Sec. 13. All of the alley in the
 3 block bounded by Seventeenth,
 4 Eighteenth, Francis and Rose
 5 streets is hereby vacated.

2 Sec. 14. All that part of the
 3 alley first west of and parallel to
 4 Eighteenth street and extending
 5 from Francis street to Rose street,
 is hereby vacated.

2 Sec. 15. All of the alley first
 3 east of and parallel to Twentieth
 4 street and extending from the
 5 Michigan Central Railroad Com-
 6 pany's right of way to Rose
 7 street; also all of the alley north-
 8 erly of and adjoining the Michigan
 9 Central Railroad Company's right
 10 of way and extending from Twen-
 tieth street easterly to the north

11 and south alley, are hereby va-
12 cated.

13 Sec. 16. The streets and alleys
14 mentioned in sections 1 to 15, both
15 inclusive, of this ordinance, are
16 vacated upon the understanding
17 and agreement that the Michigan
18 Central Railroad Company shall
19 faithfully do and perform, in ac-
20 cordance with the terms of this
21 ordinance, what is required of it
22 in Sections 17, 18, 19, 20, 22, 40 and
23 48, and all the work of con-
24 struction herein contemplated; and
25 that, in the event of its failure or
26 refusal, the said streets and alleys
27 so vacated are to revert to the
28 City of Detroit as public streets
29 and alleys, and shall, so far as
30 practicable, be restored, at the ex-
31 pense of said Railroad Company,
32 to their present condition, such
33 work of restoration to be done to
34 the satisfaction and approval of
35 the Department of Public Works;
36 provided, however, that in such
37 case the grades of Sixteenth
38 street, Seventeenth street and
39 Eighteenth street shall be separa-
40 ted under and in accordance with
41 the provisions of the contract now
42 in force between the City and said
43 Railroad Company, bearing date
44 October 17, 1906.

45 Sec. 17. The Michigan Central
46 Railroad Company is to dedicate
47 to the public all that part of the
48 Stanton Farm described as fol-
49 lows: Commencing at a point on
50 the westerly line of Seventeenth
51 street, said point being 294.35 feet
52 on a course south 22 degrees 47
53 minutes east from the intersection
54 of said westerly line of Seven-
55 teenth street and the northerly
56 line of Lot 295 on Macomb Park,
57 thence south 17 degrees 5 minutes
58 west 148.68 feet, thence southeas-
59 terly, at right angles to the last
60 mentioned course 60.00 feet, thence
61 north 17 degrees 5 minutes east
62 76.84 feet to said westerly line of
63 Seventeenth street, thence north
64 22 degrees 47 minutes west 93.62
65 feet to the point of beginning.

66 (a) Also that part of the Stan-
67 ton Farm described as follows:
68 Commencing at a point in the
69 easterly line of Seventeenth street,
70 said point being 376.11 feet distant
71 on a course south 22 degrees 47
72 minutes east from the southeast-
73 erly corner of Seventeenth and
74 Dalse streets, thence north 17 de-
75 grees 5 minutes east 86.73 feet,
76 thence north 56 degrees 49 minutes
77 east 48.21 feet, thence north 22 de-
78 grees 47 minutes west 50.84 feet,
79 thence south 56 degrees 49 minutes
80 west 104.72 feet, thence south 22 de-
81 grees 47 minutes east 107.21 feet to
82 the place of beginning.

83 (b) Also all that part of LaFon-
84 taine Farm described as follows:
85 Commencing at a point in the
86 westerly line of Sixteenth street,
87 said point being 189.16 feet distant
88 on a course north 22 degrees 47
89 minutes west from the northwest-
90 erly corner of Sixteenth and Dal-
91 zelle streets, thence south 56 de-
92 grees 49 minutes west 108.64 feet,
93 thence north 22 degrees 47 minutes
94 west 50.84 feet, thence north 56 de-
95 grees 49 minutes east 108.64 feet,
96 thence south 22 degrees 47 minutes
97 east 50.84 feet to the place of be-
98 ginning.

