

with, and to be maintained on the south side of the Detroit Terminal Railroad, as per blue print submitted to and approved by said department.

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 Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Atwerp, and the President Pro Tem.—8.

Nays—None.

**Street Improvements**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Florence Whitley (9501), for a further extension of time to comply with resolution for improvement of Sunderland Ave. between Outer Dr. and Curtis, for F.H.A. approval. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends an extension of 90 days, and offers the following resolution.

Respectfully submitted,  
**JAMES H. GARLICK,**  
 Chairman.

By Councilman Garlick:

Resolved, That Florence Whitley be and she is hereby granted a further extension of ninety days from the date of the adoption of this resolution in which to comply with Common Council resolution of November 12, 1940 (J.C.C. p. 3181), or any amendments thereto, for improvement of Sunderland Ave. between Outer Drive and Curtis Ave., for F.H.A. approval.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—8.

Nays—None.

**Taxes**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Rothfuss Motor Sales (9138), requesting adjustment of personal taxes.

After further consultation with the Board of Assessors, and careful consideration of the matter, your committee recommends that the previous denial be reaffirmed.

Respectfully submitted,  
**JAMES H. GARLICK,**  
 Chairman.

Accepted and adopted.

**Vacation of Alleys**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Knight-Menard Co., et al (149), for the conversion of alleys into easements in the blocks bounded by Norfolk, Pembroke, Monte Vista and Mendota Aves. 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,  
**JAMES H. GARLICK,**  
 Chairman.

By Councilman Garlick:

Resolved that all of public alleys in blocks bounded by Monte Vista, Pinehurst, Mendota, Pembroke, Chipewa and Norfolk avenues as platted in Blackstone Park Subdivision No. 6 of part of the N. ½ of Sec. 5, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 52, Page 91 of Plats of Wayne County Records more particularly described as the westerly ½ of said north and south public alleys 18 feet wide lying east of and adjoining the easterly line of lots 4105 to 4113 both inclusive; lots 4115 to 4120 both inclusive; lots 4121 to 4131 both inclusive; lots 4133 to 4139 both inclusive. Also the easterly ½ of said north and south public alleys, 18 feet wide lying west of and adjoining the westerly line of lots 4172 to 4182 both inclusive; lots 4186 to 4190 both inclusive; lots 4195 to 4200 both inclusive; lots 4204 to 4206 both inclusive; also the westerly ½ of said north and south public alleys lying east of and adjoining the easterly line of lots 4208 and 4209; lots 4212 to 4215 both inclusive; lots 4218 to 4222 both inclusive; lots 4223 to 4226 both inclusive; lots 4229 to 4241 both inclusive. Also the easterly ½ of said north and south public alleys, 18 feet wide lying west of and adjoining the westerly line of lots 4274 to 4280 both inclusive; lots 4283 to 4285 both inclusive; lots 4288 to 4292 both inclusive; lot 4294; lots 4297 and 4298; Lots 4300 to 4302 both inclusive; lots 4304 to 4308 both inclusive all of last mentioned subdivision.

Also the westerly ½ of said north and south public alley 18 feet wide lying east of and adjoining the east-



erly line of lot 4114. Also the easterly  $\frac{1}{2}$  of said north and south public alleys lying west of and adjoining the westerly line of lots 4183 to 4185 both inclusive; lot 4194; lots 4295 and 4296 and lot 4303 all of last mentioned subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of lot 4132 of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of lots 4191 to 4193 both inclusive all of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide lying west of and adjoining the westerly line of lots 4201 and 4202 all of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of lot 4203 of last mentioned subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of lot 4207 of last mentioned subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of lots 4210 and 4211 of last mentioned subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of lots 4216 and 4217 of last mentioned subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of lots 4227 and 4228 of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of lot 4281 of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of lots 4282 and 4293 of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of lots 4286 and 4287 of last mentioned subdivision.

Also the easterly  $\frac{1}{2}$  of said east and west public alley, 18 feet wide, lying west of and adjoining the westerly line of lot 4299 of last mentioned subdivision.

Be and the same are hereby vacated to become part and parcel of the adjoining property.

