

pressly on the condition that said marquee 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 Buildings and Safety Engineering 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 grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Bradley, Ewald, Jeffries, Kronk, Lodge, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

**Taxes**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Berry Bros. (2979) for cancellation of taxes on land offered by petitioner for the extension of Woodbridge Street west of Leib Street. After consultation with the Corporation Counsel's office, and careful consideration of the request, your Committee recommends that same be denied.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

Accepted and adopted.

**Traffic Regulations**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of

E. L. Yopp, et al (7919) to prohibit parking on the north side of Medbury Avenue, from Hastings Street to Rivard Street. After consultation with the Department of Police, and careful consideration of the request, your Committee recommends that same be denied.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

Accepted and adopted.

**Vacation of Alley**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Aristo Corporation of Detroit, a Michigan Corporation, E. B. Findley, Jr., M. E. Bowlus, E. A. Edwards as Liquidating Trustees, Depositors and Creditors Trust for Union Guardian Trust Co., a Michigan Corporation, and Wayne County Road Commission as owners in fee (7559), for the vacation of the alley in the block bounded by Davison, Gable, Mound Avenues and the Detroit Terminal R. R. After consultation with the City Plan Commission, and careful consideration of the request, your Committee recommends that the petition be granted in accordance with the following resolution.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

By Councilman Van Antwerp:

Resolved, That "all of public alleys in block bounded by Mound Avenue, Gable Avenue, Davison Avenue and Detroit Terminal Railroad Right of Way as platted in Berman and Friedman's North Detroit Subdivision of part of the S. W. ¼ of Sec. 9, T. 1. S. R. 12 E., Hamtramck Twp., Wayne Co., Mich., as recorded in Liber 35 Page 17 of Plats of Wayne County Records" be and the same are hereby vacated to become a part and parcel of the adjoining property.

Provided, Petitioners reimburse 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 bear the entire expense of relocating or rerouting any public utilities it may be necessary to relocate or reroute due to the closing of same, and further

Provided, Owners in fee file with the City Clerk within 30 days an agreement in writing waiving any and all claims for damages which may result to their property by reason of the separation of grades at Davison and/or Mound Avenue and the closing of Gable Avenue at the Detroit Terminal Railroad, 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 therein and shall at all times have the right to enter upon said premises, if found necessary, on account of said sewers to repair same and provided further that petitioners, their successors or assigns shall not build over the above described alleys without first securing the approval of the City Engineer and the Board of Health, and further

Provided, A standard sewer man-hole is to be constructed in Gable Avenue at the west property line. This manhole is to be built by the Sewer Maintenance Division of the Department of Public Works at petitioners expense. The estimate cost of constructing said manhole is \$200.00 which sum is to be deposited with the Department of Public Works, and further

Resolved, That upon compliance with the provisions of this resolution, the City Controller be and is hereby directed to issue quit claim deeds to the owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Bradley, Ewald, Jeffries, Kronk, Lodge, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

And the Council then adjourned until 12:00 o'clock noon, Monday, January 3, 1938.

FRED W. CASTATOR,  
President Pro Tem.

RICHARD W. READING,  
City Clerk.

**ORDINANCE No. 371**  
(Insert opposite page 264)

**AN ORDINANCE to amend Section 6 of an Ordinance entitled "An Ordinance to regulate the operation of motor buses that do not do a local business on the streets, avenues, boulevards, alleys, public places, thoroughfares and highways of the City of Detroit."**

**IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:**

Section 1. That Section 6 of an Ordinance entitled "An Ordinance to regulate the operation of motor buses that do not do a local business on the streets, avenues, boulevards, alleys, public places, thoroughfares and highways of the City of Detroit," be and the same is hereby amended to read as follows:

Sec. 6 (a) Each licensee under the provisions of this ordinance shall file monthly with the Commissioner of Public Works a sworn report of actual mileage traveled by each motor bus on the route approved as provided for in this ordinance. The Commissioner of Public Works shall cause to be made out accounts receivable bills in the amount evidenced by the sworn report of the mileage which accounts receivable bills shall be forwarded to the City Controller for numbering and recording and the City Controller shall then return the accounts receivable bills to the Commissioner of Public Works who shall forward the original copy to the licensee. The licensee shall pay to the Treasurer of the City of Detroit a highway maintenance and repair fee upon the following basis: Three-quarters of one cent for each mile traveled by each motor bus designed to carry not to exceed thirty seated passengers on the designated route in the previous month. One cent for each mile traveled by each motor bus designed to carry from thirty-one seated passengers to and including sixty seated passengers on the designated route in the previous month. Two cents for each mile traveled by each motor bus designed to carry an excess of sixty seated passengers on the designated route in the previous month. The failure of any licensee to present the above mentioned sworn report within ten days after the first of the month or to pay such mileage fee within ten days after receipt of the accounts receivable bill shall be cause for the revocation of such license. The Treasurer of the City of Detroit shall, upon receipt of all moneys from fees so paid, credit same to the General Road Fund.

(b) It shall be the duty of the City Controller to make periodic audits of the books and records of the licensee to ascertain the correctness of the sworn statements submitted.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 3. This ordinance is hereby declared necessary for the preservation of the peace, health and safety of the people of the City of Detroit and is hereby given immediate effect.

Approved June 29, 1936.

FRANK COUZENS,

Mayor.

Attest:

RICHARD W. READING,  
City Clerk.

The above ordinance will take effect on the 30th day of June, 1936.

RICHARD W. READING,  
City Clerk.