

Russell K. Marston (3487), to erect a small frame lunch stand on Fort st. opposite Sanders ave. After consultation with the Department of Buildings and Safety Engineering, and consideration of the request, your committee recommends that same be granted for a period of two years upon the filing of a bond, and we therefore offer the following resolution.

Respectfully submitted,
PHILIP A. CALLAHAN,
 Chairman.

By Councilman Callahan:

Resolved, That the Department of Buildings and Safety Engineering be and is hereby authorized and directed to issue a permit to Drennan & Seldon (owner in fee of the premises herein referred to) for the construction of a one story frame building, 12 ft. by 16 ft. by 8 ft. high, upon the premises known as the west side of Fort st. opposite Sanders ave., being lots 8, 9 and 10 of Edgar Place Sub., etc.

Provided, That said work shall be performed under the supervision of the Department of Buildings and Safety Engineering and in accordance with plans submitted to and approved by said Department, and

Provided, That no right shall be granted to the grantees herein to maintain such building for a longer period than two (2) years from the date of the passage of this resolution, and that during this period said building shall be used only for the purpose of temporary frame lunch stand, and

Provided, That said permit shall be issued only after a copy of this resolution has been duly recorded in the office of the Registrar of Deeds for Wayne County, and

Provided, That this resolution is revocable at the will, whim, or caprice of the Common Council and also permits issued by virtue hereof, and grantees hereby expressly waive any right to claim damages or compensation from the City of Detroit for property constructed hereunder or for the removal of same, and further, that grantees acquire no implied or other privileges hereunder not expressly stated herein, and, further, that grantees shall file a bond to indemnify the city for the cost of removing such building, said bond to be for not less than Five Hundred (\$500.00) Dollars, nor less than one-quarter (1-4) of the cost of the building, and it is further stipulated that the grantees and their assigns hereby grant the Department of Buildings and Safety Engineering or its agents right of entry on to their property for the purpose of demolishing or removing such building at any time after two years from this date or at any time that it may be so ordered by the Common Council and they ex-

pressly waive any claim for damages arising from their acts in so entering their premises and removing this building.

Adopted as follows:

Yeas—Councilmen Callahan, Castator, Dingeman, Ewald, Kronk, Littlefield, Walters 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 petitions of Ernest J. Dossin (2921), for the vacation of a portion of the alley north of Gratiot avenue and south of Superior street, adjoining petitioner's factory, also of Daniel Wishart (3379), protesting the closing of the alley. Your committee is advised that the petitioner owns all of the property abutting on the portion of the alley to be closed, and that the closing of the alley, which now comes to a dead-end, will not change the conditions so far as the remainder of the property is concerned. After consultation with the City Plan Commission, and careful consideration of the matter, your committee recommends that the petition of Daniel Wishart be denied, and that the alley be vacated as requested by Ernest J. Dossin. We therefore offer the following resolution.

Respectfully submitted,
PHILIP A. CALLAHAN,
 Chairman.

By Councilman Callahan:

Resolved, That "that portion of the 15-ft. public alley adjoining the southerly line of lots 37 and 38 of Fisher & Bernart's Sub. of part of lot 20 north of Gratiot avenue of the subdivision of the Leib Farm as recorded in Liber 8, page 48 of Plats of Wayne County Records, described as follows: Beginning at the south-westerly corner of lot 38; thence along the southerly line of said lots 37 and 38 N. 26 deg. 05 min. E. 50.70 ft. to a point; thence along a line S. 26 deg. 13 min. 20 sec. E. 18.85 ft. to a point on the southerly line of said alley; thence along said line S. 26 deg. 05 min. W. 50.70 ft. to a point on the westerly line of said Fisher & Bernart's Sub. heretofore mentioned; thence along said line N. 26 deg. 13 min. 20 sec. W. 18.85 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 deeds to the City of Detroit for alley purposes "that part of lot 37 of last men-

tioned subdivision, described as follows: beginning at a point on the southerly line of said lot 37, said point being distant on a course N. 26 deg. 05 min. E. 8.13 ft. from the southwesterly corner of said lot; thence continuing along the southerly line of said lot N. 26 deg. 05 min. E. 13.76 ft. to a point; thence along a line S. 63 deg. 46 min. 40 sec. W. 11.00 ft. to a point; thence along a line S. 26 deg. 13 min. 20 sec. E. 8.5 ft. to the place of beginning," and further

Provided, Petitioner reimburses the owners to the extent of the value of any utilities now installed in said alley which it may be necessary to abandon, due to the closing of same, or bears the entire expense of relocating or rerouting any public utilities now installed in said alley, which it may be necessary to relocate or reroute 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 Pro Tem—8.

Nays—None.

Finance

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Detroit Retail Merchants Assn. (3470), requesting an appropriation of \$1,747.00 to cover the payment of overtime and rehearsals for the Detroit Symphony Orchestra in connection with the Municipal Open Air Opera, also requesting permission to string two banners across Woodward Ave., one near Forest Ave. and one in the vicinity of the State Fair grounds. After hearing with petitioners, and consideration of the requests, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
PHILIP A. CALLAHAN,
Chairman.

By Councilman Callahan:

Resolved, That the City Controller be and he is hereby authorized and directed to transfer the sum of \$1,747.00 from General Surplus to the Park and Blvd. Fund for the purpose of paying for services in connection with the Detroit Symphony Orchestra's presentation of six nights of opera, and further

Resolved, That permission be and is hereby granted the Detroit Retail Merchants Assn. to string a banner across Woodward Ave. near Forest Ave. and one near the State Fair grounds to advertise the Municipal Open Air Opera, provided said banners are placed under the supervision of the Public Lighting Commission, and are moved immediately upon the close of the opera.

Adopted as follows:

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

Nays—None.

Finance

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the following communications from various departments requesting the transfer of funds, approval of contracts, vouchers, etc. After consultation with the City Controller, and the interested department heads, and careful consideration of the requests, your committee recommends that same be granted in accordance with the accompanying resolutions.

Respectfully submitted,

PHILIP A. CALLAHAN,
Chairman.

Controller

July 12, 1928.

To the Honorable, the Common Council:

Gentlemen—Due to an unusually large damage claim being paid, account 20-K, Damage Claims, within the General Fund, is depleted.

Therefore, may I request that you authorize a transfer from General Surplus in the sum of \$15,000.00 to the above account.

Respectfully submitted,

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 \$15,000.00 from General Surplus to Account 20-K, Damage Claims, within the General Fund.