

ORDINANCE No. 99-C

AN ORDINANCE to provide for the vacation of a portion of Erskine and Watson Streets and a portion of the public alley adjoining the said streets and bounded by the Grand Trunk Western Railroad Right-of-Way on the west and St. Aubin Street on the east, Wilkins Street on the South and Erskine Street on the North.

IT IS HEREBY ORDERED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That the Northerly half of Erskine Street (40 feet wide) adjoining the southerly line of the Easterly 51.36 ft. of Lot 3 of the Plat of the Subdivision of Lot 16, North of Gratiot Road, Witherell Farm, as recorded in Liber 44, page 470 of Deeds of Wayne County Records.

Also the Southerly half of Erskine Street (40 ft. wide) adjoining the Northerly line of the Easterly 51.36 ft. of lot 4 and also all of Erskine Street (40 ft. wide) adjoining the Northerly line of the Westerly 60 ft. of lot 4 of last mentioned subdivision and also all of Erskine Street (40 ft. wide) extending 60 ft. Westerly of the Westerly line of said lot 4 being that portion of Erskine Street extended through the Grand Trunk Right-of-Way.

Also all of Watson Street (40 ft. wide) adjoining the Northerly line of lots 9, 12 to 17, both inclusive of last mentioned subdivision and adjoining the Northerly line of Lots 73 to 77, both inclusive, of the plat of the subdivision of Outlot 34, St. Aubin Farm as recorded in Liber 1, page 173 of Plats of Wayne County Records being that portion of Watson Street lying between the Easterly line of the Grand Trunk Railroad Right-of-Way and the Westerly line extended of public alley lying first westerly of St. Aubin Avenue.

Also all of public alley (15 ft. wide) lying in the rear of lots 63, 64, 65, 75, 76 and 77 of last mentioned subdivision lying in the rear of lots 49 to 56, both inclusive, of the subdivision of lots 14 and 15 in the Witherell Farm north of the Gratiot Turnpike, as recorded in Liber 41, page 450 of Deeds of Wayne County Records.

Also all of public alley (20 ft. wide) adjoining the Easterly line of lots 4 to 11, both inclusive, of the Plat of the subdivision of Lot 16 heretofore mentioned.

Also all of public alley (15 ft. wide) lying in the rear of lots 23 and 24 and the westerly 20 ft. of

lots 22 and 25 of last mentioned subdivision, be and the same is hereby vacated, subject to the following provisions:

Sec. 2. This ordinance is passed and the streets and alleys are vacated subject to the following express conditions, terms and provisions, to-wit:

(a). That the Grand Trunk Western Railroad Company shall dedicate to the City of Detroit for street purposes the southerly 30.00 ft. of the Grand Trunk Railroad Right-of-Way (60 ft. wide) adjoining the Northerly line of Wilkins Avenue. The Southerly 30 ft. of lot 49 of the subdivision of lots 14 and 15 in the Witherell Farm North of the Gratiot Turnpike as recorded in Liber 41, page 450 of Deeds, Wayne County Records; the southerly part of Lots 50, 51, 52 and the southerly part of the Westerly 36.00 ft. of lot 53 of last mentioned subdivision being 30.00 ft. on the westerly line of lot 50 and 15.00 ft. on the Easterly line of the Westerly 36.00 ft. of lot 53; the southerly 15.00 ft. of the Easterly 10.00 ft. of lot 53 and the southerly 15.00 ft. of lots 54, 55 and 56 of last mentioned subdivision; the southerly 15.00 ft. of lots 63, 64 and 65 of the Plat of the subdivision of Outlot 34, St. Aubin Farm as recorded in Liber 1, page 173 of Plats of Wayne County Records.

