

lice, and that there shall be no solicitation of any funds in connection with same.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Hamilton, Lodge, Sweeny, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

Sewers

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of City Pattern Works (4643), requesting permission to replace present lateral sewer in alley between Rivard and Mansur, north of Harper, at their expense. After consultation with the Department of Public Works and careful consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
EUGENE I. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to the City Pattern Works to replace, by private contract, the present 12-inch lateral sewer with an 18-inch lateral sewer in the east-and-west alley between Rivard and Mansur, north of Harper.

Provided, That grantee deposits with the Department of Public Works the sum of \$200.00 to cover inspection and tests costs, also any additional sums if said amount is insufficient, and further

Provided, That said work shall be performed under the supervision and inspection of the Department of Public Works.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Hamilton, Lodge, Sweeny, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

Signs

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Gardner White Co. (4821), to maintain a projecting sign on the building at 6309 Mack Ave. After consultation with the Department of Buildings and Safety Engineering and careful consideration of the matter, your committee recommends that same be denied.

Respectfully submitted,
EUGENE I. VAN ANTWERP,
Chairman.

Accepted and adopted.

Vacation of Easements

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Henry J. and Ethel I. Meyer (4660), for the vacation and relocation of easement south of Grand River Ave. between Redford Ave. and Bosworth Court. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,
EUGENE I. VAN ANTWERP,
Chairman.

By Councilman Van Antwerp:

Resolved, That all that part of 6-foot easements in block bounded by Bosworth Court, Redford and Grand River Avenues more particularly described as the southerly 6 feet of Lot 1 of Bosworth Court Sub. of part of Lot 1 of Fair Plains Sub. on S. E. $\frac{1}{4}$ of Sec. 9, T. 1 S. R. 10 E., Redford Village (now City of Detroit) Wayne Co., Mich., as recorded in Liber 42, Page 67 of Plats of Wayne County Records.

Also the westerly 6 feet of the northerly 34 feet of Lot 12 and the easterly 6 feet of the northerly 34 feet of Lot 12 all of last mentioned Subdivision. All platted as 6-foot easements in said last mentioned Subdivision. Be and the same are hereby vacated to become part and parcel of Lot 1 and the northerly 40 feet of Lot 12 all of last mentioned subdivision.

Provided, The owners in fee grant to the use of the public as public easement the southerly 6 feet of the northerly 40 feet of the easterly 73.54 feet of the westerly 79.54 feet of Lot 12 of Bosworth Court Sub. heretofore mentioned, which easement 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 6-foot easement 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 easement 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 6-foot easement or any part thereof so that said easement shall be forever of easy access for the purposes above named.

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

Provided, That petitioners reimburse the owners to the extent of the value of any utilities now installed in said easements which it may be necessary to abandon due to the vacation of said easements or bear the entire expense of relocating or rerouting any public utilities now installed in said easements which it may be necessary to relocate or reroute due to the vacation of same, and further

Resolved, That upon compliance with the provisos, the City Controller be and is hereby directed to issue Quit Claim Deeds to Henry J. Meyer and Ethel I. Meyer, his wife, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Hamilton, Lodge, Sweeny, Van Antwerp and the President Pro Tem.

—7.

Nays—None.

RESOLUTIONS

By Councilman Lodge:

Whereas, The owners of property in the special assesment district for the so-called Vernor Highway widening have requested a refund of the special assessments paid and a cancellation of the unpaid balance; and

Whereas, These property owners allege that this widening was for the purpose of providing a cross-traffic highway constituting a connecting link between a number of State Trunk Line Highways in the City of Detroit; and

Whereas, These property owners contend that this improvement was of general benefit, for which they should not be compelled to pay a special assessment; and

Whereas, The approximate total cost of such refund and cancellation for this Vernor assessment is in the approximate sum of \$2,145,000; and

Whereas, These property owners contend that this improvement should properly be paid for from revenues received from gas and weight tax moneys. Now, therefore, be it

Resolved, That the Common Council does hereby request that the State Highway Department make

funds available for this purpose; and be it further

Resolved, That the City Clerk be and he is hereby authorized and directed to forward a certified copy of this resolution to the Hon. G. Donald Kennedy, State Highway Commissioner.

Approved as to form:

John H. Witherspoon,
Acting Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Hamilton, Lodge, Sweeny, Van Antwerp and the President Pro Tem.

—7.

Nays—None.

By Councilman Sweeny:

Whereas, the Common Council of the City of Detroit, has been advised by the Corporation Counsel that on Tuesday, December 3, 1940, at three o'clock in the afternoon, a hearing will be held in the Council Chambers in the Windsor City Hall, under the auspices of The Board of Transport Commissioners for Canada in the matter of:

"Application of the Corporation of the City of Windsor, Ontario, for an Order under Section 325 of the Railway Act disallowing Tariff C. T. C. No. 20 being changes in the tolls or rates of the Detroit and Canada Tunnel Corporation (Detroit and Windsor Subway Company) for the Tunnel which it operates between the City of Windsor, Ontario, and the City of Detroit, Michigan."

And Whereas, it is proposed by the Detroit and Windsor Tunnel Corporation to make certain increases in its schedule of rates (which schedule will also be applicable to the Ambassador Bridge); and

Whereas, the Common Council of the City of Detroit is advised by its Corporation Counsel that L. Z. McPherson, Corporation Counsel of the City of Windsor, has informed him that the City of Windsor will oppose the said proposed increased rate schedule; therefore

Be It Resolved, That the Corporation Counsel of the City of Detroit be and he is hereby instructed to have his office represented at said hearing in Windsor; and to request The Board of Transport Commissioners for Canada that no final action be taken with reference to said proposed increased rate schedule until the City of Detroit has had an opportunity to make an investigation and recommendation therein.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Hamilton, Lodge, Sweeny, Van Antwerp and the President Pro Tem.

—7.

Nays—None.