

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, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel, Stevenson and the President—9.

Nays—None.

Spurtracks

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the application of Tide Water Oil Sales Corporation (509), to install a spur-track across Richardson ave. connecting with the Detroit Belt Line R. R. After consultation with the Department of Public Works, your committee recommends that application be approved, and offers the following resolution.

Respectfully submitted,
JAMES J. MURPHY,
Chairman.

By Councilman Murphy:

Resolved, That subject to the provisions and requirements of Chapters 213 and 214 of the Compiled Ordinances of the City of Detroit of 1920, as amended, and subject to the provisions of this resolution, the Commissioner of Public Works be and is hereby authorized and directed to issue a permit to the Tide Water Oil Sales Corporation to install a spurtrack across Richardson avenue, west of and connecting with the Detroit Belt Line Railroad, as per blueprint filed with application.

Provided, That no right in the public streets, alleys or other public places shall be considered waived by the City of Detroit by the granting of this permission, which is granted and accepted expressly upon the condition that said spurtracks or side tracks 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, Ewald, Murphy, Nagel, Stevenson 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 Jefferson Park Land Co. Ltd., et al (10281), requesting the vacation of public alley in block bounded by Coplin, Lakeview, Warren and Forest avenues. Your committee finds that petitioners are the owners of all the property in this block, and after consultation with the City Engineer, we recommend that petition be granted, and offer the following resolution.

Respectfully submitted,
JAMES J. MURPHY,
Chairman.

By Councilman Murphy:

Resolved, That "all of the public alley, 18 ft. in width, adjoining lots 232 to 253, both inclusive, of Jefferson Park Land Company, Limited, Subdivision of part of Private Claim 128, as recorded in Liber 47, page 6, of Plats of Wayne County Records," be and the same is hereby vacated to become a part and parcel of the adjoining property, and further

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

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel, Stevenson and the President—9.

Nays—None.

Vacation of Elmhurst Avenue

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Max H. Scheller (9331), to purchase strip of land at the northwest corner of Elmhurst and Martindale avenues, left over in the opening of Elmhurst avenue. After consultation with the City Engineer, your committee recommends that petition be granted, upon the payment of the sum of \$1,220.00 within 90 days, and offers the following resolution.

Respectfully submitted,

JAMES J. MURPHY,
Chairman.

By Councilman Murphy:

Resolved, That "the northerly part of Elmhurst avenue, as opened, being 17.39 feet in front on the west line of Martindale avenue, and 18.38 feet in rear on the east line of alley first west thereof," be and the same is hereby vacated to become a part and parcel of the adjoining lot 381 of Brown & Babcock's subdivision of the westerly 41 2-3 acres of $\frac{1}{4}$ section 29 and the westerly 25.06 acres of $\frac{1}{4}$ section 32, 10 000 acre tract, as recorded in liber 16, page 15 of Plats of Wayne County Records.

Provided, petitioner pays into the city treasury within 90 days from the date of the adoption of this resolution the sum of \$1,220.00, and further

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

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel, Stevenson and the President—9.

Nays—None.

Vacation of Korte Avenue

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of S. G. Leamon (10282), to purchase strip of land at the southwest corner of Korte avenue and Lakewood Blvd., left over in the opening of Korte avenue. After consultation with the City Engineer, your committee recommends that petition be granted, upon the payment of the sum of \$2,000.00 within 90 days, and we therefore offer the following resolution.

Respectfully submitted,

JAMES J. MURPHY,
Chairman.

By Councilman Murphy:

Resolved, That "the southerly 20 feet of Korte avenue, as opened, lying between the west line of Lakewood avenue and the east line of the alley first west thereof" be and the same is hereby vacated to become a part and parcel of the adjoining lot 94 of Lakewood Blvd. Addition Subdivision of part of lot 8, Subdivision of Estate of George Martin Private Claim 219 and part of westerly 30 feet of Private Claim 321 lying south of Jefferson avenue, as recorded in Liber 30, page 6, of Plats of Wayne County Records,

Provided, Petitioner pays into the City Treasurer within 90 days from the date of the adoption of this resolution the sum of \$2,000.00, and further

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

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel, Stevenson and the President—9.

Nays—None.

Widening Woodward Avenue

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred communication from the City Clerk of August 25, 1925 (J. C. C. pp. 2357-8), advising of the filing of an initiatory petition by the Woodward Avenue Improvement Association relative to the widening of Woodward avenue from Adams avenue to the Highland Park city limits to a width of 120 feet. Inasmuch as it is mandatory that this proposition be submitted to a vote of the people, no action is necessary on the part of the Common Council, and your committee recommends that the matter be referred to the City Elec-