

By Councilman Callahan:

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 permits to the following named persons or firms for the installation or maintenance of spur-tracks across public streets or alleys as listed:

Isadore Warren (534), to maintain a spurtrack across alley south of Michigan ave., west of Beecher st. (formerly Wright & Parker spur), north of and connecting with the Michigan Central R. R.

R. W. Nowels Lumber & Supply Co. (535), to maintain a spurtrack across Connors Creek Road, south of and connecting with the Grand Trunk Ry.

Ternstedt Manufacturing Co. (536), to install a spurtrack across Crawford ave., south of Fort st., north of and connecting with the Union Belt R. R., in accordance with 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 spur-track 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 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 roadways as it is

obligated hereunder to maintain, and that the failure of the Commissioner of Public Works to give 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 agreement 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, Callahan, Castator, Dingeman, Ewald, Littlefield, 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 Fisher Body Corporation-Ternstedt Manufacturing Co. (5007), for the vacation of a portion of the north and south alley in block bounded by Crawford, Fort and Artillery aves and the Wabash R. R., petitioner to deed a new outlet into Crawford ave. After consultation with the City Plan Commission, hearing with petitioner, and careful consideration of the request, your committee recommends that same be granted provided petitioner dedicates a 20-ft. alley into Crawford ave. We therefore offer the following resolution.

Respectfully submitted,

PHILIP A. CALLAHAN,
Chairman.

By Councilman Callahan:

Resolved, That "the southerly part of public alley, 10 ft. wide, first easterly of and parallel to Crawford avenue, and lying between the north line of the Wabash Railroad right-of-way and the north line of the southerly 12 ft of lot 20 extended easterly, of Kurth's Subdivision of lot 61 Crawford's Subdivision

of Fort Tract being part of Private Claim 268 lying along the east line of Crawford avenue and between Fort street and the W. St. L. and P. R. R. as recorded in Liber 10, page 5 of Plats of Wayne County Records," be and the same is hereby vacated to become a part and parcel of the adjoining property.

Provided, Petitioner dedicates to the City of Detroit for alleys purposes "the northerly 20 ft. of lot 20 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 20" is ordered graded and paved, the entire expense of such grading and paving shall be borne by petitioner, and further

Provided, Petitioner files with the City Clerk within 30 days from the date of the adoption of this resolution an agreement in writing waiving all grade separation damages which may accrue to them affecting lots 24 and 25 of Kurth's Subdivision above mentioned, and lot 44 of Daniel Scotten's Subdivision of that part of P. C. 268 lying between Fort st. and Sword ave. and west of Artillery ave. of Daniel Scotten's Sub. of that part of P. C. 32 and the easterly part of P. C. 268 lying between Fort st. and the River Road, as recorded in Liber 20, page 66 of Plats of Wayne County Records, and further

Provided Petitioner bears the entire expense of relocating or rerouting any public utilities now installed in said alley which it may be necessary to remove due to the closing of same, 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 Bradley, Callahan, Castator, Dingeman, Ewald, Littlefield, Nagel, Stevenson and the President—9.

Nays—None.

Finance

To the Honorable Common Council:
Gentlemen—To your Committee of

the Whole was referred communications from various departments requesting the transfer of funds, approval of vouchers, contracts, etc. After consultation with the City Controller and the department heads concerned, your Committee recommends that the requests be granted, and offers the following resolutions.

Respectfully submitted,
PHILIP A. CALLAHAN,
Chairman.

Controller

October 4th, 1926.

To the Honorable Common Council:
Gentlemen—The appropriation for the payment of Special Assessment taxes on exempt property is exhausted.

Therefore, may I request that your Honorable Body authorize the transfer of \$100,000.00 from the Contingent Reserve Fund to Account 20-I, General Fund.

Respectfully yours,
P. L. MONTEITH,
Controller.

By Councilman Callahan:

Resolved, That the City Controller be and he is hereby authorized and directed to transfer the sum of \$100,000.00 from the Contingent Reserve Fund to Account 20-I, General Fund.

Adopted as follows:

Yeas—Councilmen Bradley, Callahan, Castator, Dingeman, Ewald, Littlefield, Nagel, Stevenson and the President—9.

Nays—None.

Controller

October 5th, 1926.

To the Honorable Common Council:
Gentlemen—The approval of your Honorable Body is requested to the following vouchers which exceed \$500.00:

PARK & BOULEVARD FUND

United Pretzel & Cone Co.	\$ 915.00
Foerster & Molitor	1,274.52
Gordon & Parcel Co.	659.02
Stroh Products Co.	2,025.50
Coco Cola Bottling Works	742.50
Detroit Creamery Co.	4,390.47
Miller Bros., Inc.	2,419.89
Swift & Co.	714.99
Arctic Ice Cream Co.	1,873.05
W. H. Edgar & Son	584.79
John T. Woodhouse	738.28
Cadillac Market Co.	1,404.36
Eagle Baking Co.	1,754.20
Bryant Linen & Supply Co.	531.84
Consumers Ice & Creamery Co.	660.96
Tivoli Products Co.	795.00

POLICE FUND

Raymond A. Mercier\$1,340.75

Respectfully submitted,
P. L. MONTEITH,
Controller.