

Vacation of Strip of Land

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of R. A. Johnston (14280), for the vacation of a strip of land (Ellen avenue) at the southeast corner of Fourteenth and Glendale avenues. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted upon the payment to the city of the sum of \$850.00, and we therefore offer the following resolution.

Respectfully submitted,
PHILIP A. CALLAHAN,
 Chairman.

By Councilman Callahan:

Resolved, That "all that part of Ellen Avenue as platted in Connely's Glendale Park Subdivision, being part of the N. E. $\frac{1}{4}$ of $\frac{1}{4}$ Sec. 14, 10,000 Acre Tract, as recorded in Liber 25, page 31 of Plats, of Wayne County Records, described as follows: beginning at the intersection of the southerly line of Glendale avenue, 60 ft. wide, with the westerly line of Oakman Heights Subdivision of part of E. $\frac{1}{2}$ of $\frac{1}{4}$ Sec. 14, 10,000 acre tract, as recorded in Liber 33, page 5, of Plats, of Wayne County Records; said point also being distant on a course South 63 deg. 55 min. West 22.65 ft. from the northwest corner of lot 66 of Oakman Height's Subdivision heretofore mentioned; thence along the westerly line of said subdivision South 2 deg. 01 min. 30 sec. West 39.05 ft. to a point on the easterly line of Fourteenth avenue as now established; thence along said line North 26 deg. 35 min. 30 sec. West 34.45 ft. to a point on the southerly line of Glendale avenue as now established; thence along said line North 63 deg. 55 min. East 18.72 ft. to the place of beginning," be and the same is hereby vacated to become a part and parcel of the adjoining property.

Provided, Petitioner pays into the city treasury the sum of \$850.00 within 30 days from the date of the adoption of this resolution, and further

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

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.

Nays—None.

MONDAY, MARCH 5

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

Dedication of Land

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Sarah A. Orr (10181), offering to deed to the city for alley purposes a portion of lots 8 and 9 of Robert M. Grindley's Sub. No. 5 of Robert West Chicago ave. and east of Coolidge Highway, in order that the property might be subdivided. Your committee is advised by the City Plan Commission that petitioner was requested in May, 1927, to furnish definite information as to how much of the alley would be deeded, but this data has not been furnished, and we therefore recommend that further consideration of the matter be indefinitely postponed.

Respectfully submitted,
FRED W. CASTATOR,
 Chairman.

Accepted and adopted.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Detroit Gray Iron Foundry Co. and Hugo Scherer Estate, Inc. (304), for the vacation of the north and south alley in the block bounded by Jefferson ave., Iron st., Meldrum ave. and Wight st. Your committee is advised that petitioners are the owners of all property abutting upon said alley, and no other property is affected by the closing of same. After 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,
FRED W. CASTATOR,
 Chairman.

By Councilman Castator:

Resolved, That "all of the public alley, 12 ft. wide, as platted in and adjoining the easterly line of lots 6 to 17 both inclusive, of the subdivision of part of lots 1, 2, 3, 11 and 12, Meldrum Farm, as recorded in Liber 1, page 109 of Plats of Wayne County Records and all of public alley, 5 ft. wide, as platted in and adjoining the westerly line of lots 7 to 14, Block 4, both inclusive, of Russell's Plat of Subdivision of Block No. 4 and 5 Meldrum Farm south of Jefferson ave., as recorded in Liber 1, page 12 of Plats of Wayne County Records."

Also "all of public alley 12 ft. wide as platted in and adjoining the easterly line of lots 4 and 5 of the Subdivision of part of lots 1, 2, 3, 11 and 12 heretofore mentioned and all of

public alley 5 ft. wide as platted in and adjoining the westerly line of lots 4, 5 and 6, Block 4, of Russell's Plat heretofore mentioned," be and the same are hereby vacated to become a part and parcel of the adjoining property.

Provided, Petitioner agrees to pay into the City Treasury whatever expense may have been incurred by the City in the matter of paving, curbing, crosswalks, sidewalks, etc., within the lines of alley herein vacated as may be certified by the City Engineer, 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 Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters and the President—8.

Nays—None.

TUESDAY, MARCH 6

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

Areaways

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petitions of Joseph Bornstein (786), and the Investment Properties Co. (869), to construct chutes at the northeast corner of Petoskey and Fenkell aves. and the northeast corner of Grand River ave. and Dumbarton Road respectively. After consultation with the Department of Public Works, and consideration of the requests, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
ARTHUR E. DINGEMAN,
Chairman.

By Councilman Dingeman:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue permits as follows:

Joseph Bornstein, to construct two coal chutes on Petoskey and one on Fenkell, northeast corner, each 31 in. long, extending 27 in. over all over the lot line, to be covered with rough steel square doors with flush hinges.

Investment Properties Co., to construct two coal chutes in the alley at the northeast corner of Grand River ave. and Dumbarton Road, one 5 ft. 6 in. long extending 4 ft. 6 in. over the lot line, and one 3 ft. 8 in. long extending 3 ft. 5 in. over the lot line; also coal chute on Dumbarton Road 8 ft. long, extending 3 ft. 2 in. over the lot line, all to be covered with rough steel, square doors, with flush hinges.

Provided, That said work shall be performed under the supervision of the Department of Public Works in accordance with plans submitted to and approved by said Department.

Provided, Subject to the prior rights of the City of Detroit and of all public service corporations, 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 areaways 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