99 (c) Also all that part of the La-
100 Fontaine Farm, described as fol-
101 lows: Commencing at a point in

102 the easterly line of Sixteenth
103 street, said point being 174.86 feet
104 distant on a course north 22 de-
105 grees 47 minutes west from the
106 northeast corner of Sixteenth and
107 Dalzelle streets, thence south 72
108 degrees 55 minutes east 304.46 feet,
109 thence north 22 degrees 47 minutes
110 west 65.14 feet, thence north 72 de-
111 grees 55 minutes west 304.46 feet,
112 thence south 22 degrees 47 minutes
113 east 65.14 feet to the place of be-
114 ginning. For the use and benefit
115 of the public as a public street
116 and highway to be known as De-
117 pot Esplanade.

118 Sec. 18. The said Company is
119 to dedicate to the public the fol-
120 lowing described property:

121 (a) All that part of the LaFon-
122 taine Farm, described as follows:
123 Commencing at the southeasterly
124 corner of Fifteenth and Marantette
125 streets, thence north 67 degrees 13
126 minutes east 1.70 feet, thence south
127 48 degrees 47 minutes east 239.81
128 feet, thence south 22 degrees 47
129 minutes east 91.23 feet, thence
130 north 48 degrees 47 minutes west
131 243.69 feet, thence north 22 degrees
132 47 minutes west 87.75 feet to the
133 place of beginning.

134 (b) Also all that part of the
135 Peter Godfroy Farm, described as
136 follows: Commencing at a point in
137 the northerly line of Baker street,
138 said point being 24.66 feet, distant
139 on a course south 67 degrees 32
140 minutes west from the northwest-
141 erly corner of Fourteenth avenue
142 and Baker street, thence north 48
143 degrees 47 minutes west 274.44 feet,
144 thence south 22 degrees 47 minutes
145 east 91.23 feet, thence south 48
146 degrees 47 minutes east 172.67 feet,
147 thence north 67 degrees 32 minutes
148 east 44.63 feet, to the place of be-
149 ginning. For the use and benefit
150 of the public as a public street
151 and highway to be known as Fif-
152 teenth street.

153 Sec. 19. The said Company is to
154 dedicate to the public the follow-
155 ing described property: All that
156 part of the Peter Godfroy Farm
157 described as follows: Commencing
158 at the southwesterly corner of
159 Fourteenth avenue and Baker
160 street, thence south 67 degrees 32
161 minutes west 40.06 feet, thence
162 south 48 degrees 47 minutes east
163 91.68 feet, thence north 22 degrees
164 47 minutes west 81.86 feet to the
165 place of beginning, for the use and
166 benefit of the public as a public
167 street and highway, to be known
168 as a part of Fourteenth avenue.

169 Sec. 20. The said Company is to
170 dedicate to the public the following
171 described property: A strip of land
172 on private claim 729, lying between
173 Newark street and the southerly
174 line of Rose street, extended west-
175 erly and between the present west-
176 erly line of Twentieth street and
177 a line drawn parallel to and 25 feet
178 distant from a center line, de-
179 scribed as follows: Beginning at a
180 point on the present center line of
181 Twentieth street at its intersection
182 with the south line of Rose street
183 extended westerly; thence south-
184 erly 353.35 feet to a point on the
185 present center line of Twentieth
186 street, said last mentioned point
187 being 5 feet southerly from the
188 south line of Michigan Central
189 Railroad Company's right of way
190 measured along said center line,
191 for the use and benefit of the pub-

24 lie as a public street and high-
25 way, to be known as a part of
26 Twentieth street.

2 Sec. 21. In the event of the
3 streets and alleys herein vacated
4 being restored to the use of the
5 public as public streets and alleys,
6 so much of said property hereby
7 dedicated by the Michigan Central
8 Railroad Company and accepted
9 by the City by the passage of this
10 ordinance, or accepted by the City
11 by any subsequent act and not be-
12 fore the passage hereof, used by
13 and dedicated to the public for
14 street and alley purposes, shall re-
15 vert to the Michigan Central Rail-
road Company.

2 Sec. 22. The said Company shall
3 within one year after it takes pos-
4 session of the streets and alleys
5 hereby vacated, place in the office
6 of the Register of Deeds in the
7 County of Wayne, a map or plat
8 showing land dedicated to and
9 passage ways to be used by the
10 public in lieu of those streets and
alleys vacated.

