

tion, an agreement in writing waiving any and all claims for damages which may accrue to lot 7 of said subdivision due to the separation of grades, and further

Provided, That by reason of the vacation of the above described alleys, the City of Detroit does not waive any rights 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 permission 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, Kronk, Littlefield, Walters and the President—9.

Nays—None.

Vacation of Franklin St. and Alleys

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Berry Brothers, Inc. (6887), for the vacation of a portion of Franklin St. west of Leib St., and of portions of the east and west alleys north and south of Franklin St. and parallel thereto. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted, with the provision that petitioner will return the vacated portion of Franklin street to the City of Detroit without cost and remove the buildings should it be deemed desirable to open this street in the future. We therefore offer the following resolution.

Respectfully submitted,
ROBT. G. EWALD,
Chairman.

By Councilman Ewald:

Resolved, That "all of Franklin avenue (50 feet wide) adjoining the southerly line of lots 13 to 19, both inclusive, and adjoining the northerly line of lots 20 to 26, both inclusive, of the plat of the subdivision of lot 3, Leib Farm as recorded in Liber 1, page 130, of Plats of Wayne County records,"

Also "all of public alley 20 feet wide adjoining the southerly line of lots 6 to 12, both inclusive, and adjoining the northerly line of lots 13 to 19, both inclusive, of said subdivision,"

Also, "all of public alley 20 feet wide adjoining the southerly line of lots 20 to 26, both inclusive, and ad-

joining the northerly line of lots 27 to 33, both inclusive, of said subdivision," be and the same is hereby vacated to become a part and parcel of the adjoining property,

Provided, That if at any time in the future it is deemed necessary to open Franklin street east or west of Leib street petitioners will return to the City of Detroit without cost that portion of the street herein vacated and will remove any buildings at their own expense which may have been erected thereon, 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 rights 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 permission 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, Kronk, Littlefield, Walters and the President—9.

Nays—None.

TUESDAY, MAY 7

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

Billiard Rooms

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petitions of Stephen H. Howey (8498), Andrew E. Stefani (8499) and Nickolas S. Goodrich (8500), asking that the restrictions imposed by ordinance against the maintenance of billiard rooms outside the one-mile circle be lifted insofar as same pertain to 4707 St. Jean Ave., 10265 Gratiot Ave. and 5824 West Warren Ave. respectively. Your committee is informed by the Department of Recreation that the applicants have secured the signatures of 51 per cent of the property owners within a radius of 500 feet of the proposed locations. We therefore