

streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided 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 Dingeman, Ewald, Kronk, Lodge, Smith, and the President Pro Tem.—6.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Peter F. Kehoe and James P. Cumiskey Estates (8749), for the vacation of public alley first southerly of the Outer Drive between Mt. Elliott and Filer Aves., and the vacation of a portion of the north and south public alley first easterly of and parallel to Mt. Elliott Ave. south of the Outer Drive, petitioner to dedicate a new outlet into Filer Ave. 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,
HARRY I. DINGEMAN,
Chairman.

By Councilman Dingeman:

Resolved, That all of east and west public alley and that part of north and south public alley in block bounded by Mt. Elliott, Filer, Lantz and Outer Drive more particularly described as that part of north and south public alley, 20 feet wide lying between the easterly line of Lots 10 to 19 both inclusive; the easterly line of the northerly 18.31 feet of Lot 20 and the westerly line of the northerly 8.31 feet of Lot 22; the westerly line of Lots 23 to 28 both inclusive all of Cumiskey-Kehoe Outer Drive Sub'n. That part of the N'y 12.86 ac. of E. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ Sec. 4, T. 1, S. R. 12 E., lying W. of M. C. R. R., Hamtramck Twp., Wayne

Co., Mich., as recorded in Liber 46, Page 43 of Plats of Wayne County Records.

Also all of east and west public alley 18 feet wide lying between the southerly line of Lots 4 to 9 both inclusive and the northerly line of Lots 10, 28, the northerly line of north and south public alley 20 feet wide heretofore mentioned. Be and the same are hereby vacated to become part and parcel of the adjoining property

Provided, Petitioners deed to the City of Detroit the southerly 20 feet of Lot 22 of Cumiskey-Kehoe Outer Drive Sub'n. That part of the N'y 12.86 ac. of E. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ Sec. 4, T. 1, S. R. 12 E., lying W. of M. C. R. R., Hamtramck Twp., Wayne Co., Mich. as recorded in Liber 46, Page 43 of Plats of Wayne County Records. And further

Provided, All taxes are paid on all of adjoining property, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$241.19 to reimburse the City for the expense incurred in the original paving of alley intersection at Mt. Elliott Avenue within the lines of alley herein vacated, said sum to apply on the cost of removal of existing return and the replacement of curbing, sidewalks and grading incidental to removal of said return, and further

Provided, Owners in fee file with the City Clerk, within thirty days, an agreement in writing waiving any and all claims to damages which may arise due to the separation of grades affecting the property herein vacated, and further

Provided, Owners in fee 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 now installed in said alleys which it may be necessary to relocate or reroute due to the closing of same, and further

Resolved, that upon compliance with the above provisions the City Controller be and is hereby directed to issue Quit Claim Deeds for an Undivided $\frac{1}{2}$ interest to Edward D. Devine as Trustee under will of Peter F. Kehoe, Deceased, and an Undivided $\frac{1}{2}$ interest to James P. Cumiskey, Jr., Executor of the Estate of James P. Cumiskey, Deceased, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Kronk, Lodge, Smith, and the President Pro Tem.—6.

Nays—None.