

property to Lynch road sewer, with double barrel design, at a cost of \$1,246,028, presented by Councilman Littlefield on the 5th inst. (J. C. C. p. 1693), be adopted.

Respectfully submitted,

FRED W. CATATOR,
Chairman.

Accepted and adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Vernor, Watson and the President—9.

Nays—None.

Third Avenue Sewer.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the communication from the Department of Public Works, transmitting proposals for construction of Third avenue relief arm, and asking approval and confirmation of contract entered into with the lowest bidder, for the sum of \$54,800. Your Committee finds that Wm. Blanck Co. is lowest bidder and your Committee concurs in said recommendation, and recommends that the resolution accompanying said communication presented by Councilman Littlefield on the 5th inst. (J. C. C. p. 1689), approving and confirming contract entered into with the aforesaid lowest bidder, for construction of said sewer, located in Third avenue, from Edison avenue to alley north of Virginia, at a cost of \$54,800, be adopted.

Respectfully submitted,

FRED W. CATATOR,
Chairman.

Accepted and adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Vernor, Watson and the President—9.

Nays—None.

Gallagher Ave. Sewer.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the communication from the Department of Public Works, transmitting proposals received for the construction of Gallagher Ave. Arm-Seven-Mile Road Sewer, and asking confirmation of contract with Jos. Winterbottom, second lowest bidder, the Department of Public Works having acceded to the request of Ray D. Baker, lowest bidder, for rejection of his bid, on account of error in computing estimate. Your Committee therefore recommend that the second lowest bid be accepted, and that the resolution accompanying said communication, presented by Councilman Littlefield on the 5th inst. (J. C. C. p. 1689), approving and confirming contract with Jos. Winterbottom for construction of said

sewer, located in Gallagher avenue from Seven-Mile Road to State Fair avenue and in State Fair avenue from city line to Goddard avenue, at a cost of \$118,827.60 be adopted.

Respectfully submitted,

FRED W. CASTATOR,
Chairman.

Accepted and adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Vernor, Watson, and the President—9.

Nays—None.

Vacation of Strip of Land.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Philip B. Schnur (3051), for the vacation of a strip of land 19.35 feet wide, adjoining lot 109, northwest corner of Buena Vista and Fourteenth avenues. Your committee finds that said strip was taken by the city in condemnation proceedings for the widening of Buena Vista avenue, and is not required for street purposes. Petitioner being the owner of adjoining property, your committee recommends that strip be vacated upon payment of the sum of \$774.00 in 30 days, and offer the following resolution

Respectfully submitted,

FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That "The northerly part of Buena Vista avenue, as opened, being 19.35 feet in width and lying between the west line of Fourteenth street and the east line of alley first west thereof," be and the same is hereby vacated, to become part and parcel of adjoining lot 109;

Provided, Petitioner pays into the city treasury, within 30 days from the date of the adoption of this resolution, the sum of \$774.00, being the amount paid by the City of Detroit in condemnation proceedings, for that part of Buena Vista avenue, herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Vernor, Watson, and the President—9.

Nays—None.

Vacation of Strip of Land.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Andrew E. Wetmore (3138), for leave to purchase at same price per foot that was paid by the city in condemnation proceedings, the north 20 feet of lot 61, adjoining lots 59 and 60, Brown

& Babcock's sub., near the intersection of Broadstreet avenue and Burlingame avenue. Your Committee finds that lot 61 was taken by the city in the opening of Burlingame avenue, and 10 feet only of same used for street purposes. Petitioner being the owner of the adjoining property, your Committee recommends that unused portion of said lot 61 be vacated, upon payment of the sum of \$633.34 in 30 days, and offer the following resolution.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That "the northerly part of Burlingame avenue, as opened, being 20 feet in width in front on the west line of Broadstreet avenue, and 19.35 feet in rear on east line of alley first west thereof," be and the same is hereby vacated, to become part and parcel of adjoining lot 60;

Provided, Petitioner pays into the city treasury within 30 days from the date of the adoption of this resolution, the sum of \$633.34, being the amount paid by the City of Detroit in condemnation proceedings for that part of Burlingame avenue herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Vernor, Watson and the President—9.

Nays—None.

Streets.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petitions of Indian Refining Co. (3197), to erect two boulevard lights on Ash street, extending over lot line, in front of oil station southwest corner of Grand River avenue and Ash street; of Ernst Brothers (3226), to lower curb a distance of 30 feet on the north side of Shoemaker avenue for driveway into property between St. Jean and Fairview avenues; of Max Unger (3227), to lower curb a distance of 35 feet on Park place and a distance of 22 feet on Cass avenue, for driveways into gasoline station at intersection of said streets, and of Byron M. Smith (3220), to place a banner across Parkview avenue, north of Kercheval avenue, from Sept. 14 to 29, in connection with ball to be held in Amity Temple. After consultation with the Department of Public Works, your Committee recommends that said petitions be granted, and offer the following resolutions.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue a permit to Indian Refining Co. to erect two boulevard lighting standards, extending over lot line, on Ash street, adjoining gasoline station southwest corner of Grand River and Ash;

Provided, That said work shall be performed under the supervision of the Department of Public Works and Public Lighting Commission 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 standards 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, Nagel, Vernor, Watson and the President—9.

Nays—None.