

route due to the closing of same, and further

Provided, That by reason of the vacation of the above described alleys the City of Detroit does not waive any right in the lateral sewers located in alleys 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 alleys 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.

Vacation of Bayonet Ave.

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Atlas Foundry Co. (5171), requesting that Bayonet ave. be vacated between Artillery ave. and the existing terminus of the street, the vacation of a portion of the north and south alley in the rear of Artillery ave., and the alley east of and parallel with Crawford ave. After consultation with the City Plan Commission, and careful consideration of the matter, your committee recommends that the petition be granted, and offers the following resolution.

Respectfully submitted,
ROBT. G. EWALD,
Chairman.

By Councilman Ewald:

Resolved, That "all of that part of Bayonet Ave. 60 ft. wide adjoining the northerly line of lots 57 to 63 both inclusive of Daniel Scotten's subdivision of that part of P. C. 268 lying between Fort Street and Sword Ave. and west of Artillery Ave. of Daniel Scotten's subdivision of that part of P. C. 32 and the easterly part of P. C. 268 lying between Fort Street and the River Road as recorded in Liber 20, page 66 of Plats of Wayne County Records."

Also "all of public alley 18 ft. wide adjoining the westerly line of lot 63 and the northerly 10 ft. of lot 64 of Daniel Scotten's subdivision of that part of P. C. 268 heretofore mentioned."

Also "all that part of public alley 9 ft. wide adjoining the easterly line of lots 15 to 20 both inclusive of the Plat of Pohl's subdivision of part of

lots 58, 59 and 60 and Crawford's subdivision of lots 62 and 63 of the subdivision of Crawford's Fort Tract T.2 S. R. 11 E. as recorded in Liber 3 page 88 of Plats of Wayne County Records, said alley lying between the northerly line extended easterly of lot 20 of last mentioned subdivision and the southerly line extended westerly of lot 57 of Daniel Scotten's subdivision of that part of P. C. 268 heretofore mentioned," be and the same are hereby vacated to become part and parcel of the adjoining property.

Provided, Petitioner deeds to the City of Detroit for alley purposes "the southerly 20 ft. of lot 64 of Daniel Scotten's subdivision of that part of P. C. 268 heretofore mentioned.

Also, "all that part of lot 62 of said Daniel Scotten's subdivision of that part of P. C. 268 described as follows: "beginning at the southeasterly corner of said lot 62, thence along the southerly line of said lot S. 62 deg. W. 12.00 ft. to a point; thence along a line N. 17 deg. E. 14.14 ft. to a point; thence along a line N. 28 deg. W. 60 ft. to a point; thence along a line N. 62 deg. E. 2.0 ft. to a point on the easterly line of said lot; thence along said line S. 28 deg. E. 70 ft. to the place of beginning," and further

Provided, that in the event that the alley described as "the southerly 20 ft. of lot 64" is ordered graded and paved, the entire expense of such grading and paving is borne by petitioner, and further

Provided, Petitioners file with the City Clerk within 30 days an agreement in writing waiving any and all claims for damages which may accrue to the property herein vacated and petitioners' adjoining property due to the separation of grades, and further

Provided, Petitioner reimburses the owners to the extent of the value of any utilities now installed in said alleys 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 alleys, which it may be necessary to relocate, or reroute due to the closing of same, and further

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 alleys herein vacated as may be certified by the City Engineer, and further

Provided, That by reason of the vacation of the above described alleys the City of Detroit does not waive any right in the lateral sewers located in alleys 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 provide further that petitioner shall not build over the above described alleys 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, OCTOBER 2

Chairman Littlefield 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 petition of David Weaver (5116), to lower curbing for driveways into gasoline station at Tireman and Central Aves. After consultation with the Department of Public Works, and consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
SHERMAN LITTLEFIELD,
Chairman.

By Councilman Littlefield:

Resolved, That the Department of Public Works be and is hereby authorized and directed to issue a permit to David Weaver to lower curbing a distance of 29 ft. on Tireman, and 25 ft. on Central, southwest corner, drive-in station, ordinance grade to be used.

Provided, Petitioner files a bond in the sum of \$1,000 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 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 said permit on the conditions hereby imposed, and in the event of the said permit 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 grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

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

Nays—None.

Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of James W. Hinckey (5161), to move back a frame building at 19233 Van Dyke Ave. After consultation with the Department of Buildings and Safety Engineering, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
SHERMAN LITTLEFIELD,
Chairman.

By Councilman Littlefield:

Resolved, That the Department of Buildings and Safety Engineering be and is hereby authorized and directed to issue a permit to James W. Hinckey to move the building at 19233 Van Dyke Ave. back on the lot 24 ft. from its present location, petitioner having already been granted permission to purchase the city's portion of this building.

Adopted as follows:

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

Nays—None.