

Provided, That 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 and/or maintained 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 Dingeman, Ewald, Kronk, Lodge, Sweeny, Van Antwerp, and the President—7.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Frances B. Sobel et al (8288), for the vacation of the public alley lying first northerly of Grand River Ave., and westerly of Archdale Ave. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,

HENRY S. SWEENEY,
Chairman.

By Councilman Sweeny:

Resolved, That all of public alley in block bounded by Grand River, Southfield, Fenkell and Archdale Avenues and being more particularly described as Beginning at a point in the westerly line of Lot 94 of the J. P. Miller Subdivision of parts of Sections 13 and 24, Redford Township, Wayne County, Michigan, as recorded in Liber 29 Page 60 of Plats of Wayne County Records, said point being North 0 Degrees 40 Minutes East 140 feet from the north line of Grand River Avenue, 100 feet wide as now established, said point also being the southeasterly corner of Lot 16 of Thomas Subdivision of part of North-west ¼ Sec. 24, T. 1 S. R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 35 Page 70 of Plats of Wayne County Records; thence along a line South 58 Degrees 50 Minutes East 114.30 feet to a point in the east line of said Lot 94, said point also being the west line of Archdale Avenue, 66 feet wide; thence along said east line of Lot 94 North 0 Degrees 11 Minutes West 23.42 feet to a point; thence along a line North 58 Degrees 50 Minutes West 67.48 feet to a point; thence along a line North 0 Degrees 40 Minutes East 23.21 feet to a point; thence along a line North 58 Degrees 50 Minutes West 46.42 feet to a point in the westerly line of said Lot 94; thence along said line South 0 Degrees 40 Minutes West 46.42 feet to the place of beginning, being the same property deeded to the City of Detroit by Frances B.

Sobel by deed recorded November 20th, 1936, in Liber 4756 Page 97 of Deeds of Wayne County Records. Be and the same is hereby vacated to become a part and parcel of said Lot 94 except the south 140 feet.

Provided, Petitioners reimburse 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 said alley or bear the entire expense of re-locating or re-routing any public utility now installed in said alley which it may be necessary to re-locate or re-route due to the closing of same, and further

Resolved, That upon compliance with the provisions of this resolution the City Controller be and is hereby directed to issue a quit claim deed to Frances B. Sobel, as owner in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Kronk, Lodge, Sweeny, Van Antwerp, and the President—7.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Elvin M. Berry, et al. (8352), for the vacation of public alley in the block bounded by Birwood, Oakman, Joy Road and Kramer Aves., to become an easement for public utilities only. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,

HENRY S. SWEENEY,

Chairman.

By Councilman Sweeny:

Resolved, That all that part of north and south public alley in block bounded by Birwood Ave., Oakman Blvd., Joy Road and Kramer Avenue more particularly described as the westerly 9 feet of said north and south public alley, 18 feet wide lying east of and adjoining the easterly line of Lot 146 of Robert Oakman Land Company's Bonaparte Ave., and Oakman Highway Subdivision of the S. E. ¼ of the S. E. ¼ of Sec. 32 T. 1 S. R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 51, page 15, of Plats of Wayne County Records.

Also the easterly 9 feet of said north and south public alley, 18 feet wide lying west of and adjoining the westerly line of Lots 118 and 119 of last mentioned Subdivision.

Be and the same are hereby vacated as public alleys and converted into public easements, which shall be subjected to the following agreements, covenants, uses, reservations

and regulations which shall be observed by the owners of said lots heretofore mentioned and by their grantees and assigns and their heirs, executors, administrators and assigns forever, to-wit:

First, said owners hereby grant to and for the use of the public an easement or right of way over said vacated alley herein described for the purpose of installing, maintaining, repairing, removing or replacing any sewer conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley in the City of Detroit with the right of ingress and egress at any time to and over said vacated alley for the purposes above set forth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any kind whatsoever (except the necessary line fences dividing said lots) shall be built or placed upon said 18-foot easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above.

Third, that said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting that same shall not be opened for the passage of vehicles therein, and further

Resolved, that upon compliance with the above provisions the City Controller be and is hereby directed to issue Quit Claim Deeds to Elvin M. Berry and Madeline M. Berry, his wife and to Robert Oakman Land and Mortgage Company, a Michigan Corporation and Union Guardian Trust Co., a Michigan Corporation, individually and as Trustee under declaration of Trust recorded in Liber 1312 of Mortgages, page 522, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Kronk, Lodge, Sweeny, Van Antwerp, and the President—7.

Nays—None.

Temporary Buildings

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Fred H. Albrecht Co. (8409), requesting permit to place a temporary building on the north side of W. McNichols Road, between Rutherford and Mansfield, for use as an office in connection with contracting business. After consultation with the Department of Buildings and Safety Engineering, and careful consideration of the request, your committee recommends that same be granted

for a period of one year, and offers the following resolution.

Respectfully submitted,

HENRY S. SWEENY,
Chairman.

By Councilman Sweeny:

Resolved, That the Department of Buildings and Safety Engineering be and it is hereby authorized and directed to issue permit to Thomas Hitchman (owner in fee of the premises herein described) to place a temporary one-story building, 10 ft. x 10 ft. x 10 ft. high, on premises described as Lot No. 10 of Hitchman's Builders subdivision, on the north side of W. McNichols Road, between Rutherford and Mansfield Avenues, for use as an office in connection with contracting business for a period of one year from the date of the adoption of this resolution.

Provided, all taxes due the City of Detroit are paid, and

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

Provided, that no right shall be granted to the grantee herein to maintain such building for a longer period than one year from the date of the passage of this resolution, and that during this period said building shall be used only for the purpose herein specified, 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 permit issued by virtue hereof, and grantee hereby expressly waives 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 grantee acquires no implied or other privileges hereunder not expressly stated herein, and further, that grantee 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 grantee and his assigns hereby grant the Department of Buildings & Safety Engineering or its agents right of entry on to his property for the purpose of demolishing or removing such building at any time after one (1) year from this date, or at any time that it may be so ordered by the Common Council and grantee expressly waives any claim for damages arising from their acts in so