

November 9

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 signs 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, Kronk, Littlefield, Nagel, Simons, Vernon, Watson and the President—9.

Nays—None.

Signs.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Jefferson Theatre (8536) to place cloth banner on top of marquee in front of 11908-10 East Jefferson avenue. After consultation with the Department of Buildings & Safety Engineering, your committee recommends that the petition be granted, with the recommendation that a new petition for suspension of small sign under marquee be considered if presented.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

Accepted and adopted.

Building Permits.

To the Honorable Common Council.

Gentlemen—To your Committee of the whole was referred the petition of Dr. Theo. Schmalzriedt (8552), for permit to construct steps, extending 4 feet over lot line, in front of building contemplated to be erected at 9110-16 West Fort street. Your Committee is

informed that it is necessary to construct steps over lot line in order to leave a space of 10 feet between rear wall of building and garage on rear of lot. After a consideration of the matter, your committee recommends that the request to construct the steps over lot line be denied, and that the Department of Buildings & Safety Engineering be directed to issue a permit for the erection of said building with a space of 6 feet between rear wall and garage, to obviate necessity of constructing steps over building line, and offer the following resolution:

Respectfully Submitted:

JOHN A. KRONK,
Chairman.

By Councilman Kronk:

Resolved—That the Department of Buildings & Safety Engineering be and is hereby authorized and directed to issue a permit to Theo. Schmalzriedt, basement store and apartment building, solid masonry, on property known as 9110-16 West Fort street, with a space of six (6) feet between rear wall of building and concrete block garage to be erected in rear of apartment building, in accordance with plans submitted to and approved by said Department.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Vernon, Watson and the President—9.

Nays—None.

Vacation of Alley.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Detroit Cast Stone Co. (8260), for the vacation of all that part of the public alley, 15 feet wide, first north of and parallel to South street, lying between Detroit, Toledo & Ironton R. R. and west line of lot 157, James F. Joy's sub. Your Committee finds that petitioner is the owner of all land abutting on that part of alley requested to be vacated, and in consideration of said vacation will deed to the city for alley purposes, the west 20 feet of lot 157, above referred to. Your Committee recommends that the petition be granted on condition that petitioners file an agreement waving grade separation damages on the property abutting said alley and the vacated alley, and also agrees to pay the entire cost of paving the new 20 foot alley, should same be paved in the future. We therefore offer the following resolution.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

By Councilman Kronk: Resolved, That "All that part of the public alley, 15 feet wide, first north of and parallel to South street and lying between the west line of the Detroit, Toledo & Ironton R. R. right-of-way, and the east line of the west 20 feet of lot 157, extended, of James F. Joy's sub. south of the W., St. L. and P. R. Private Claim 340, as recorded in R., Private Claim 340, as recorded in liber 12, page 98 of Plats, of Wayne County Records," be and the same is hereby vacated;

Provided, That petitioner, The Detroit Cast Stone Co., deeds to the City of Detroit for alley purposes, the following described property: West 20 feet of lot 157 of last mentioned subdivision;" and further

Provided, That by reason of the vacation of the alley above described, the City of Detroit does not waive any rights in the lateral sewer located therein, and reserves the right to enter upon said property at any time when necessary on account of repairs to said sewer; said alley being vacated with the distinct understanding that petitioner will not construct buildings over said vacated alley without first securing the approval of the Board of Health; and further

Provided, That Petitioner files with the City Clerk within 30 days from the date of the adoption of this resolution, an agreement in writing, waiving all grade separation damages which may result or accrue to them affecting lots 51 to 53, both inclusive, and lots 155, 156 and the west 10 feet of lot 157, of above mentioned subdivision, and the vacated alley herein described; said agreement to also contain a stipulation that petitioner will pay the entire cost of paving alley known as West 20 feet of lot 157, James F. Joy's sub. if at any time in the future said alley should be paved.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Ver-nor, Watson and the President.—9.
Nays—None.

Vacation of Alley.

To the Honorable Common Council:
Gentlemen—To your Committee of the Whole was referred the petition of Gallow & Greenbaum Co. (8408), for the vacation of a 10-foot blind alley in block bounded by Illinois, Leland and Orleans streets and railroad right-of-way. Your Committee finds that petitioners are the owners of all land abutting said alley with the exception of lot 1, the owner of which has consented in writing to the vacation of same; that there is no ingress or egress to said alley from the adjoining streets and that same has never been used by the general public. Your Committee recommends that the petition be granted, on condition that petitioners waive all grade separation damages which may accrue to them affecting the vacated alley and lots abutting thereon, and offer the following resolution.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

By Councilman Kronk:

Resolved, That all of the public alley 10 ft. wide in the block bounded by Orleans, Dequindre, Illinois and Leland streets in the subdivision of the westerly 421.44 ft. of lots 4 and 5, plat of the subdivision of lot 4, Dequindre Farm, as recorded in Liber 512, page 143, of Wayne County Records, being the same as hereby vacated.

Provided, Petitioner files with the City Clerk within thirty days from the date of the adoption of this resolution an agreement in writing waiving all grade separation damages which may accrue to them affecting lots 1 to 5 inclusive of the subdivision of the westerly 421.44 feet of lots 4 and 5, plat of the subdivision of lot 4, Dequindre Farm, as recorded in Liber 512, page 143 of Plats of Wayne County Records. Also the easterly 150 feet of lots 4 and 5 of plat of a subdivision of lot 4, Dequindre Farm, as recorded in Liber 41, page 518 of Deeds of Wayne

County Records, and the vacated alley herein described.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Ver-nor, Watson and the President.—9.
Nays—None.

Paving Taxes.

To the Honorable the Common Council:
Gentlemen—To your Committee of the Whole was referred the petition of Mary J. Wilking (8509), for cancellation or reduction of paving tax levied against part of lot 45, Home sub. Your committee has consulted with the Department of Public Works, who recommend that said petition be denied, and we recommend that said recommendation be concurred in.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

Accepted and adopted.

Paving and Sidewalks.

To the Honorable the Common Council:
Gentlemen—To your Committee of the Whole was referred the petitions of John C. Feys, et al. (8507), protesting against the paving of Harbor avenue and of George E. Laura, et al. (8411), asking for construction of sidewalk on Palmer Blvd. or Six Mile Road from Van Dyke to Concord avenues. Your Committee has consulted with the Department of Public Works, who advise that resolution for the forced paving of Harbor avenue was indefinitely postponed under date of Sept. 13, 1921; also that construction of permanent sidewalks on Six Mile Road has not been ordered by reason of the proposed widening of the street and difficulty of establishing proper line and also on account of sewer construction work now in progress. Your Committee is also informed that orders have been issued for construction of a temporary cinder walk from present terminus of cement walk on Tumey avenue, north on Eldon to south side of Six Mile Road and continuing west on south side of Six Mile Road to Concord avenue. Your Committee recommends that the above action of the Department of Public Works be approved, and that further consideration of said petitions be indefinitely postponed.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

Accepted and adopted.

Railroad Crossings.

To the Honorable the Common Council:
Gentlemen—To your Committee of the Whole was referred the communication from the Department of Police recommending that your Honorable Body take up with the state railroad commission the matter of additional protection at the Hale and St. Joseph street crossings of the Grand Trunk Railroad. Your committee begs to report that an inspection of said crossings was made by Mr. Bice, engineer of the Public Utilities Commission and the Division of Grade Separation and Bridges of the Department of Public Works and the following report submitted as a result thereof:

To the Honorable the Common Council:
Gentlemen—The undersigned, in accordance with your request, met Mr. Bice, engineer for the Public Utilities