

Vacation of Canfield Avenue.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of John W. A. Bauer (3447), for the vacation of the southerly 5 feet of Canfield avenue, as opened, between Field avenue and alley west thereof, to become part and parcel of adjoining lot. Your committee finds that petitioner is the owner of the adjoining property, and said strip not being required for street purposes, your committee recommends that same be vacated, upon payment of \$135.00 within 30 days, and offer the following resolution.

Respectfully submitted.

JAMES VERNOR,
Chairman.

By Councilman Vernor:

Resolved, That the "southerly 5 feet of Canfield avenue, lying between the west line of Field avenue and the east line of alley first west thereof," be and the same is hereby vacated to become part and parcel of the adjoining lot, the north 30 feet of the south 55 feet of the east 134 feet of lot 16;

Provided, Petitioner pays into the city treasury within 30 days the sum of \$135.00 being the cost to the city of said strip in condemnation proceedings.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Kronk, Littlefield, Nagel, Vernor, and the President—8.

Nays—None.

Streets.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Sinclair Refining Co. (3655), to cut curb on both Gratiot and Baldwin avenues for driveways into drive-in gasoline station to be erected upon the southeast corner of Gratiot and Baldwin avenues. After consultation with the Department of Public Works, your committee recommends that petition be granted, and offers the following resolution.

Respectfully submitted.

JAMES VERNOR,
Chairman.

By Councilman Vernor:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue a permit to Sinclair Refining Co. to cut curb on both Gratiot and Baldwin avenues for driveways into gasoline station southeast corner of Gratiot and Baldwin avenues.

Provided, That said work shall be performed under the supervision of

the Department of Public Works and in accordance with plans submitted to and approved by said department.

Provided, Subject to the prior rights of the City of Detroit and all public service corporations, 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 driveways 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, and the President—8.

Nays—None.

Building Encroachments.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Dix Ave. Market Co. (3652), for permission to maintain building encroaching on public alley in rear of premises on Dix avenue between Lansing and McKinstry avenues.