

St. West and connecting with the Detroit Union Railroad Depot & Station Co. track. Your Committee is informed that track is to be used for the purpose of removing sand and gravel from excavations on Pennsylvania-Detroit R. R. property south of Fort between Summit and McKinstry avenues and that work will be completed in about six months. Your Committee, after an investigation of the matter, recommends that petition be granted, and offers the following resolution, all work to be done under supervision of Department of Public Works.

W. P. BRADLEY,
Chairman.

By Councilman Bradley:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue a permit to Gass-Thurston Co. to construct a temporary construction track across Ferdinand St. and Summit Ave. south of Fort St., connecting with Detroit Union Railroad Depot & Station Co. track, and to be used for removal of sand and gravel from Pennsylvania-Detroit R. R. property south of Fort St. between Summit and McKinstry avenues;

Provided, That said work be performed under the supervision of the Department of Public Works 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 track 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 Bradley, Castator, Ewald, Kronk, Littlefield, Vernon, Watson, and the President Pro Tem.—8.

Nays—None.

Vacation of Alley.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of General Aluminum & Brass Manfg. Co. (1650), for the vacation of part of the public alley extending southerly from E street between Isabella and Twenty-third streets. Your Committee finds that petitioner is the owner of all property abutting on the alley requested to be vacated, except Lot 39 at the corner of Twenty-third and E streets, and offers to dedicate a strip of land 20 feet wide off the southerly portion of lot 4, to afford an alley between Twenty-third street and remainder of alley in block. After a personal inspection of the alley referred to, your Committee recommends that all of the public alley, 10 feet wide, lying between the south line, extended, of North 20 feet of Lot 38, Fisher's sub. and a line extended easterly, 340 feet south of the south line of E street be vacated, provided petitioner deeds to the City for alley purposes, the North 20 feet of lot 38, to provide alley facilities for the property corner of Twenty-third and E street, and the south 20 feet of Lot 4, Mrs. Mary H. Gillet's sub., to give an outlet into Twenty-third street for remainder of alley in block, and that petitioner also agrees to pave at his own expense, the new alley described as North 20 ft. of lot 4, should same be ordered paved at any time in the future. We therefore offer the following resolution.

Respectfully submitted,

W. P. BRADLEY,
Chairman.

By Councilman Bradley:

Resolved, That "All that part of the public alley, 10 feet wide, first east of and parallel to Twenty-third street, and lying between the south line, extended, of the North 20 feet of lot 38 of Fisher's sub. of the eastern part of lots 62 and 63 of

the Porter Farm as recorded in liber 1, page 38 of Plats of Wayne County Records, and a line extended easterly, 340 feet south of the south line of "E" street," be and the same is hereby vacated;

Provided, petitioner, General Aluminum & Brass Manfg. Co., deeds to the City of Detroit for alley purposes, the following described property: "The north 20 feet of lot 38, of said Fisher's sub. and the south 20 feet of lot 4 of Mrs. Mary H. Gillet's sub. of part of O. L. 59, Porter Farm, south of the Chicago Road, as recorded in liber 4, page 70 of Plats of Wayne County Records;" 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 that if at any time in the future, the alley described as the South 20 feet of lot 4 of Mrs. Mary H. Gillet's sub. shall be ordered graded and paved, the expense of such grading and paving shall be borne entirely by it.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem—8.

Nays—None.

Vacation of Alley.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Himelhoch Bros. (1978), for the vacation of a portion of public alley lying between lots 19 and 24, Section 8, Governor & Judges Plan, for the purpose of erecting thereon a part of a building to constitute part of the Washington Arcade. Your Committee finds that all property abutting on said alley is owned by Christian Hecker, trustee, and Whitney Realty Co., Ltd., who have signified their willingness for said vacation by joining in petition; that said alley, which is bounded by Grand Circus, Washington boulevard and Woodward avenue, is a cul-de-sac, and will in no way injure other property located in said block. We therefore recommend that petition be granted and offer the following resolution.

Respectfully submitted,

W. P. BRADLEY,
Chairman.

By Councilman Bradley:

Resolved, That "all that portion of the public alley lying between lots 19 and 24 of Section 8 of Governor & Judges Plan, described as follows: Beginning at the northwest corner of lot 24, Section 8, Governor & Judges Plan, City of Detroit, Michigan, thence along the westerly line of lot 24, a distance of

twenty and 71-100 (20.71) feet, thence westerly twenty (20) feet to the northeast corner of the southerly 40 feet of lot nineteen (19), Section 8, Governor & Judges Plan, City of Detroit, Michigan, thence northeasterly to the place of beginning," be and the same is hereby vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem—8.

Nays—None.

Claims and Accounts.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the communication from the City Controller recommending payment of payrolls and claims of July 18, 1922. Your Committee finds that the same have been examined, audited and found to be correct by the Controller, and we therefore recommend that the same be approved and paid out of the proper funds.

Respectfully submitted,

W. P. BRADLEY,
Chairman.

Accepted and adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Vernor, Watson and the President Pro Tem—8.

Nays—None.

Resolutions and Ordinances.

By Councilman Bradley:

Resolved, That the Department of Public Works be and is hereby authorized and directed to draw warrants upon the City Treasurer in favor of the persons hereinafter mentioned, for the amounts set opposite their names, being the amount of refunds to which they are entitled on lost permits:

H. A. Koelzer, Permit No. 36025, \$11.50.

A. Jones, Permit No. 40469, \$2.50.

H. Gabriels, Permit No. 36247, \$23.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Vernor, Watson, and the President Pro Tem—8.

Nays—None.

By Councilman Bradley:

Whereas, check mailed to Chas. Muller, 219 Pasadena avenue, on June 6, 1922, was not received and the canceled check has not been returned by the bank, therefore, be it

Resolved, That the Controller be and he is hereby authorized and directed to issue duplicate check on the Police fund in the sum of \$246.00, provided he be satisfied that said check is lost and the bank notified to stop payment thereon.