2 Sec. 23. The said Company shall
3 provide for the perpetual use by
4 the public of a passageway be-
5 neath its tracks for pedestrians.
6 The said passageway shall be 10 feet
7 wide and constructed with a rea-
8 sonable incline to the streets and
9 without steps, and shall have a
10 head room of eight feet, and shall
11 extend from Newark street to a
12 point north of said tracks substan-
13 tially as shown upon the plans
14 mentioned in Section 30 of this or-
dinance.

2 Sec. 24. The said Company shall
3 reconstruct the present Baker
4 street bridge so as to provide for
5 an increase in the height in said
6 bridge, not exceeding three feet,
7 and an extension of the easterly
8 approach thereof, 160 feet more or
9 less further east than at present,
10 and construct a roadway on said
11 approaches not less than 32 feet
12 wide and sidewalks six feet wide
13 of cement, and construct two road-
14 ways on said bridge each not less
15 than 16 feet wide, separated by a
16 center girder, and sidewalks six
17 feet wide of cement, and there-
18 after maintain said bridge and its
19 approaches. And the City shall
20 after the construction herein pro-
21 vided for keep the roadway and
22 sidewalks on said bridge and ap-
23 proaches in a condition reasonably
safe and fit for public travel.

2 Sec. 25. The said Company shall
3 construct a suitable bridge over
4 their railroad tracks and extending
5 from a connection with the Baker
6 street bridge immediately east of
7 the present intersection of the
8 Baker street and Fifteenth street
9 bridges to the parcel of land de-
10 scribed in Section 18 of this or-
11 dinance, and shall construct upon
12 the land described in said Section
13 18 suitable approaches from Baker
14 street and Marantette street to the
15 bridge so to be constructed under
16 this section. The bridge and ap-
17 proaches in this section mentioned
18 shall each have a roadway 28 feet
19 wide and a sidewalk on each side
20 six feet wide. The said Company
21 shall forever maintain said ap-
22 proaches, bridges and viaducts.
23 And the City after the construc-
24 tion herein provided for shall keep
the roadway and sidewalks on said

25 approaches, bridges and viaducts
26 in a condition reasonably safe and
27 fit for public travel.

2 Sec. 26. The said Company shall
3 make all necessary repairs on the
4 present overhead bridge upon the
5 along Fifteenth street upon the
6 Baker street, and thereafter south
7 ever maintain said bridge, and the
8 City shall after the construction
9 herein provided for the construction
10 way and sidewalks on said road-
11 in a condition reasonably safe and
fit for public travel.

2 Sec. 27. The said Company shall,
3 at its expense, extend and elevate
4 the northerly approach to the
5 Fourteenth street bridge to the
6 conform to the new grade so as to
7 er street, and thereafter forever
8 maintain said approach, and the
9 City shall after the construction
10 herein provided for the construction
11 way and sidewalks on said ap-
12 proach in a condition reasonably
13 safe and fit for public travel.
14 Nothing herein contained shall
15 alter the obligation heretofore
16 made by said Company to build
17 and maintain the abutments for
said Fourteenth avenue bridge.

2 Sec. 28. The said Company shall
3 construct underneath the railroad
4 tracks a subway 60 feet wide, hav-
5 ing a roadway 40 feet wide, paved
6 with brick on a concrete founda-
7 tion, and an artificial stone side-
8 walk 15 feet wide on the west side,
9 the curbs of said roadway to be
10 not less than 14 feet below the
11 bottom of the girder, for the use
12 and benefit of the public, said
13 subway being within the limits of
14 the parcel of land described as fol-
15 lows, to-wit: Commencing at a
16 point in the northerly line of New-
17 ark street, said point being 2.05
18 feet distant northwesterly from the
19 intersection of said northerly line
20 of Newark street, and the westerly
21 line of Eighteenth street, thence
22 north 17 degrees 5 minutes east
23 372.19 feet, thence northwesterly, at
24 right angles to the last mentioned
25 course, 60.00 feet, thence south 17
26 degrees 5 minutes west 375.42 feet
27 to said northerly line of Newark
28 street, thence southeasterly along
29 said northerly line of Newark
30 street 60.10 feet to the point of be-
31 ginning; and thereafter forever
32 maintain the same. And the City
33 after the construction herein pro-
34 vided for shall keep the roadway
35 and sidewalks in a condition rea-
36 sonably safe and fit for public
travel.

