

rected to issue permits as follows:

Detroit, Jackson & Chicago Ry., to construct a spurtrack crossing the north side of Michigan avenue, into lots 1 and 2 immediately east of the western city limits, north of and connecting with the D., J. & C. Ry.

Detroit Railway & Harbor Terminals Co., to construct six spurtracks across West Jefferson avenue and three tracks across alley north of and parallel to Jefferson avenue, between Clark and McKinstry avenues, said tracks being south of and connecting with the Pere Marquette R. R. and Department of Street Railways, provided, all switches and frogs be relocated outside the street and sidewalk lines, and further provided petitioner enters into an agreement satisfactory to the Department of Street Railways and Department of Public Works as to the manner in which the several crossings are installed, as to grades, and any other matters that may arise in the development of the work, and further

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 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 this grant or permit is 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 this grant, pay the expense of repairing or repaving the roadway and sidewalk between the rails of said side-track or spur-track 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 grantee 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 roadway as it is obligated hereunder to maintain, and that the failure of the Commissioner of Public Works to give to said grantee 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 agreement shall contain a stipulation that the privilege hereby granted shall be automatically terminated by any change of grade which may affect 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 grantee hereof of the conditions herein imposed and shall also contain a waiver of all grade separation damages that may be suffered by said grantee in connection with said side-track or spur-track herein granted or waiver of such other or further grade separation damages as the Common Council may require.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Murphy, Nagel and the President Pro Tem.—5.

Nays—None.

Taxes

To the Honorable Common Council: Gentlemen—To your Committee of the Whole was referred petition of Arbeiter Temple Association (7947), for cancellation of interest and penalty on general city taxes for 1924. After consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That the City Treasurer be and is hereby authorized and directed to accept from the Arbeiter Temple Association, the original amount of general city taxes for 1924 levied against "Lots 1, 2, 3, 4 and 5 of Curry's Cook Farm Sub., etc." (w. 17, f. 29), and cancel interest and penalty charges, provided said tax is paid within 30 days from the date of the adoption of this resolution.

Adopted as follows:

Yeas—Councilmen Castator, Ewald, Murphy, Nagel and the President Pro Tem.—5.

Nays—None.

Vacation of Alleys

To the Honorable Common Council: Gentlemen—To your Committee of the Whole was referred petition of F. P. Nall, et al. (7803), for the vacation of alleys north of Daniels avenue (State Fair), between Dresden and Townline Road, petitioner

to dedicate new alleys. Your committee finds that petitioner desires to re-plat this property, and after consultation with the City Engineer, we recommend that request be granted, and offer the following resolution.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That "all that part of the public alleys, 18 feet wide, adjoining the westerly line of the southerly 20 feet of lots 182, 274 and 366, and also adjoining the westerly line of lots 183, 184, 275, 276, 367 and 368 of Green Brier Subdivision of part of the W. $\frac{1}{2}$ of the N. W. $\frac{1}{4}$ of Section 2, T. 1, S. R. 12 E., as recorded in Liber 41, page 73 of Wayne County Plats" be and the same are hereby vacated to become a part and parcel of lots 93, 94, 183 to 185, both inclusive; 275 to 278, both inclusive, 367 and 368, and the southerly 20 feet of lots 95, 182, 187, 274 279 and 366 of last mentioned subdivision.

Provided, Petitioner deeds to the City of Detroit for alley purposes the northerly 20 feet of lots 90, 95, 182, 187, 274, 279 and 366 of last mentioned subdivision, and further

Provided, That if at any time in the future the alleys described as "the northerly 20 feet of lots 90, 95, 182, 187, 274, 279 and 366" are ordered graded and paved, the expense of such grading and paving shall be borne entirely by the petitioner, and further

Provided, That by reason of the vacation of the above described alley the City of Detroit does not waive any rights in the lateral sewer located in alley aforesaid and shall at all times have the right to enter upon the premises if found necessary on account of said sewer to repair same and provided further that petitioner shall not build over the above described alley without first securing the approval of the City Engineer and the Board of Health, 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 Castator, Ewald, Murphv Nagel and the President Pro Tem.—5.
Nays—None.

Vacation of Alley

To the Honorable Common Council:
Gentlemen—To your Committee of the Whole was referred petition of M. J. Gallagher (7802), for the vacation of a portion of public alley in block bounded by Centerline, Georgia, Marcus and Winfield avenues, petitioner to dedicate land to

widen east and west alley in this block. After consultation with the City Engineer, your committee recommends that request be granted, and offers the following resolution.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.

By Councilman Castator:

Resolved, That "the easterly 4 feet of public alley, 20 feet wide, adjoining the westerly line of lots 8 and 9 of Kebbe's Subdivision of part of the N. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of Section 21, T. 1, S. R. 12 E., west of the Centerline Road as recorded in Liber 34, page 11 of Plats of Wayne County Records, and lying between the southerly line of lot 9 of last mentioned subdivision and the southerly line of lot 1 of last mentioned subdivision" be and the same is hereby vacated to become a part and parcel of the adjoining property,

Provided, Petitioner deeds to the City of Detroit for alley purpose "the southerly 4 feet of the westerly 7.76 feet of lot 1 of last mentioned subdivision and the southerly 4 feet of lots 228 and 229 of Bessemer & Moore's Mt. Elliott Ave. Subdivision of the S. $\frac{1}{2}$ of lot 3 and lots 4 and 5 of subdivision of S. W. $\frac{1}{4}$ of Section 21, T. 1, S. R. 12 E., as recorded in Liber 3, page 12 of Plats and lot 5 and part of lot 6 of subdivision of Estate of James Dunn, on S. W. $\frac{1}{4}$ Section 21, T. 1, S. R. 12 E., as recorded in Liber 61, page 199 of Deeds, also part of Section 21, T. 1, S. R. 12 E., as recorded in Liber 33, page 19 of Plats of Wayne County Records." 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 Castator, Ewald, Murphv Nagel and the President Pro Tem.—5.
Nays—None.

Vacation of Alley

To the Honorable Common Council:
Gentlemen:

To your Committee of the Whole was referred petition of B. B. Wettsman (7516), to change the location of alley at the rear of property at the northeast corner of Mack and Philip avenues. After consultation with the City Plan Commission and City Engineer, your committee recommends that request be granted, in accordance with the following resolution.

Respectfully submitted,
FRED W. CASTATOR,
Chairman.