

quire by such improvement; and be it further

Resolved, That the Board of Assessors of the City of Detroit be and they are hereby directed and instructed to proceed forthwith to prepare an assessment roll in conformity with the requirements of the Charter of the City of Detroit relating to special assessments for collecting the expense of public improvements where a street is graded, comprising the property hereinbefore referred to and described in said resolution (J. C. C., p. 2370-2, 1922), upon which they shall assess and levy the amount of \$24,928.13 each lot or parcel to be assessed at a ratable proportion as near as may be of said amount, in accordance with the amount of benefit derived by such improvement; and be it further

Resolved, That the sum of \$4,399.08 of the award of the jury be paid by the City of Detroit out of the Street Opening Fund; and further

Resolved, That said assessment shall be made in four parts, part one of which shall become due and payable in 30 days after the first publication by the City Treasurer of the notice of such assessment.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Nagel, Stevenson 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 Rau's (7087), to cut curbing for the purpose of backing trucks up to the sidewalk to load and unload at the northwest corner of Casper and Ferndale aves., on Casper ave. After hearing with petitioner; and consultation with the Department of Public Works, your committee recommends that request be granted, and offers the following resolution.

Respectfully submitted,
FRANK B. BRODERICK,
Chairman.

By Councilman Broderick:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue a permit to Rau's to cut 15 ft. of curbing on Casper ave. at the northwest corner of Ferndale ave., and pave between the present curb line and the sidewalk, for the purpose of backing trucks to the sidewalk to load and unload, provided pedestrian traffic is not impeded.

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, 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, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel and the President Pro Tem—8.

Nays—None.

Vacation of Alley

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of St. Gregory's Church (6902), for the vacation of portion of public alley in block bounded by Dexter, Chalfonte, Holmur and Fenkell avenues, petitioner to dedicate new outlet into Holmur ave. After consultation with the City Engineer, and consideration of the request,

your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
FRANK B. BRODERICK,
Chairman.

By Councilman Broderick:

Resolved, That "all that part of public alley, 20 ft. wide, adjoining the southerly line of lot 238, of Dexter Park Subdivision of part of Fractional Section 22, T. 1, S. R. 11 E., as recorded in Liber 33, page 17 of Plats of Wayne County Records,"

Also "all that part of public alley, 18 ft. wide, adjoining the easterly line of the southerly 20 ft. of lot 236, the easterly line of lots 237 and 238, of last mentioned subdivision, and the easterly line of 20 ft. alley adjoining the southerly line of lot 238, of last mentioned subdivision," be and the same are hereby vacated to become a part and parcel of the adjoining propetry.

Provided, Pettitioner deeds to the City of Detroit for alley purposes the "northerly 20 ft. of lot 236 of last mentioned subdivision and further

Provided, That if at any time in the future the alley described as "the northerly 20 ft. of lot 236" is ordered graded and paved, the cost of such grading and paving shall be borne entirely by the petitioner, and further

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

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel and the President Pro Tem—8.

Nays—None.

Vacation of Amos Ave.

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Robert Oakman Land Co. (6900), for the vacation of a portion of Amos avenue west of Ohio avenue for the purpose of resubdividing the property. After consultation with the City Plan Commission and City Engineer, your committee recommends that request be granted, and offers the following resolution.

Respectfully submitted,
FRANK B. BRODERICK,
Chairman.

By Councilman Broderick:

Resolved, That "all that part of Amos Ave., 60 ft wide, adjoining the southerly line of lots 17 to 20, both inclusive, of Robert M. Grindley's Subdivision No. 2 of Little Farms, of N. W. ¼ of Section 33, T. 1, S. R. 11 E., as recorded in Liber 28, page

50 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 a quit-claim deed covering the property herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel and the President Pro Tem—8.

Nays—None.

Vacation of Stebbins Avenue

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of the Lincolnshire Land Co. (6415), for the vacation of Stebbins avenue in Stebbins Subdivision between the southerly line of the Lincolnshire Subdivision and the Seven Mile Road. Your committee is advised by the City Plan Commission that this street does not exist on the ground at the present time, and has never been opened or used by the public. After further consultation with the City Plan Commission, and consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
FRANK B. BRODERICK,
Chairman.