2 Sec. 29. The said Company shall
3 construct a highway upon and
4 along the property described in
5 Section 17 hereof, having a road-
6 way 30 feet wide, paved with brick
7 on a concrete foundation and arti-
8 ficial stone sidewalks 10 feet wide,
9 with a suitable approach to said
10 subway, and forever thereafter
11 maintain said highway and its ap-
12 proaches. And the City after the
13 construction herein provided for
14 shall maintain the roadway and
15 sidewalks thereof as it is now or
16 may hereafter be prescribed by
law.

2 Sec. 30. All work of construction
3 of said subway and said passage-
4 way for pedestrians, and all work
5 to be done upon any of said
6 streets, under the provisions of
this ordinance, shall, except as

7 herein otherwise provided, be done
8 in accordance with the general
9 specifications and the general
10 plans, identified by the sig-
11 natures of the City Engineer
12 and the Chief Engineer of said
13 Railroad Company, and in accord-
14 ance with particular plans and
15 specifications to be agreed upon
16 between said City Engineer and
17 said Chief Engineer, which par-
18 ticular plans and specifications
19 shall conform to said general
20 plans and specifications. In case
21 of disagreement between said En-
22 gineers, the particular plans and
23 specifications to be adopted shall
24 be determined by the Presiding
25 Judge of the Circuit Court for the
26 County of Wayne, for the time be-
27 ing. All of said plans and speci-
28 fications, when identified, agreed
29 upon, or determined as aforesaid,
30 shall forthwith be filed in the of-
31 fice of the City Clerk and shall be
32 and become a part of this ordi-
33 nance. The profile shown upon
34 said plans, showing the level to
35 which the tracks of said Company
36 shall be elevated between Four-
37 teenth and Twentieth streets is
38 hereby adopted as the profile per-
39 manently fixing the level of said
40 tracks, and said Railroad Com-
41 pany shall not at any time be re-
42 quired to raise its tracks within
43 the limits of said district to a
44 greater height than the level fixed
45 by said profile. The grades of
46 Fourteenth avenue, Fifteenth
47 street, Baker street, Sixteenth
48 street, Seventeenth street, Eigh-
49 teenth street, Nineteenth street,
50 Newark street, Rose street and
51 Twentieth street, and of all inter-
52 secting streets and alleys, are
53 hereby changed to conform to the
54 grades shown on said general
55 plans.

Sec. 31. The said Company shall
2 construct and build the entire
3 work involved in said changes of
4 grade and the entire work herein
5 contemplated and all excavating,
6 paving, repaving and all retaining
7 walls, guard rails and wings or
8 supports of adjacent buildings,
9 and pavement of all roadways
10 after excavation.

Sec. 32. The said Company shall
2 pave all streets to be paved here-
3 under with such material as the
4 Department of Public Works shall
5 determine, on a concrete founda-
6 tion, and construct all sidewalks
7 to be constructed hereunder of ce-
8 ment, and shall do the work to
9 the satisfaction of the Department
10 of Public Works, and in accord-
11 ance with the specifications adopt-
12 ed by said Department and the
13 Common Council for these classes
14 of work in the City in the year
15 1909.

Sec. 33. The said Company shall
2 assume and pay and save the City
3 harmless from, and indemnify it
4 against any and all claims, suits,
5 judgments, costs and expenses
6 that may be made or brought by
7 any person or persons, for or on
8 account of damages to property,
9 caused by the vacation of the
10 streets and alleys hereby vacated.
11 Said Company shall waive and re-
12 lease the City from any and all
13 claims for damages to the right of
14 way of said Company and to any
15 and all land owned or controlled
16 by it and lying between said right

17 of way and Michigan avenue,
18 caused by said vacation of said
19 streets and alleys or by the work
20 contemplated by this ordinance.