Also the Grand Trunk Western Railroad Company shall dedicate to the City of Detroit for alley purposes the Northerly 2.50 ft. of Lots 18, 19, 20, 21 and the Northerly 2.50 ft. of the easterly 20 ft. of lot 22 of the Plat of the subdivision of lot 16 North of Gratiot Road, Witherell Farm as recorded in Liber 44, page 470 of Deeds, Wayne County Records; also the easterly 20.00 ft. of lot 25 of last mentioned subdivision; the southerly 15.00 ft. of lots 73 and 74 of the Plat of the subdivision of Outlot 34 heretofore mentioned.

(b). That the Grand Trunk Western Railroad Company, a Michigan - Indiana corporation, shall reimburse any owner to the extent of the value of any utility, including those owned by the City of Detroit now installed in said streets and alleys vacated herein which may be necessary to abandon due to the closing of the same or bear the entire expense of relocating in the discretion of the public utilities affected.

(c). The Grand Trunk Western Railroad Company agrees to pay into the City Treasury whatever expense might be incurred by the City in the matter of paving, curbing, cross-walks, sidewalks,

etc., within the line of the streets and alleys herein vacated in amounts that may be certified by the City Engineer.

(d). That the City of Detroit shall retain and be vested with an easement or right-of-way in said alleys, streets and highways for the purpose of using and maintaining the lateral and public sewers located in said streets and alleys vacated herein and for an eight (8) inch and forty-eight (48) inch water pipe line located in said streets and highways and the Grand Trunk Western Railroad Company shall be responsible for all damages resulting to said sewers and water mains caused by buildings or other structures of the Grand Trunk Western Railroad Company, its successors or assigns located upon or near the sewer or water mains and acceptance of the terms of this ordinance shall render the Grand Trunk Western Railroad Company liable for any damages accruing to said sewers and water mains aforesaid.

(e). That should it become necessary at any future time to re-locate any sewer or water main or to replace the same, necessitated by any act of the Grand Trunk Western Railroad Company, its successors or assigns, the said Grand Trunk Western Railroad Company, its successors or assigns, shall bear the entire cost of such removing or replacing of said sewers or water mains.

(f). That no buildings or other structures shall be constructed over said sewer or water mains without first securing before starting the construction, the approval of the City Engineer and the Board of Water Commissioners, respectively.

Sec. 3. It is further provided:

(a). That the Grand Trunk Western Railroad Company, its successor or assigns, shall indemnify and save the City harmless from any and all claims or damages which may occur or result by reason of the construction of buildings or other structures which the Grand Trunk Western Railroad Company, its successors or assigns may build or construct over, upon or adjacent to said sewers or water mains.

(b). That the Grand Trunk Western Railroad Company agrees, as part of its 1930 program to accomplish and fully complete the construction of the Wilkins Street Grade Separation in accordance with the specifications contained in the Dequindre agreement dated January 16, 1923.

(c). That the Grand Trunk Western Railroad Company waives any right or claim which it may have or which it might make against the City of Detroit for the restoration of the team tracks (Gratiot Avenue so-called) under the provisions of the Grade Separation Agreement entered into between the Detroit, Grand Haven and Milwaukee Railway Company, the predecessor of the Grand Trunk Western Railroad Company and the City of Detroit on January 16, 1923.

(d). That the Grand Trunk Western Railroad Company pay to the City of Detroit a sum equal to that which the said Grand Trunk Western Railroad Company would have been obligated to expend for the construction of the grade separation at Erskine Street under the agreement of January 16, 1923; said sum being agreed as amounting to \$60,678.00. It is expressly understood that this amount will be expended by the City toward the widening of the Wilkins Street bridge and Wilkins street between St. Aubin avenue and Russell street; this money to be paid by the Railroad Company to the City as the work of widening Wilkins street progresses.

(e). That the Grand Trunk Western Railroad Company, its successors or assigns shall defend any litigation and pay the cost of the same resulting from the closing or vacating of the streets or alleys provided therein, and that it pay any damages awarded to any person by reason thereof and save the City harmless.

Sec. 4.

