

the Committee of the Whole of the Common Council would like this Department to investigate the possibility of removing the bridge across Mt. Elliott Ave. in connection with the Hupp Motor Car Co. building.

An investigation has been made by the City Engineer's office, and it was found that about the only value the bridge has at this time is to allow the Hupp Motor Car Co. to advertise on the sides of it.

It is the recommendation of this Department that the structure be ordered removed within the street lines and that the owner be given a reasonable length of time in which to advertise and receive acceptable bids for the work.

Respectfully submitted,
GLENN C. RICHARDS,
 General Superintendent.

Permits

By Councilman Van Antwerp:

Resolved, That the Department of Buildings and Safety Engineering and the Department of Public Works be and are hereby authorized and directed to extend the permit issued to the Hupp Motor Car Company on November 13, 1928 (J.C.C. p. 3069) to erect and maintain existing bridge over Mt. Elliott Avenue just north of Milwaukee Avenue, for a period of six (6) months, under the following terms and provisions:

1. That the Department of Buildings and Safety Engineering make inspection to determine safety of structure, the issuance of permit to be determined by findings and said findings reported to the Common Council.

2. That structure be placed in good state of repair and painted;

3. That advertising of any nature be removed;

4. That the Hupp Motor Car Company advise the Common Council in writing as to plans for use of buildings beyond the period of six (6) months from date of this resolution;

5. That said work shall be performed under the supervision of the Department of Buildings and Safety Engineering and the Department of Public Works in accordance with plans submitted to and approved by said departments and further

Provided That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said bridge and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored

to a condition satisfactory to said Department by said grantee at its expense and further,

Provided, That said permit issued by the Department of Buildings and Safety Engineering and Department of Public Works is granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for 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 Castator, Comstock, McNamara, Oakman, Rogell, Van Antwerp, and the President—7.
 Nays—None.

Department of Public Works

August 7, 1947.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of Gray Marine Motor Co. (No. 3316) requesting the vacation of the remaining portion of 20 foot east and west public alley located west of Helen Avenue between Fort Street and Lafayette Avenue to the Department of Public Works for investigation and report.

This vacation of alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of April 11, 1947.

Please be advised that all of our investigations have been completed.

In accordance with our directive, on August 5, 1947, the petitioners deposited into the City Treasury the sum of \$51.32, Receipt No. 6288, credited to Public Works Maintenance

Fund Code No. 143-6221-1, as reimbursement for the original cost of paving Helen Avenue at intersection of alley requested to be vacated.

The petitioners requested that the existing paved alley return located on the west side of Helen Avenue at entrance to alley proposed to be vacated, remain in its present location and have agreed to pay all costs incidental to the removal of said return at such time as its removal is requested either by the petitioners or their assigns of the City of Detroit.

All other City departments and private utility companies reported that they will be unaffected by the vacation of said alley, or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

In view of the above, we recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
 Acting Commissioner.

By Councilman McNamara:

Resolved, That all that part of 20-foot east and west public alley west of Helen Avenue, between Fort Street and Lafayette Avenue, as platted in subdivision of part of the Louis Chapoton Farm, Private Claim No. 573, according to the plat thereof as recorded in Liber 7 of plats, Page 7, Wayne County Records, lying between the southerly line of lots 38, 39 and 40, and the northerly line of lots 31, 32 and 33, all lots being the same as platted in last mentioned subdivision,

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, Van Antwerp, and the President—7.
 Nays—None.

Department of Public Works

August 6, 1947.

To the Honorable, the Common Council:

Gentlemen—Attached is copy of an agreement amending the 1946-47 highway maintenance contract which we have with the State Highway Department, to the extent of increasing allowable maximum limit for snow removal cost from 1.3 of a cent per square yard per foot of snow, to 1.75 cents, retroactive to January 1, 1947. This maximum limit was raised because of current increases in the cost of labor, materials and equipment rental.

The agreement has been approved as to form by the Corporation Coun-

sel and we respectfully request the approval of your Honorable Body to the execution of the agreement.

Respectfully submitted,
GLENN C. RICHARDS,
 Acting Commissioner.

MICHIGAN STATE HIGHWAY DEPARTMENT

Charles M. Ziegler
 State Highway Commissioner
 Agreement Amending Maintenance Contract with City of Detroit.

Memorandum of Agreement, made this 25th day of July, A. D. 1947, by and between Charles M. Ziegler as State Highway Commissioner of the State of Michigan, first party, and the City of Detroit, a body corporate of the State of Michigan, second party; witnesseth:

1. That paragraph number eighteen of that certain maintenance contract between the parties dated July 1st A.D. 1946 is hereby stricken and the following paragraph is substituted therefore and made retroactive to January 1st, 1947.

18. "It is mutually agreed that the payments to be made under paragraphs eleven, twelve, thirteen, fourteen, fifteen and sixteen hereof shall be made quarterly, on certified statements prepared and submitted by second party within thirty days from the end of the quarter, on forms furnished by first party, and second party will keep adequate records to substantiate the same, but such payments shall not be considered final, and shall be subject to adjustment upon audit by first party. It is specifically understood that compensation for items of "Sweeping and Flushing" and "Snow Removal" will be made on the basis of actual expenditures only, except that in no case will the municipality be compensated for expenditures in excess of total unit costs (State and Municipal share combined) as follows:

"Sweeping and Flushing"
 7.0 cents per square yard per year on all sections.

"Snow Removal"
 1.75 cents per sq. yd. per foot of snow.

Each maintenance section as designated on Schedule "B" sheets shall be computed separately from the other sections and no two or more sections may be combined for the purpose of computations. The depth of snow shall be determined from the climatological data supplied by the U. S. Weather Bureau for the stations nearest to the location of the municipality and each quarterly report shall be computed separately and independently of other reports."