Sec. 34. The said company shall
2 assume and pay and save the city
3 harmless from and indemnify it
4 against any and all claims, suits,
5 costs and expenses that may be
6 made or brought by any person or
7 persons for or on account of dam-
8 ages to property caused by the
9 change in the viaduct on Four-
10 teenth avenue, Fifteenth street and
11 Baker street.

Sec. 35. The City of Detroit shall
2 assume and pay and save the Mich-
3 igan Central Railroad Company
4 harmless from and indemnify it
5 against any and all claims, suits,
6 judgments, costs and expenses that
7 may be made or brought by any
8 person or persons for or on account
9 of damages to property caused by
10 the newly established grades on
11 Sixteenth, Seventeenth, Eighteenth,
12 Nineteenth, Twentieth, Newark
13 and Rose streets, and on all the
14 alleys, and on intersecting streets
15 and alleys.

Sec. 36. The said Company shall
2 indemnify the City against, and
3 save it harmless from any and all
4 claims, demands, suits, judgments,
5 costs and expenses that may be
6 made or brought against the City,
7 property arising from the happen-
8 ing of any accident on the streets
9 or alleys vacated by or dedicated
10 under this ordinance during the
11 prosecution of the work by said
12 Company.

Sec. 37. The said Company shall
2 so prosecute the work hereby con-
3 templated that the street car traf-
4 fic will not be suspended on Baker
5 street.

Sec. 38. The said Company shall
2 within the limits covered by this or-
3 dinance reconstruct and restore to
4 usefulness all sewers and other
5 public works belonging to the City
6 of Detroit or any of its depart-
7 ments; also all water pipes be-
8 longing to the Board of Water
9 Commissioners of the City of De-
10 troit.

Sec. 39. The said Company shall
2 complete all the work hereinbe-
3 fore mentioned on or before three
4 years from the passage of this
5 ordinance.

Sec. 40. The said Company shall
2 within five years erect and main-
3 tain between Fifteenth and Sev-
4 enteenth streets and north of its
5 right of way and south of Michigan
6 avenue a passenger depot building
7 to cost not less than one million
8 of dollars.

Sec. 41. The said Company may
2 use any or all of the material in
3 the streets or alleys hereby va-
4 cated, and shall remove what is not
5 used.

Sec. 42. The said Company shall
2 make the dedications referred to in
3 Sections 17, 18, 19 and 20 herein by
4 deed to the City of Detroit, by
5 which said Company shall convey
6 and dedicate to the public as pub-
7 lic streets the land as in said sec-
8 tions described.

Sec. 43. The said Company shall
2 forever maintain the foot passage-

3 way and the general subway here-
 4 in provided for in a clean and or-
 5 derly manner to the satisfaction of
 6 the Department of Public Works;
 7 and said Department shall at all
 8 times have supervision of the work
 9 of cleaning said foot passageway
 10 and general subway, and may if
 11 the said Company shall refuse or
 12 neglect to do its duty in this re-
 13 spect do the work and charge the
 14 cost thereof to said Company.

15 Sec. 44. The said Company shall
 16 light the foot passageway and the
 17 general subway herein provided
 18 for, in such manner as the Public
 19 Lighting Commission of the City
 20 of Detroit shall determine, and
 21 thereafter forever maintain the
 22 same.

23 Sec. 45. The said Company shall
 24 have the permission of the City for
 25 the temporary closing of the
 26 streets within the district upon
 27 which it may be necessary to stop
 28 public travel during the progress
 29 of the work herein contemplated
 30 and until its completion.

31 Sec. 46. The said Company may
 32 change the material herein desig-
 33 nated for the pavement of streets
 34 and the construction of sidewalks
 35 and may change the width of the
 36 roadway and sidewalks with the
 37 consent of the Commissioner of
 38 Public Works, the City Engineer
 39 and the Common Council.

40 Sec. 47. The said Company shall
 41 construct all the new viaducts re-
 42 quired to be built by it of the deck
 43 or girder type.

44 Sec. 48. The said Company shall
 45 refund on a roll to be prepared by
 46 the City and pay to each present
 47 property owner any sum or sums
 48 assessed against his property by
 49 the City of Detroit for the opening
 50 of Marantette street between Fif-
 51 teenth and Sixteenth streets.

