

the City of Detroit by the granting of this permission, which is granted and accepted expressly upon the condition 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 these grants or permits are given under the express condition that the grantee herein shall within fifteen days file with the City Clerk an agreement that all planking, paving or replacing of paving and sidewalks between the rails and eighteen (18) inches outside thereof or farther if necessary to cover the approaches, is to be done by or under the direction of the Commissioner of Public Works when the grantee has deposited a sufficient sum to cover the cost of same and of installing the necessary drainage; and at all times during the life of these grants, pay the expense of repairing or repaving the roadway and sidewalk between the rails of said side-track or spur-tracks and for a distance of eighteen inches or farther outside of same, if necessary whenever such repairs or repaving are directed by said Commissioner of Public Works, which agreement shall be further conditioned that the said grantees 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 roadways as it is obligated hereunder to maintain, and that the failure of the Commissioner of Public Works to give to said grantees 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 agreements shall contain a stipulation that the privilege hereby granted shall be automatically terminated by any change of grade which may effect the relative 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 \$5,000.00 guaranteeing to the City of Detroit the performance by the grantees herein of the conditions herein imposed and shall also contain a waiver of all grade separation damages that may be suffered by said grantees in connection with said side-tracks or spur-tracks herein granted and a waiver of such other or further grade separation damages as the Common Council may require.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Murphy, Stevenson and the President—7.

Nays—None.

### Streets

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petitions of P. W. Shepard (5289), to place waste receiving receptacles on the streets of Detroit; D. B. Mayberry (5352), to erect a sign between the sidewalk and curb at 2138 St. Aubin avenue, and M. Belobraidich (5238), to advertise on the streets by means of a sandwich sign. After consultation with the Department of Public Works, Department of Buildings and Safety Engineering, and Department of Police, your committee recommends that petitions be denied.

Respectfully submitted.

JOHN STEVENSON,  
Chairman.

Accepted and adopted.

### Taxes

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Holy Trinity Russian Orthodox Church (5166), for cancellation of general city taxes for 1921, 1922, 1923 and 1924, on the grounds that property was and is used for church purposes. After consultation with the Board of Assessors, your committee recommends that request be granted, and offers the following resolution.

Respectfully submitted.

JOHN STEVENSON,  
Chairman.

By Councilman Stevenson:

Resolved, That the City Treasurer be and is hereby authorized and directed to cancel the 1924 general city taxes levied against the Holy Trinity Russian Orthodox Church on "W. 10 ft. of lot 121, lots 122, 123, 124 and 125 and vacated alley of Hannan & Trix Subdivision" (two 9, f. 410, e. 13), valuation \$3,500, amount \$73.38, and further

Resolved, That the City Treasurer be and is hereby authorized and directed to cancel city bids on above described property for the years 1921, 1922 and 1923, account of said property being used for church purposes.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Murphy, Stevenson and the President—7.

Nays—None.

### Vacation of Alley

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of M. J. Gallagher (4969), for the vacation of portion of public alleys in block bounded by Townsend, Baldwin, St. Paul and Agnes



avenues, petitioner to dedicate new outlet to Townsend avenue. After consultation with the City Engineer, your committee recommends that request be granted, and offers the following resolution.

Respectfully submitted,  
JOHN STEVENSON,  
Chairman.

By Councilman Stevenson:

Resolved, That "all that part of public alley, 20 feet wide, adjoining the southerly line of the northerly 29.2 feet of lot 227 of Moses W. Field's subdivision of that part of P. C. 16, lying between Lafayette street and Linden Park avenue, as recorded in liber 8, page 37, of Plats of Wayne County Records," also "all that part of public alley, 20 feet wide, adjoining the westerly line of lots 237 and 238 and the westerly line of the southerly .8 feet of lot 236 of last mentioned subdivision," be and the same are hereby vacated to become a part and parcel of the adjoining property.

Provided, That petitioner deeds to the City of Detroit for alley purposes "the southerly 2.22 feet of lot 224 and the northerly 17.78 feet of lot 223 of last mentioned subdivision," and further

Provided, That if at any time in the future the alley described as "the southerly 2.22 feet of lot 224 and the northerly 17.78 feet of lot 223" is ordered graded and paved, the expense of such grading and paving shall be borne entirely by petitioner, and further

Provided, That by reason of the vacation of the above described alleys, the City of Detroit does not waive any rights in the lateral sewer located in the alleys aforesaid, 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 petitioner shall not build over the above described alleys without first securing the approval of the Board of Health, and further

Resolved, That the City Controller be and is hereby directed to execute a quit-claim deed covering the alleys herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Murphy, Stevenson and the President—7.

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 Wineman Realty Co. (2719), to purchase strip of land on the west side of the West Grand Boulevard between the M. C. R. R. and E street. After hearing with peti-

tioners, consultation with the City Engineer and City Plan Commission, and a personal inspection of the premises, your committee recommends that the request be granted upon the payment to the City of Detroit of the sum of \$6,953.14, and we therefore offer the following resolution.

Respectfully submitted,  
JOHN STEVENSON,  
Chairman.

By Councilman Stevenson:

Resolved, That "a triangular piece of land on the west side of the West Grand Boulevard between the Michigan Central R. R. and E street in front of lots 39 to 53 inclusive, in Grossfield and Schulte's subdivision of the east part of P. C. 78, between Michigan avenue and the Michigan Central R. R., as recorded in liber 10, page 90, of Plats of Wayne County Records; beginning at the southwest corner of E street at a point being the northeast corner of lot 39 aforesaid; thence south 28 degrees east 470.1 feet to a stone, being the intersection of the Michigan Central R. R. fence; thence along a line south 78 degrees 35 minutes west 15.5 feet to a point; thence along a line north 26 degrees 10 minutes and 30 seconds west 465.7 feet to the point of beginning" be and the same is hereby vacated to become a part and parcel of the adjoining property;

Provided, Petitioner pays into the City Treasury within thirty days from the date of the adoption of this resolution the sum of \$6,953.14, and further

Provided, The petitioner files with the City Clerk within 30 days from the date of the adoption of this resolution an agreement waiving all grade separation damages which may occur to them affecting lots 39 to 53 inclusive of last mentioned subdivision and the vacated strip of land herein described, and further

Resolved, That the City Controller be and is hereby authorized and directed to execute a quit claim deed covering the property vacated herein.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Murphy, Stevenson and the President—7.

Nays—None.

#### RESOLUTIONS AND ORDINANCES

By Councilman Broderick:

Resolved, That the City Treasurer be and is hereby authorized and directed to accept from Hugh Cluett the original amount of part 1 of street paving assessment levied against 'Lot 64 Connelly's Glendale Park Sub., being part of the N. E. ¼ of ¼ Section 14, 10,000 acre tract,