

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, Vernor, Watson and the President Pro Tem—8.

Nays—None.

#### Widening Alley.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of David A. Osborne et al (8999) requesting that alley east of Reiden avenue between Dix and Ferndale avenues be widened to 18 or 20 ft. After hearing with petitioners and consultation with the City Engineer, your committee recommends that petition be granted, and the Corporation Counsel be instructed to prepare the necessary resolution to widen alley east of Reiden avenue between Dix and Ferndale avenues to a width of 20 feet.

Respectfully submitted,

R. M. WATSON,  
Chairman.

Accepted and adopted as follows:

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

Nays—None.

#### Vacation of Wagner Avenue.

To the Honorable the Common Council:

Gentlemen—Your Committee of the Whole has referred the petition of Julia Sczudlo (8796) for the vacation of the northerly part of Wagner avenue as opened extending from Central avenue to alley first west thereof and adjoining lot 70. Your committee finds that the petitioner is the owner of the adjoining property, and we recommend that said strip be vacated upon payment to the city of the sum of \$663.68, being the cost of land in condemnation proceedings.

Respectfully submitted,

R. M. WATSON,  
Chairman.

By Councilman Watson:

Resolved, That the northerly part of Wagner avenue as opened, being 20.3 ft. in front of the west line of Central avenue and 21.45' on rear on alley first westerly thereof, be and the same is hereby vacated to become a part and parcel of lot 70 of Henderson and Griffith Subdivision of the east 16 acres of private claim 543 as recorded in liber 3, page 44, of plats of Wayne County Records.

Provided, Petitioners pay into the city treasury within 30 days from the date of this resolution the sum of \$663.68, being the cost to the city in condemnation proceedings of the strip of land herein vacated.

Adopted as follows:

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

Nays—None.

#### Pensions.

To the Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of John Cosgrove (8925), relative to being placed on the pension roll, the Civil Service Commission having ruled that service with the Board of Health is not service with a city department. Your committee is advised by the Corporation Counsel that the Michigan Supreme Court has decided that the Board of Health is a state agency because of its governmental functions, and we therefore recommend that the ruling of the Civil Service Commis-