

be given credit of \$154.95 on the down payment for county taxes paid after the city had acquired title to the property, and balance of \$45.05 to be paid in cash, and further

Resolved, That the Corporation Counsel be and he is hereby directed to prepare said land contract.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, Van Antwerp, and the President—6.

Nays—None.

**Spur Tracks**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Harlan H. Newell (9237), to maintain spur track across Sanders and Powell Sts., and alleys east of and parallel to Powell St. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

JAMES H. GARLICK,  
Chairman.

By Councilman Garlick:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Harlan H. Newell, to maintain spur track across Sanders and Powell Sts., and alleys "B" & "C" running parallel with Powell St., and situated east thereof (4 crossings), connected with and to be maintained on the north side of the Wabash Railroad, as per blue print submitted.

Provided, That said spur track is maintained in accordance with the terms and provisions of the Compiled Ordinances of the City of Detroit for the year 1936, as amended, and under the supervision and inspection of the Department of Public Works, and further

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 Dorais, Garlick, Lodge, Sweeny, Van Antwerp, and the President—6.

Nays—None.

**Vacation of Streets**

To the Honorable, the Common Council:

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

General Motors Corp. (8899), for the vacation of Oakland ave. between Piquette and the N.Y.C.R.R. right-of-way, and the vacation of Trombley ave. between Oakland ave. and Hastings St. After consultation with the City Plan Commission, and careful consideration of the matter, your committee recommends that the petition be granted in accordance with the following resolution.

Respectfully submitted,

JAMES H. GARLICK,  
Chairman.

By Councilman Garlick:

Resolved, That all of Trombley Street, southerly of and adjoining the New York Central Railroad right-of-way, and lying between the easterly line of Oakland Avenue, 50 feet wide as now established, and the westerly line of Hastings Street 50 feet wide as now established, also all of Oakland Avenue 50 feet wide between the northerly line of Piquette Avenue 80 feet wide as now established, and the southerly line of the New York Central Railroad right-of-way; be and the same are hereby vacated to become a part and parcel of the adjoining property.

Provided, Petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$487.06 to reimburse the City of Detroit for the expense incurred in the original paving of the Piquette Avenue intersection within the lines of Oakland Avenue herein vacated and a portion of the Trombley Street intersection within the lines of Oakland Avenue herein vacated. Said sum to apply on cost of removal and/or reconstruction of paved returns and sidewalks at above mentioned intersections; and further

Provided, that by reason of the vacation of the above described streets the City of Detroit does not waive any rights to the lateral sewers located therein and shall, at all times, have the right to enter upon the premises, if found necessary, on account of said sewers to repairs sewers; and further Provided, Petitioners shall not build over the above described streets without first securing the approval of the City Engineer and the Board of Health, and further

Provided, Petitioners reimburse the owner to the extent of the value of any utilities now installed in said streets which it may be necessary to abandon due to the closing of said streets or bear the entire expense of relocating or rerouting any public utilities installed in said streets 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 Deed to General Motors Corporation, a Delaware Cor-



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poration, as owners in fee of adjoining property.

Adopted as follows:  
Yeas—Councilmen Dorais, Garlick, Yeas, Councilmen Sweeny, Van Antwerp, and the Lodge, Sweeny, Van Antwerp, and the President—6.  
Nays—None.

### Zoning

To the Honorable the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of S. Eleck (9023), for change in zoning from "ML" to "MH" use for property at 17900 Van Dyke Ave. After consultation with the City Plan Commission, and careful consideration of the matter, your committee recommends that same be denied.

Respectfully submitted,

JAMES H. GARLICK,  
Chairman.

Accepted and adopted.

And the Council then adjourned until Thursday, October 9, 1941 at 10:00 o'clock a. m.

JOHN W. SMITH,  
President.

THOMAS D. LEADBETTER,  
City Clerk.

### ORDINANCE No. 190-D

(File in container and make notation at Section 10 and 10A on pages 181 and 182).

AN ORDINANCE to amend Section 10 and Section 10-A, as amended, of Chapter 95 of the Compiled Ordinances of the City of Detroit for 1936, being an ordinance regulating milk supply.

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

Section 1. That Section 10 of Chapter 95 of the Compiled Ordinances of the City of Detroit for 1936, being an ordinance regulating milk supply, and Section 10-A of said Chapter 95, as amended by Ordinance No. 30-D, be and the same are hereby amended by adding subdivision 4 to said Section 10 and subdivision 5 to said Section 10-A, to read as follows:

Sec. 10, Subdivision 4. That in designating upon the label the

day of the week on which such milk and/or cream has been pasteurized, as provided in the preceding subdivision of this section, the latest hour of the day and the latest day of the week on which such milk and/or cream may lawfully be sold, shall be used. The latest hour of the day and the latest subsequent day of the week on which such milk and/or cream may be sold, shall not be more than sixty (60) hours after the day of pasteurization, or twelve o'clock noon of the third day after the day of pasteurization. The lettering of the hour and day shall be preceded by the words "NOT TO BE SOLD AFTER." Designs used on caps, tags and/or containers, in compliance with this section, must be submitted to and approved by the Department of Health before their use.

Sec. 10-A, Subdivision 5. That in designating upon the label the day of the week on which such milk, cream, chocolate milk, homogenized milk, viscolized milk and/or soft curd milk has been pasteurized, as provided in the preceding subdivisions 1, 2, 3 and 4 of this section, the latest hour of the day and the latest day of the week on which such milk, cream, chocolate milk, homogenized milk, viscolized milk and/or soft curd milk may lawfully be sold, shall be used. The latest hour of the day and the latest subsequent day of the week on which such milk, cream, chocolate milk, homogenized milk, viscolized milk and/or soft curd milk may be sold, shall not be more than sixty (60) hours after the day of pasteurization, or twelve o'clock noon of the third day after the day of pasteurization. The lettering of the hour and day shall be preceded by the words, "NOT TO BE SOLD AFTER." Designs used on caps, tags and/or containers, in compliance with this section, must be submitted to and approved by the Department of Health before their use.

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

Approved, May 6, 1941.

JOHN W. SMITH,  
Acting Mayor.

Attest:  
THOMAS D. LEADBETTER,  
City Clerk.

The above ordinance will take effect on the 5th day of June, 1941.

THOMAS D. LEADBETTER,  
City Clerk.