52 Sec. 49. In the event of a line of
 53 street cars being operated on any
 54 of the bridges herein named and
 55 in consequence thereof a stronger
 56 or a different construction than
 57 that herein provided for be re-
 58 quired, the Michigan Central Rail-
 59 road Company shall not be re-
 60 quired to alter or strengthen said
 61 bridges for the street car traffic.

62 Sec. 50. The said Company shall
 63 within sixty (60) days after the
 64 passage of this ordinance file a
 65 written acceptance of the terms
 66 and conditions thereof with the
 67 City Clerk, and pay to the City
 68 the sum of (\$75,000) Seventy-five
 69 Thousand Dollars, and shall exe-
 70 cute and deliver to the City of
 71 Detroit a good and sufficient bond
 72 in the penal sum of Five Hundred
 73 Thousand Dollars (\$500,000) to be
 74 approved by the Common Council,
 75 conditioned for the faithful com-
 76 pletion of the work herein contem-
 77 plated and the faithful perfor-
 78 mance of the obligations of the
 79 Company under Sections 33, 34 and
 80 36 of this ordinance, and a good
 81 and sufficient bond in the penal
 82 sum of Twenty-five Thousand
 83 Dollars (\$25,000), to become opera-
 84 tive after the completion of the
 85 work herein provided for, condi-
 86 tioned upon the faithful perfor-
 87 mance by said Company of the

27 continuing duties imposed by Sec-
 28 tions 23, 24, 25, 26, 27, 28 and 29 of
 29 this ordinance.

30 Sec. 51. This ordinance shall take
 31 immediate effect upon the filing of
 32 said acceptance, the payment of
 33 said Seventy-five Thousand Dollars,
 34 the delivery of said deed and the
 35 approval of said bonds; and all or-
 36 dinances and contracts in so far
 37 as the same are in conflict here-
 38 with are hereby repealed and mod-
 39 ified.

40 Read twice by title, ordered printed
 41 and laid on the table.

Special.

To the Honorable Common Council;
 Gentlemen—Your Special Committee
 on Parks and Boulevards and Bridges,
 to whom was referred the resolution
 presented by Ald. Watson instructing
 said Committee to cause necessary
 proceedings to be instituted to con-
 demn for park purposes the land im-
 mediately adjoining Belle Isle Bridge
 approach on the west, formerly oc-
 cupied by Electric Park Amusement
 Co., and also the communication from
 his Honor the Mayor, transmitting
 communication from the City Plan
 and Improvement Commission in re-
 lation to same subject and also the
 matter of constructing a new bridge
 to Belle Isle, respectfully report that
 we have had the matter under con-
 sideration and after due delibera-
 tion believe that not only should the
 land adjoining the Belle Isle Bridge
 approach on the west be acquired,
 but also additional land now lying to
 the east thereof. The City some few
 years ago acquired a strip of approxi-
 mately 50 feet immediately east of
 the approach and under the plan pro-
 posed it is contemplated to acquire
 125 feet now lying west of the ap-
 proach. This latter project meets
 with our hearty approval, but in or-
 der that some uniformity be main-
 tained, we believe it advisable to ac-
 quire at this time additional land on
 the east, and it being unimproved,
 save except for a small house or two,
 it can and should be acquired before
 any improvements are made. On the
 east we believe that an additional
 frontage of approximately 104 feet
 should be acquired, which, with that
 now existing as an entrance or ap-
 proach, and the 125 feet to be ac-
 quired on the west, will give an ap-
 proach to the Island Bridge of about
 425 feet in all, which is none too
 much, when it is taken into consid-
 eration that when a new bridge is
 built, it should be at least 125 feet
 wide and of that character of con-
 struction and architecture as will
 serve the public for 75 or 100 years.
 The necessity of a new bridge to the
 Island is not disputed, but in order
 to bond the City for a sufficient
 amount to meet the expense of con-
 struction, an amendment to the City
 Charter will have to be prepared and
 submitted to the electors raising the
 bond limit, and at the same time
 again submit for their approval the
 matter of whether or not bonds shall
 be issued therefor, and in order to
 bring the matter to a focus, we rec-
 ommend that the Commissioner of