(a). That this ordinance shall become void unless the Grand Trunk Western Railroad Company or Koenig Coal Company, a Michigan corporation, either own or acquire the property abutting the streets and alleys vacated herein and construct thereon team track facilities.

(b). The Grand Trunk Western Railroad Company shall file with the City Clerk an acceptance of the conditions set forth herein within thirty days after the approval of this ordinance by the Mayor and the work of said improvement shall commence within thirty days after said date of acceptance and shall be completed within six months thereafter.

Sec. 5.

The City Controller be and is hereby authorized and directed to execute quit-claim deeds covering the property herein vacated subject to the conditions imposed by this ordinance and upon full compliance with the terms herein.

Sec. 6.

The streets and alleys shall not be actually closed or used by the Grand Trunk Western Railroad Company, a Michigan-Indiana corporation, until the conditions of this ordinance are complied with and that the conditions and provisions of this ordinance applicable to the Grand Trunk Western Railway Company, a Michigan - Indiana corporation, shall be applicable to its successors and assigns.

Sec. 7.

The agreement of January 16, 1923, between the Detroit, Grand Haven and Milwaukee Railway Company, the predecessor of the Grand Trunk Western Railroad Company, and the City of Detroit, will continue in full force and effect in all of its provisions except as it may be modified herein.

Approved August 19, 1930.

CHARLES BOWLES,
Mayor.

Attest:

RICHARD W. READING,
City Clerk.

The above ordinance will take effect on the 19th day of September, 1930.

RICHARD W. READING,
City Clerk.

ORDINANCE No. 95-C

AN ORDINANCE to provide for the licensing, registration and regulation of "Practical Nurses" and to provide for the issuing of a Certificate of Registration and to provide for a penalty for the violation hereof.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT.

Section 1. No person shall engage in the practice of the duties of "Practical Nurses" in the City of Detroit without first having obtained a license from the Mayor, the fee for which shall be in the sum of Five Dollars per annum from the date of issuance.

Sec. 2. The Board of Health of the City of Detroit is hereby vested with power and authority to adopt rules and regulations governing the duties of practical nurses and is also hereby empowered to issue a Certificate of Registration and to specify under what terms and conditions said certificate may be issued.

Sec. 3. "Practical Nurse" is hereby defined to mean and include any person other than a physician, registered nurse or

trained attendant already licensed to practice by the State of Michigan, who offers or undertakes to assist in the care of sick persons for compensation: Provided, that this ordinance shall not apply to any person or persons who confine their administrations to the sick or afflicted to prayer and without the use of material remedies.

Sec. 4. The Mayor is hereby authorized to issue a license as herein provided upon application therefor or to refuse to issue said license or to revoke the same if upon satisfactory proof said applicant is not qualified to perform the duties of a practical nurse or is not a proper or suitable person to engage in such occupation or that said applicant has violated any of the rules of the Board of Health or been convicted of a felony or a violation of any of the laws of the State of Michigan or the City or has violated any of the provisions of this ordinance.

Sec. 5. Before the Mayor shall issue any license the applicant must be referred to the Board of Health who shall examine into the qualifications and fitness of the applicant. The Board of Health shall, after examination, certify its approval or disapproval of the applicant. If it disapproves of the applicant it shall recommend to the Mayor in writing its reason for such disapproval and if it approves of said applicant it shall, after the issuance of said license by the Mayor, grant a Certificate of Registration for the practice of Practical Nurse and shall duly register the applicant.

Sec. 6. Any person or persons violating any of the provisions of this ordinance shall upon conviction be punished by a fine of not more than Five Hundred Dollars or imprisonment in the Detroit House of Correction for not more than ninety days or both such fine and imprisonment in the discretion of the Court.

Sec. 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 8. This ordinance shall take effect thirty days after its approval by the Mayor.

Approved: June 10, 1930.

CHARLES BOWLES,
Mayor.

Attest:

RICHARD W. READING,
City Clerk.

The above Ordinance will take effect on the 11th day of July, 1930.

RICHARD W. READING,
City Clerk.