

of Fred E. DeGaw, et al (8845), for light in rear of Porter street between Vinewood and Hubbard avenues. Your Committee having been informed by the Public Lighting Commission that a light has been installed and is now in operation above alley, your Committee recommends that further consideration of petition be indefinitely postponed.

Respectfully submitted,
W. P. BRADLEY,
Chairman.

Accepted and adopted.

Building Encroachments.

To the Honorable the Common Council:
Gentlemen—To your Committee of the Whole was referred the petition of B. F. Cornelius (227), relative to building on part of lot 55, southeast corner of Northfield and Milford avenues. Your Committee finds that petitioner after having land surveyed erected said building, it being later discovered that same encroached on street 1.2 feet, preventing the securing of a loan. After an investigation of the matter, your Committee recommends that the portion of street on which building stands be vacated, which will leave a street 60 ft. wide, and offers the following resolution.

Respectfully submitted,
W. P. BRADLEY,
Chairman.

By Councilman Bradley:

Resolved, That "The southerly part of Milford avenue, being 0.32 feet in front on the east line of Northfield avenue and 1.20 feet in rear on alley," be and the same is hereby vacated, to become part and parcel of lot 55 adjoining.

Adopted as follows:
Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Ver-nor, Watson, and the President—9.
Nays—None.

Spurtracks.

To the Honorable the Common Council:
Gentlemen—Your Committee of the Whole begs to report that it has had under consideration the application of Speck, Hopf & Gaiefsky (385), to maintain spurtrack across alley north of Poplar street and east of Twenty-third street for year ending May 31, 1922, being a renewal of permit expiring May 31, 1921. After consultation with the Department of Public Works, your Committee recommends that the application be approved, and offer the following resolution.

Respectfully submitted,
W. P. BRADLEY,
Chairman.

By Councilman Bradley:

Resolved, That subject to the provisions of Chapters 213 and 314 of the Compiled Ordinances of the City of Detroit of 1920, as amended, the Department of Public Works is hereby authorized and directed to issue a permit to Speck, Hopf & Gaiefsky (385), to maintain spurtrack across alley north of Poplar street and east of Twenty-third street, south of and connecting with M. C. R. R. for the year ending May 31, 1922, being a renewal of permit expiring May 31, 1921, as indicated by blue print now on file with the Department of Public Works.

Provided, That no right in the public streets, alleys or other public places shall be considered waived by the City of Detroit by the granting of this permission, which is granted and accepted expressly upon the conditions that said spurtrack or side-track and any and all obstructions in connection therewith shall be removed at any time when so directed by the Common Council, and further

Provided, That this grant or permit shall not become operative until there shall be reported to the Common Council by the Commissioner of Public Works the fact that the grantee herein named has fully complied with the provisions of Chapters 213 and 214 of the Compiled Ordinances of the City of Detroit of the year 1920, as amended; and further

Provided, That this grant or permit shall be terminated and without force or effect if said report from said Commissioner of Public Works be not made to this body within thirty days from the approval hereof; and further

Provided, That this grant or permit is given upon the express condition that the grantee herein shall, within fifteen days from the filing of said report contemplated to be made by the Commissioner of Public Works, file with the City Clerk an agreement that all paving or replacing of paving and sidewalks, between rails and eighteen (18) inches outside thereof or farther if necessary to cover the approaches, is to be done by the Department of Public Works or under its supervision when the grantee has deposited a sufficient sum to cover the cost of same and of installing the necessary drainage; the kind of pavement to be determined by the Commissioner of Public Works and that only "T" rails not less than five (5) inches in height and sawed ties be used; and to at all times during the life of this grant, pay the expense of repairing or repaving the roadway and sidewalk between the rails of said side track or spurtrack and for a distance of eighteen inches or farther outside of same, if necessary, when such repairs or repaving are deemed necessary by said Commissioner of Public Works, which agreement shall be further conditioned that the said grantee shall indemnify and save harmless the City of Detroit from any and all damages growing out of the defective condition of so much of said roadway as it is obligated hereunder to maintain, and that the failure of the Commissioner of Public Works to give to said grantee notice of such defective condition shall in no event operate to defeat the right of the City of Detroit to be indemnified and saved harmless from any and all such damages or expense and which agreement shall contain a stipulation that the privilege hereby granted shall be automatically terminated by any change of grade which may affect the relevant physical situation obtaining at the date hereof; the City Clerk shall not accept this agreement unless it is accompanied by or has in it incorporated a good and sufficient bond in the sum of \$5,000, guaranteeing to the City of Detroit the performance by the grantee herein of the conditions herein imposed, and shall also contain a waiver