

south public alley, 18 feet wide, in block bounded by Sussex Avenue, Coyle Avenue, Seven Mile Road and Cambridge Avenue as platted in Daniels V. Wolf's Avon Boulevard Subdivision of the S.W. ¼ of the S.W. ¼ of Section 6, T. 1. S. R. 11 E., Greenfield Township, Wayne County Michigan, as recorded in Liber 49 of plats, Page 94, Wayne County Records, lying west of and adjoining the west line of lots 13 to 23, both inclusive, and east of and adjoining the east line of lots 38 to 48, both inclusive, 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.

Provided, The City of Detroit Hereby Reserves for Itself and for the use of the public an easement or right of way over said vacated public alley, hereinabove 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 or egress at any time to and over said easement for the purposes above set forth;

And Further Provided, That the owners of lots abutting on said vacated alley, their heirs and assigns, Shall Not Build or Construct any buildings or structure of any nature whatsoever, (except necessary line fences) upon said easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above;

And Further Provided, 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 if at any time in the future, the owners of any lots abutting on said vacated alley, their heirs or assigns, shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.

Nays—None.

Department of Public Works

February 22, 1949.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of Elizabeth A. Stuart (Petition No. 2097), requesting the vacation of the 10 foot Burt Road, between Seven Mile west of and Cambridge Avenue to the Department of Public Works for investigation and report.

The vacation of said alley was approved by the City Plan Commission in their communication to Your Honorable Body of September 7, 1948, with the recommendation that the petitioners dedicate an easement westerly of the alley to be vacated and that the petitioners deed a portion of their property for the widening of the alley north of Seven Mile Road and west of Burt Road.

Our investigations are now completed. In reply to our inquiries all City Departments and private owned utility companies reported that they will be unaffected by the changes.

As per City Plan Commission recommendation the petitioners submitted a Quit Claim deed to the portion of their property to be used for widening the alley north of Seven Mile Road and west of Burt Road. Said deed was approved as to description by the City Engineer and as to form and execution by the Corporation Counsel's Office, and we are attaching it hereto for your Honorable Body's acceptance.

Inasmuch as the petitioners are about to submit a plat for recording, in which an easement will be dedicated to the public, said plat having a ready been drawn up, it would be a duplication causing some confusion if the same easement were deeded to the City by separate instrument. The petitioners therefore requested that the City of Detroit at this time accept an agreement (agreement filed with the original petition) from the owners of the property through which the easement is to run whereby the owner promises to make such dedication within one year from February 18, 1949. We believe this request to be reasonable and recommend that the agreement be accepted in lieu of an immediate dedication.

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

Respectfully submitted,  
**THOMAS C. HANSON,**  
 Commissioner.

By Councilman Kronk:

Resolved, That all of north and south public alleys, 10 feet wide, west of Burt Road between Vassar Avenue and the alley first north of

Seven Mile Road, as platted in Asam Bros. Burt and Seven Mile Road Sub-division of part of the S. E. ¼ of the S. W. ¼ of Section 3, T. 1 S., R. 10 E., Detroit, Wayne County, Michigan, as recorded in Liber 61 of Plats, page 35, Wayne County Records, lying west of and adjoining the west line of lots 9 to 59, both inclusive, 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, and further;

Resolved, That Quit Claim deed of Elizabeth A. Stuart to the City of Detroit deeding land for alley purposes, which land is described as:

"Part of the East 214.50 feet of the Southeast ¼ of the Southwest ¼ of Section 3, Town 1 South, Range 10 East, described as follows: Beginning at a point on the West line of the East 214.50 feet of the Southeast ¼ of the Southwest ¼ of Section 3, Town South, Range 10 East, said point being North 01 degrees 00 minutes 05 seconds East, 170.00 feet from the South line of Section 3; Thence South 89 degrees 04 minutes 15 seconds East, along the North line of a public alley (10 feet wide) as platted in Asam Brothers Burt-Seven Mile Road Subdivision, as recorded in Liber 61, page 35 of Plats, 61.50 feet to a point; thence North 01 degrees 00 minutes 05 seconds East, along the west line of a public alley (10 feet wide) of said Subdivision, 10 feet to a point; thence North 89 degrees 04 minutes 15 seconds West parallel to the South line of said Section 3, 61.50 feet to a point; thence South 01 degrees 00 minutes 05 seconds West, 10 feet to a point of beginning."

Be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County, and further,

Resolved, That agreement of Elizabeth A. Stuart to dedicate an easement west of the alley hereinabove vacated within one year be and the same is hereby accepted and placed on file with the original petition.

Adopted as follows:  
Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.  
Nays—None.

Department of Public Works

February 25, 1949.

To the Honorable, the Common Council:

Gentlemen—The Department of Public Works recommends the can-

cellation of the following sidewalk assessments, same having been paid on Accounts Receivable Bills:

Roll 217-C-2—Lot 36, on the West Side of 12th, between Lysander and Canfield, cancel \$50.00, partial payment on Dept. Bill No. 14188, Receipt C-1887-56, Feb. 22, 1949.

Roll 218-C-2—Lot 132, on North Side of Arizona, between Brush and John R, cancel \$62.32, full payment on Dept. Bill No. 14282, Receipt 14282, February 18, 1949.

Roll 218-C-4—Lot 1005, on the East Side of Anglin, between 7 Mile and Conant, cancel \$19.90, paid on Dept. Bill No. 14239, Receipt C-1887-47, February 18, 1949.

Roll 218-C-4—Lot 1006, on the East Side of Anglin, between 7 Mile and Conant, cancel \$64.90, full payment on Dept. Bill No. 14240, Receipt 14240, February 18, 1949.

Roll 218-C-7—Lot 2, on the West Side of Mound, between Emery and 7 Mile, cancel \$39.10, full payment on Dept. Bill No. 14527, Receipt No. 14527, Feb. 21, 1949.

Roll 218-C-9—Lot 113, on the West Side of Stotter, between Outer Drive and Lantz, cancel \$34.80, full payment on Dept. Bill 14656, Receipt 14656, February 21, 1949.

Roll 218-C-12—N. 19.13 ft. of lot 363 and 362, on the North Side of Forest, between Crane and Fischer, cancel \$455.05, full payment on Dept. Bill No. 14933, Receipt 14933, February 24, 1949.

Roll 218-C-20—Lot 351, on the North Side of Greiner, between Fairport and Westphalia, cancel \$81.50, partial payment on Dept. Bill No. 14962, Receipt C-1887-66, February 23, 1949.

Roll 215-C-25—Lot 2, on the East Side of Radnor, between Chester and Canyon, Rear on Canyon Avenue, cancel \$77.44, walk assessed in error. Sidewalk was constructed by Owner on Permit No. 18585.

Respectfully submitted,  
WILLIAM L. HENDRICK,  
Secretary.

By Councilman Kronk:

Resolved, That on recommendation of the Department of Public Works, that the City Treasurer be and is hereby authorized to cancel sidewalk assessments above set forth in communication of the Secretary.

Adopted as follows:  
Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.  
Nays—None.

Department of Public Works

February 21, 1949.

To the Honorable, the Common Council:

Gentlemen—On January 4, 1949, we placed on our forced list the