Provided, Owners in fee grant to the use of the public, as public easement, the rear 6 feet adjoining the center line of north and south

public alleys herein vacated, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of all 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 rear 6 feet adjoining the center line of said vacated alleys 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 12 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 except that same shall not be opened for the passage of vehicles therein, and further

Provided, That existing sewers are to remain in their same location 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 at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair same, and further

Provided, All taxes shall be paid on all abutting property, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$192.00, said amount being the estimate cost for building concrete sidewalks at Chippewa and Norfolk Avenues within the lines of all alleys herein vacated, and further

Provided, That all provisos shall be complied with within 30 days from the date of this resolution, and further

Resolved, That upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim deeds to Vernon J. Brown, Auditor General of the State of Michigan, Nottingham Land Company, a Michigan Corporation; Erica Kempf; Norman D. Hoke and



Lillian R. Hoke, his wife; Sarah I. Graves; Minnie D. Gabel; Ottilie McKendrick, widow; Alice L. Botroff; Louis Alper; Margaret Sharpe; Elmer J. Borgne; Knight Menard Company, a Michigan Corporation; Clinton R. Scharff; J. Herman Murrer as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.

—8. Nays—None.

**RESOLUTIONS AND ORDINANCES**

By Councilman Edwards:

Resolved, That the Department of Buildings and Safety Engineering be and it is hereby authorized to issue a permit to Otto W. Gustman for the construction of a single dwelling on lot 294 on the west side of Monica ave. between Outer Drive and St. Martins ave.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.

—8. Nays—None.

By Councilman Dorais:

**AN ORDINANCE** to amend Chapter 10 of the Compiled Ordinances of the City of Detroit for the year 1936, by amending Section 1 thereof and by adding a new section thereto to be known as Section 1-(a).

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

Section 1. That Chapter 10 of 2 the Compiled Ordinances of the 3 City of Detroit for the year 1936, 4 be and the same is hereby amended 5 by amending Section 1 thereof 6 and by adding a new section there- 7 to to be known as Section 1-(a), 8 to read as follows:

Section 1. All employees of the 2 City of Detroit, whether on a per 3 annum salary basis or a per diem 4 compensation basis and who shall 5 have been continuously employed 6 by the City for a period of at least 7 one year immediately prior to such 8 vacation period, shall be granted 9 vacations, without deduction of 10 pay, for a period of not to exceed 11 two weeks: Provided, that con- 12 tinuity of employment shall be 13 construed as full employment and 14 as provided by Section 1 of Chap- 15 ter 8 hereof, with allowance for 16 vacation or sick leave herein pro- 17 vided for: And provided 18 further, that as to seasonal em- 19 ployees, nine months or sixteen 20 hundred hours' service in any 21 service year shall be deemed to 22 constitute one year's continuous 23 employment as above specified. 24 The time of such vacation shall 25 be in the discretion of the Depart- 26 ment Head who shall be governed

27 by the interests of public service: 28 Provided further, that the words 29 "permanent employee", as specified 30 in section 2 hereof, shall not in- 31 clude employees who have less 32 than nine months' service during 33 the first year of employment: 34 Provided, however, that vacation 35 periods hereunder shall not be per- 36 mitted to be accumulated.

Sec. 1-(a). No compensation 2 shall be granted hereunder in lieu 3 of such vacation period except in 4 those instances where in the opin- 5 ion of the Department Head, with 6 the approval of the Controller and 7 upon petition to and approval by 8 the Common Council, no vacation 9 can be taken by an employee be- 10 cause his services are indispensable 11 during the year in which such 12 vacation can be taken as provided 13 in section 1 hereof: Provided, 14 however, that in no case hereunder 15 shall any such employee be paid 16 for a vacation period exceeding two 17 weeks.

Sec. 2. All ordinances or parts 2 of ordinances in conflict herewith 3 are hereby repealed.

Approved:

PAUL E. KRAUSE,  
Corporation Counsel.

Read twice by title, ordered printed and laid on the table.

And the Council then adjourned.

JOHN C. LODGE,  
President Pro Tem.

THOMAS D. LEADBETTER,  
City Clerk.

**ORDINANCE No. 241-D**

(File in container and make notation at Chapter 275 on page 670)

**AN ORDINANCE** to repeal Chapter 275 of the Compiled Ordinances of the City of Detroit for the year 1936.

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

Section 1. That Chapter 275 of the Compiled Ordinances of the City of Detroit for the year 1936, be and the same is hereby repealed.

Sec. 2. This ordinance is declared necessary for the preservation of the public peace, health and safety and is hereby given immediate effect.

Approved February 10, 1942.

EDWARD J. JEFFRIES, JR.,  
Mayor.

Attest:  
THOMAS D. LEADBETTER,  
City Clerk.

The above ordinance will take effect on the 11th day of February, 1942.

THOMAS D. LEADBETTER,  
City Clerk.