

tor, Ewald, Kronk, Littlefield, Nagel, Vernor, Watson and the President—9.

Nays—None.

Plats.

To the Honorable, the Common Council:

Gentlemen: To Your Committee of the Whole was referred the petition of Andrew McLean (3592) for approval of plat of McLean Subdivision of Lot 12 of Wm. J. Waterman's Sub. of part of S. E. ¼ of section 5 and northeast ¼ of section 8 T. 1, S. R. 12 E., Detroit, Wayne County, Michigan.

After consultation with the City Plan Commission and the City Engineer, your committee recommend that said plat be not approved.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

Accepted and adopted.

Vacation of Alley.

To the Honorable, the Common Council:

Gentlemen: To Your Committee of the Whole was referred the petition of Ferdinand C. Ortman, et al. (3594), for the vacation of the public alley, 15 feet wide, first west of and parallel to Cloverdale ave. and lying between Elmhurst and Cortland avenues. Petitioners being the owners of lots 42 to 72, Grand River Park sub., except those to be dedicated for Oakman Highway, being all the property abutting said alley, except Detroit Terminal R. R. right-of-way, and having offered to waive all damages which may accrue to them as a result of the separation of grades and to consent to the rights of the city in the lateral sewer located in said alley, your Committee recommends that petition be granted, and offers 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 west of and parallel to Cloverdale avenue and lying between the south line of Cortland avenue and the north line of Elmhurst avenue, that adjoins lots 42 to 47, both inclusive, and lots 53 to 72, both inclusive, of Grand River Park subdivision of part of sections 28 and 33, T. 1, S. R. 11 E., as recorded in Liber 32, page 77 of Plats of Wayne County Records," be and the same is hereby vacated;

Provided, Petitioners file with the City Clerk within 30 days from the date of the adoption of this resolution, an agreement in writing waiving all damages which may

accrue to them as a result of the separation of grades affecting lots 42 to 47, both inclusive, and lots 53 to 72, both inclusive, of above-mentioned subdivision, and vacated alley herein described; and further

Provided, That by reason of the vacation of above-described alley, the City of Detroit does not waive any rights in the lateral sewer located in said alley and shall at all times have the right to enter upon the premises if found necessary on account of the sewer located therein to repair same; and

Provided, further, That petitioners shall not build over the above-described alley without first securing the approval of the Board of Health.

Adopted as follows:

Yeas—Councilmen Bradley, Casator, Ewald, Kronk, Littlefield, Nagel, Vernor, 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 Ferdinand C. Ortman, et al. (3593), for the vacation of the 15-foot public alley, first west of and parallel to Cloverdale avenue and extending from Elmhurst avenue to a point about 130 feet north of Grand River avenue. Your Committee finds that petitioners are the owners of lots 12 to 41, both inclusive, or all the lots abutting on said alley; that the owners of lots 1 to 10, both inclusive, Grand River Park sub., on the north side of Grand River avenue, have consented to the vacation of said alley by joining in said petition; that petitioners will deed to the city for alley purposes a strip of land 12 feet wide north of and parallel to the 18-foot alley north of Grand River avenue, widening same to a width of 30 feet, and will waive all damages which may accrue to them as a result of the separation of grades affecting lots 12 to 41, both inclusive. Your Committee therefore recommends that said petition be granted, and offers the following resolution.

Respectfully submitted,

JOHN A. KRONK,
Chairman.

By Councilman Kronk:

Resolved, That "All that part of the public alley, 15 feet wide, lying first west of and parallel to Cloverdale avenue and lying between the south line of Elmhurst avenue and a line 130 feet north of and parallel to the north line of Grand River avenue, that adjoins lots 14 to 41, both inclusive, of Grand River Park subdivision of part of sections 28

and 33, T. 1 S., R. 11 E., as recorded in liber 32, page 77 of Plats of Wayne County Records," be and the same is hereby vacated;

Provided, That petitioners deed to the City of Detroit the following described land for widening alley first north of Grand River avenue and west of Cloverdale avenue: "All that part of lots 12 to 14, both inclusive, of above mentioned subdivision, described as follows: Beginning at the southeast corner of lot 12 of last mentioned subdivision, thence along the east line of said lot north 0 degrees 53 minutes west 13.84 feet to a point on said line 12 feet northerly of and at right angles to the south line of said lot 12, thence along a line north 61 degrees west 180.53 feet to a point on the westerly line of said lot 14, thence along said line south 9 degrees 8 minutes west, 12.18 feet to the southwest corner of said lot 14, thence along the southerly line of lots 12 to 14, both inclusive, south 61 degrees east 185.34 feet to the place of beginning;" and further

Provided, Petitioners file with the City Clerk within 30 days from the date of the adoption of this resolution, an agreement in writing waiving all damages which may accrue to them as a result of the separation of grades, affecting lots 14 to 41, both inclusive, of last-mentioned subdivision, and vacated alley herein described.

Adopted as follows:

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

Nays—None.

TUESDAY, OCTOBER 17, 1922.

Chairman Littlefield submitted the following reports of Committee of the Whole for above date and recommended their adoption:

Streets.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Max Osnos (3707), to replace two plate glass windows with a single plate of glass, in building known as Ste. Clair Hotel, on east side of Randolph street north of Monroe avenue. Your Committee finds that existing windows project beyond lot line and that new window will be five inches inside columns of building. Seeing no objection thereto, your Committee recommends that petition be granted, and offer the follow resolution.

Respectfully submitted,
SHERMAN LITTLEFIELD,
Chairman.

By Councilman Littlefield:
Resolved, That the Department of

Buildings and Safety Engineering be and is hereby authorized and directed to issue a permit to Max Osnos to replace existing window consisting of two plates of glass with a single plate, same to be five inches back from columns of building known as Ste. Claire Hotel, northeast corner of Randolph and Monroe avenues:

Provided, That said work shall be 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 window 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 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.