

By Councilman Dingeman:

Resolved, That the City Treasurer be and he is hereby authorized and directed to cancel tree planting assessment levied against Clara Hartman on "Lot 108, Avondale Sub., etc." (book 3, f. 87, roll 102), amt. \$7.61, said action taken on the grounds of charity, and further

Resolved, That the City Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of the City Treasurer for the amount of the assessment cancelled by this resolution.

Adopted as follows:

Yeas—Councilmen Bradley, Callahan, Castator, Dingeman, Ewald, Littlefield, Stevenson and the President—8.

Nays—None.

#### Vacation of Alleys

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of A. J. Potter (11146), for the vacation of a portion of the existing east and west alley in block bounded by Myrtle, Lawton, Maybury Grand and Magnolia avenues. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted, provided petitioner deeds 18 ft. for alley purposes south of lot 1 facing on Lawton avenue, 9.92 ft. for alley purposes along the easterly end of his property, sufficient land for the widening of the alley north of and parallel to Myrtle street, and also quit-claims any interest he may have in the private alley west of and parallel to Lawton avenue. We therefore offer the following resolution.

Respectfully submitted,  
ARTHUR E. DINGEMAN,  
Chairman.

By Councilman Dingeman:

Resolved, That "all of the public alley, lying south of and adjoining the southerly line of the westerly 70.50 ft. of lot 37 of Johnston's Subdivision of P. C. 727 and 729, being the central part of P. C. 729 north of the Chicago Road, lots 1, 2, 3 and 4 of the Subdivision of the rear concession of P. C. 729 and lots 1, 2, 3 and 4 of the Subdivision of the rear concession of P. C. 727, as recorded in Liber 1, page 139 of Plats of Wayne County Records, be and the same is hereby vacated to become part and parcel of the adjoining property.

Provided, Petitioner deeds to the City of Detroit for alley purposes "the northerly part of lots 6, 7, 8 and 9 of John Zeisler's Sub. of O. L. 38 and 43 of Johnston's Sub. of P. C. 727 and 729, and lying between Sullivan and

Maybury avenue, and north of Myrtle street, as recorded in Liber 5, page 11 of Plats of Wayne County Records, described as follows; beginning at the northwesterly corner of lot 6 of last mentioned subdivision; thence along the northerly line of lots 6, 7, 8 and 9 of last mentioned subdivision N. 64 deg. 10 min. E. 99.72 ft. to a point; thence along a line S. 26 deg. 33 min. E. 10.18 ft. to a point; thence along a line S. 64 deg. 17 min. W. 99.72 ft. to a point on the westerly line of lot 6 of last mentioned subdivision; thence along said line N. 26 deg. 33 min. W. 9.97 ft. to the place of beginning."

Also "all that part of lot 11 of last mentioned subdivision, described as follows; beginning at the northeasterly corner of said lot 11; thence along the easterly line of said lot S. 26 deg. 33 min. E. 10.35 ft. to a point; thence along a line S. 64 deg. 17 min. W. 9.22 ft. to a point; thence along a line N. 26 deg. 33 min. W. 10.33 ft. to a point on the northerly line of said lot 11; thence along said line N. 64 deg. 10 min. E. 9.22 ft. to the place of beginning."

Also "all that part of lot 37 of Johnston's Subdivision of P. C. 727 and 729 heretofore mentioned, described as follows; beginning at the southwesterly corner of lot 1 of Wm. Stoll's Subdivision of lot 36 of Johnston's Sub. of lots 1, 2, 3 and 4 of the Sub. of the rear concession of P. C. 729 as recorded in Liber 1, page 84 of Plats of Wayne County Records; thence along the southerly line of lot 1 of last mentioned subdivision, being also the northerly line of lot 37 of Johnston's Sub. of P. C. 727 and 729 heretofore mentioned, N. 64 deg. 17 min. E. 79.75 ft. to a point; thence along a line S. 26 deg. 33 min. E. 177.60 ft. to a point on the southerly line of said lot 37; thence along said line S. 64 deg. 17 min. W. 9.22 ft. to a point; thence along a line N. 26 deg. 33 min. W. 159.60 ft. to a point; thence along a line S. 64 deg. 17 min. W. 70.53 ft. to a point on the westerly line of said lot 37; thence along said line N. 26 deg. 33 min. W. 18 ft. to the place of beginning."

Also provided petitioner quit-claim deeds to the City of Detroit for alley purposes the private alley described as "the westerly 10 ft. of the easterly 120.10 ft. of lot 37 of Johnston's Sub. of P. C. 727 and 729 heretofore mentioned," and further

Provided, That if at any time in the future the alley to be dedicated by petitioner, 18 ft. wide, adjoining the southerly line of lot 1 of Wm. Stoll's Subdivision heretofore mentioned is ordered graded and paved, the entire expense of such grading and paving shall be borne by petitioner, and further

Provided, Petitioner bears the entire expense of relocating or rerouting any public utilities now installed in said alley which it may be neces-

sary 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, Stevenson and the President—8.  
 Nays—None.

**Vacation of Strip of Land**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Mary Landuyt (13011), requesting that the city vacate to her a strip of land at Rohns and Bessemore avenues in lieu of taxes paid by petitioner for sidewalk and street paving. After consideration of the request, your committee recommends that same be denied.

Respectfully submitted,  
 ARTHUR E. DINGEMAN,  
 Chairman.

Accepted and adopted.

**THURSDAY, SEPTEMBER 15**

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

**Curb Cuts**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petitions of various persons or firms to lower curbing for driveways into gasoline stations, etc. After consultation with the Department of Public Works, and consideration of the requests, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
 ROBT. G. EWALD,  
 Chairman.

By Councilman Ewald:

Resolved, That the Department of Public Works be and is hereby au-

thorized and directed to issue permits to the following named persons or firms to lower curbing for driveways into gasoline stations, etc., at the locations mentioned:

Harry Greenberg (12912), 42 ft. on Mack, 60 ft. on Lenox, southwest corner, drive-in station.

M. A. Slepski (12913), 17 ft. and 19 ft. on Conant, west side, north of Seven-Mile Road, at alley, drive-in station.

Norman D. Cooper (12914), 32 ft. on Gratiot, 45 ft. on Cooper, southeast corner, drive-in station, ordinance grade to be used and all walks on Cooper replaced.

Duro Oil Corp. (12915), 40 ft. on West Warren, 48 ft. on McDonald, northwest corner, cut 3 ft. from street line on McDonald, and ordinance grade from Warren ave. to be used.

Albert H. Schneider (12916), 30 ft. on Grand River, 30 ft. on Burt, northwest corner, drive-in station, take ordinance grade from Grand River.

Louis Savage (12917), 34 ft. on Harper, 75 ft. on Barham, southwest corner, drive-in station, ordinance grade to be used and all walks replaced.

E. R. Rabaut (13007), 46 ft. on McDougall, 64 ft. on Lafayette, northwest corner, drive-in station.

Provided, Petitioners file a bond in the sum of \$1,000 for each drive-in station to insure the paving of driveways inside the lot lines.

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