By Councilman Broderick:

Resolved, That "all that part of Stebbins Ave., 50 ft. wide, adjoining the easterly line of lots 13, 14, 15 and 17, of Stebbin's Subdivision of the east ½ of the N. W. ¼ and east ½ of the S. W. ½ and west part of west ½ of the S. E. ¼ Section 10, T. 1, S. R. 11 E., as recorded in Liber 3, page 21, of Plats of Wayne County Records," be and the same is hereby vacated, and further

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

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel and the President Pro Tem—8.

Nays—None.

Vacation of Streets and Alleys

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Dodge Bros. (5046), for the vacation of portions of Jordan and Morgan avenues and parallel alleys

west of Eldon avenue. After consultation with the City Engineer and City Plan Commission, and consideration of the request, your Committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
FRANK B. BRODERICK,
Chairman.

By Councilman Broderick:

Resolved, That "all that part of Jordan ave., 60 ft. wide, adjoining the northerly line of lots 54 to 69, both inclusive, of Jacob M. Schaefer's subdivision on the south $\frac{1}{2}$ of the N. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Section 21, T. 1, S. R. 12 E., as recorded in Liber 30, page 65 of Plats of Wayne County Records,"

Also, "all that part of public alley, 18 ft. wide, adjoining the northerly line of lots 112 to 127 both inclusive of last mentioned subdivision,"

Also, "all that part of Morgan ave., 60 ft. wide, adjoining the northerly line of lots 128 to 143, both inclusive of last mentioned subdivision," and

Also, "all that part of public alley, 18 ft. wide, adjoining the northerly line of lots 30 to 45, both inclusive, of Nuereberg Subdivision of the north $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Section 21, T. 1, S. R. 12 E., as recorded in Liber 29, Page 14, of Plats of Wayne County Records," be and the same are 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 a quit-claim deed covering the property herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Broderick, Castator, Dingeman, Ewald, Murphy, Nagel and the President Pro Tem—8.

Nays—None.

TUESDAY, MARCH 31

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

Bridge Over Alley

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of M. J. Gallagher (6917), to construct a bridge over the public alley between 14th and 15th streets, Hancock and Warren avenues. After consultation with the Department of Public Works, your committee recommends that request be granted, provided the bridge has a clearance of 15 ft. above the alley grade.

We therefore offer the following resolution.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That permission be and is hereby granted M. J. Gallagher to connect present building on lots 451, 452 and 453, Plat of Godfrey Farm, P. C. 726, on the west side of Fourteenth ave. with proposed new building on acreage of Lafontaine Farm, P. C. 44, on the east side of Fifteenth st., by building a bridge in, over and above the alley running north and south between Warren and Hancock avenues, said bridge to have a clearance of 15 ft. above the alley grade, and further

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue a permit to said M. J. Gallagher to construct said bridges in, over and above said alley in accordance with this resolution.

Provided that said work shall be performed under the supervision of the Department of Public Works and of the Department of Buildings and Safety Engineering of the City; and further

Provided that said permission and permit so hereby granted and issued M. J. Gallagher is granted and issued subject to all and every one of the prior rights of the City of Detroit and of all public service corporations in and to said public alley and in accordance with said plans to be submitted to and approved by said departments; and further

Provided that no rights in said public alley shall be considered waived by the City of Detroit by this permission and said permit which is granted expressly on the condition that said structures in, over and above said public alley and all obstructions in connection therewith shall be removed at the expense of said M. J. Gallagher, grantee herein, at any time when so directed by the Common Council of said City and that the public property affected by said structures shall be restored to a condition satisfactory to said Common Council of said City by said grantee herein, at the expense of said grantee; and further

Provided that said permission and said permit issued by the Department of Public Works of said city 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 will provide for the levying of a fee, charge or rental, to be hereinafter determined upon, or in the event of an ordinance or resolution being enacted providing for an an-