

sideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
FRANK CODY,
Chairman.

By Councilman Cody:

Resolved, That the City Controller be and he is hereby authorized and directed to enter into a lease with the Restrict Lumber Co. for a strip of land, 10 ft. wide, west of and adjoining the east line of French Road, lying between the north line of petitioner's existing driveway and a point 280 ft. northerly thereof, at a rental of \$5.00 per month on a month-to-month basis, and further

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

Adopted as follows:

Yeas—Councilmen Codv, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the U. S. War Dept., Detroit Ordnance District (5970), for permission to display enemy materiel in Cadillac Sq., After careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
FRANK CODY,
Chairman.

By Councilman Cody:

Resolved, That permission be and it is hereby granted to the U. S. War Department, Detroit Ordnance District, to display enemy materiel in the center of Cadillac Square from the flagpole east of Woodward Ave. to Bates St., and maintain said display for 30 days beginning October 25, 1943,

Provided, That the display is placed under the supervision of the Department of Public Works, and the Department of Police, and maintained under the rules and regulations of said departments, and further

Provided, That the area shall be roped off under the supervision of the Department of Police, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Mary A. Fafeyta (5951), for permission to continue use of garage at 371 W. Grand Blvd. between Shady Lane and Porter St. to house a commercial vehicle and to store merchandise, without payment of fee required for review of such cases by the Board of Zoning Appeals. After consultation with the Department of Buildings and Safety Engineering, and careful consideration of the matter, your committee recommends that the petition be denied.

Respectfully submitted,
FRANK CODY,
Chairman.
Accepted and adopted.

Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Chas. B. Kessler (5969), for permission to sell War Bonds in front of the City Hall. After careful consideration of the request, your committee recommends that same be denied.

Respectfully submitted,
FRANK CODY,
Chairman.
Accepted and adopted.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Oscar E. Schemers (4349), for the vacation of public alley in the block bounded by Evergreen, Plainview, Western Drive and Elmira Aves. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that the petition be granted, provided a 12 ft. easement is provided for public utilities. We therefore offer the following resolution.

Respectfully submitted,
FRANK CODY,
Chairman.

By Councilman Cody:

Resolved, That East and West public alley in block bounded by Evergreen Avenue, Plainview Avenue, Western Dr. and Elmira Avenue, more particularly described as: All of East and West public alley 18 feet wide, lying between the northerly line of lots 347 to 349, both inclusive of J. C. Lashleys West Chcaigo Boulevard and Evergreen Subdivision No. 1 of lots 52 to 73, 86 to 107, 120 to 129, 142 to 151, 176 to 185, 198 to 207, and 232 to 241 inclusive and vacated alleys

of J. C. Lashleys West Chicago Boulevard and Evergreen Subdivision of the S. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Sec. 35, T. 1 S. R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 57 of plats, page 58, Wayne County records, and between the southerly line of Lot 242 of J. C. Lashleys West Chicago Blvd., and Evergreen Subd. of the S.W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Section 35, T. 1 S. R. 10 E. Redford Township, Wayne County, Michigan, as recorded in Liber 52 of Plats, Page 80, Wayne County records be and the same is hereby vacated to become a part and parcel of the adjoining property.

Provided, the owner in fee of Lots 347 to 349 both inclusive of J. C. Lashleys West Chicago Blvd. and Evergreen Subd., No. 1, heretofore mentioned, grant to the use of the public as public easement, the north 6 feet adjoining the centerline and the south 6 feet adjoining the centerline of said east and west 18 foot public alley, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations, which shall be observed by the owner of said lots 347 to 349, both inclusive and by their grantees and assigns and their heirs, executors and 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 central 12 feet of said vacated east and west 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 to 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 necessary line fences) 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 12 foot easement shall be used for the same purpose for which public alleys are generally used in the City of Detroit, excepting the same shall not be opened for the passage of vehicles therein and further,

Provided that by reason of the vacation of the above described alley, the City of Detroit does not waive any rights in the lateral sewer located therein and at all times shall have the right to enter the premises if found necessary on account of said sewer to repair same and further,

Provided that existing Public Lighting Commission pole and wire structure attached, at present located outside of the limits of 12 foot easement herein dedicated be allowed to remain in its present location until such time as the Public Lighting Commission deems it necessary to relocate or replace said pole and wire structures, at which time of relocation or replacement it shall be reset within the proper limits of the easement herein described and further

Provided petitioners deposit with the Permit Division of the Department of Public Works the sum of \$54.00 to cover the cost of construction of a sidewalk on Plainview Avenue across alley herein vacated and further,

Resolved, that upon compliance with the above provisos the City Controller be and the same is hereby directed to issue quit-claim deed to Oscar Schemers and Irene Schemers, his wife, as owners in fee of adjoining property and further

Resolved, that upon receipt of proper evidence that all taxes are paid on abutting property, the City Engineer is hereby directed to release said deed.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Carl A. Brown, et al. (4639), for the conversion of alley in block bounded by Evergreen, Plainview, Clarita and Seven Mile Road into an easement for public utilities. 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,

FRANK CODY,

Chairman.

By Councilman Cody:

Resolved, That all of North and South public alley 18 ft. wide, in block bounded by Evergreen, Plainview, Clarita Avenues and Seven Mile Road, as platted in C. W. Harrah's Northwestern Subdivision of the N. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Sec. 11, T. 1 S. R. 10 E., Redford Twp., Wayne County, Michigan, as recorded in Liber 47, Page 54, Plats of Wayne County records, more particularly described as all of North and South public alley 18 ft. wide, lying between the easterly line of Lots 51 to 84 both inclusive, and the westerly line of Lots 117 to 136, both inclusive,