

leges hereunder not expressly stated herein.

Adopted as follows:
Yeas—Councilmen Bradley, Castator, Littlefield, Nagel, Simons, Vernor and the President—7.
Nays—None.

By Councilman Vernor:

Resolved, That the Department of Buildings and Safety Engineering be and is hereby authorized and directed to issue a permit to Davison Theatre Co. to erect marquise, 24 feet long and extending 10 feet over building line, in front of building on Davison avenue between Arlington and Maine avenues;

Provided, That said work shall be performed under the supervision of the Department of Buildings and Safety Engineering 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 marquise 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 Buildings and Safety Engineering 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 Bradley, Castator, Littlefield, Nagel, Simons, Vernor and the President—7.
Nays—None.

Vacation of Alley.

To the Honorable the Common Council: Gentlemen—To your Committee of the Whole was referred the petition of Zenith Foundry Co. (5101), for the vacation of part of the public alley,

14 feet wide, north of and parallel to Abrey avenue between Mt. Elliott avenue and M. C. R. R. Petitioner being the owner of all property abutting on that part of alley requested to be vacated, we recommend that the petition be granted, provided that the petitioner dedicate to the City of Detroit for alley purposes, the west 20 ft. of lot 83, to afford an outlet for remaining portion of alley onto Abrey avenue and also waives all grade separation damages which might accrue to property abutting on that part of alley vacated and agrees to reconstruct the lateral sewer in alley above referred to if found necessary. We therefore offer the following resolution.

Respectfully submitted,
JAMES VERNOR,
Chairman.

By Councilman Vernor:
Resolved, That "All that part of the public alley, 14 feet wide, lying first south of and parallel to Miller avenue and lying between the west line of the Detroit Belt Line R. R. right-of-way and the east line of lot 83, and 14 of the N. ½ of Section 28 and N. E. Frac. of Sec. 29, T. 1 S. R. 12 E., as recorded in Liber 13, page 84 of Plats of Wayne County Records, extended," be and the same is hereby vacated;

Provided, That petitioners deed to the City of Detroit for alley purposes, the following described property: "The west 20 feet of lot 83 of last mentioned subdivision; and further

Provided, That petitioners file with the City Clerk, within 30 days from the date of the adoption of this resolution, an agreement waiving all damages which may accrue to them by reason of the separation of grades affecting lots 78 to 82, inclusive, the east 10 feet of lot 83, and lots 106 to 110, inclusive, of subdivision last above mentioned and also the alley herein vacated; and further

Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights in the lateral sewer located in the alley aforesaid, and shall at all times have the right to enter upon the premises if found necessary on account of the sewer located therein, to repair same, and provided, further, that petitioners shall not build over the above described alley without first securing the approval of the Board of Health.

Adopted as follows:
Yeas—Councilmen Bradley, Castator, Littlefield, Nagel, Simons, Vernor and the President.—7.
Nays—None.

Vacation of Alley.

To the Honorable the Common Council: Gentlemen—To your Committee of the Whole was referred the petition of the Young Men's Christian Assn. (5099), for the vacation of a triangular parcel of land, 10 feet along the westerly and northerly lines of lot 48, Crane & West's Sec. of A. Beaubien Farm, said northwesterly corner of said lot being shown on plat as dedicated for alley purposes. Petitioner is the owner of approximately 155 feet along the north side of Elizabeth street, including said lot 48 and extending easterly therefrom, on which it is desirous of erecting a brick building to be used as an