

lution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.

Nays—None.

Councilman Patrick then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

September 25, 1959

Honorable Common Council:

Gentlemen—We are returning herewith the petition of St. Joseph Mercy Hospital, No. 3030, owning and operating Mount Carmel Mercy Hospital, requesting the vacation of Santa Maria Avenue between Ardmore and Lesure Avenues, a portion of Stansbury Avenue south of Santa Maria Avenue and portions of alleys east and west of Stansbury Avenue south of Santa Maria Avenue. The vacation of said streets and alleys was approved by the City Plan Commission with the recommendations that sufficient land be deeded to the City to provide a new street 34 feet in width to be known as Santa Maria Avenue. Also, that the new street be ordered paved and sidewalks constructed and that the entire cost of doing the necessary work be borne by the petitioner. The petition was then referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

As per our directive the petitioner deposited with the City Treasurer the sum of \$1,600.00, Receipt No. B-15482, credited to the Detroit Fire Department Fund Code No. 990-9406, said amount being the estimated cost of removing and relocating the two fire hydrants necessitated by the vacation of Santa Maria Avenue.

The petitioner also deposited with the City Treasurer the sum of \$650.00, Receipt No. B-1583, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of removing and rerouting P.L.C. installations necessitated by the vacation of said Santa Maria Avenue.

We are in receipt of a Warranty Deed whereby petitioner dedicates land to be used for street purposes in accordance with the City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and it is attached hereto for your Honorable Body's acceptance. Proper provisions are incorporated

into the vacating resolution protecting the City's interests in the sewer located in Santa Maria Avenue to be vacated.

All other City departments and privately owned utility companies and reported that they will be unaffected by the vacation of said streets and portions of alleys or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

We recommend the adoption of the attached resolution.

Respectfully submitted

GLENN C. RICHARDS,
Commissioner

By Councilman Smith:

Resolved, That all of Santa Maria Avenue, 30 feet wide, between Ardmore and Lesure Avenues as platted in Marygrove Palmer Boulevard Subdivision of the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 7, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 55, page 59 of Plats Wayne County Records, lying north of and adjoining the north line of Lots 1, 37, 38, and 71, north of and adjoining the north line of the 18 foot alley lying between said Lots 1 and 37, north of and adjoining the north line of Stansbury Avenue, 60 feet wide, and north of and adjoining the north line of the 18 foot alley lying between said Lots 38 and 71, all of the above mentioned Subdivision;

Also, all that part of Stansbury Avenue, 60 feet wide, south of Santa Maria Avenue as platted in said Marygrove Palmer Boulevard Subdivision as recorded in Liber 55, page 59 of Plats Wayne County Records lying east of and adjoining the east line of the north 11.73 feet of Lot 37, and west of and adjoining the west line of the north 11.96 feet of Lot 38, all of the last mentioned Subdivision;

Also, all that part of the north-south public alley, 18 feet wide, south of Santa Maria Avenue between Ardmore and Stansbury Avenues, as platted in said Marygrove Palmer Boulevard Subdivision as recorded in Liber 55, page 59 of Plats Wayne County Records, lying east of and adjoining the east line of north 11.10 feet of Lot 1, and west of and adjoining the west line of the north 11.17 feet of Lot 37, all of the last mentioned Subdivision;

Also, all that part of the north-south public alley, 18 feet wide, south of Santa Maria Avenue between Stansbury and Lesure Avenues as platted in said Marygrove Palmer Boulevard Subdivision, as recorded in Liber 55, page 59 of Plats Wayne County Records lying east of and adjoining the east line of the north 12.43 feet of Lot 38, and west of and adjoining the west line of the north 12.51 feet of Lot 71 of the last mentioned Subdivision;

Be and same are hereby vacated as public streets and alleys to become a part and parcel of the adjoining property, subject to the following provisions:

1. Provided, That by reason of the vacation of the above-described streets and alleys, the City of Detroit does not waive any rights to the sewers located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewers to repair, alter, or service same; and further;

2. Provided, That if a building is to be constructed over said sewers, the sewers shall be placed with cast iron pipe of the same size, rerouted or encased in 6 inches of Class "A" concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further

3. Provided, That no buildings shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4. Provided, That in the event that the sewers located in said streets and alleys, if built upon, shall break, causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit for building over said sewers waive all claims for damages to such construction and agree to pay for all costs incident to the repair of said broken sewers; and further

Resolved, That Warranty Deed of St. Joseph Mercy Hospital of Detroit, a Michigan corporation, to the City of Detroit, a Municipal corporation, deeding land for street purposes, said land being described as, "The south 34 feet of Lots 1, 37, 38, and 71, of Marygrove Palmer Boulevard Sub-division of the S.W. ¼ of the S.E. ¼ of the S.E. ¼ of Section 7, T. 1 S., R. 11 E., City of Detroit, "Wayne County, Michigan, as recorded in Liber 55, page 59 of Plats Wayne County Records", 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 the newly dedicated street be and it is hereby ordered paved and sidewalks constructed and that the entire cost of doing the necessary work be borne by the petitioner; and further

Resolved, That the newly dedicated street is to be known as Santa Maria Avenue.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Reconsideration

Councilman Wise moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.
Nays—None.

Councilman Rogell then moved that the motion to reconsider be indefinitely postponed, which motion prevailed as follows:

The regular order was resumed.

Department of Public Works

September 24, 1959

Honorable Common Council:

Gentlemen—The Department of Public Works recommends the cancellation of the following sidewalk assessments, same having been paid on Accounts Receivable Bills:

Roll 1-E-8—Lot 5, S.S. Fenkell bet. Chapel and Bentler, Cancel \$25.90, Receipt No. 16285, Item No. 10912, Treas. Receipt No. 10266.

Roll 1-E-9—Lot 403, E.S. Greyscale bet. Eaton and Outer Dr., Cancel \$73.90, Receipt No. 16061, Item No. 112587, Treas. Receipt No. 26153.

Roll 1-E-12—Lot 548, E.S. W. Outer Dr. bet. Eaton and W. Outer Dr., Cancel \$276.90, Receipt No. 16071, Item No. 124818, Treas. Receipt No. 10565.

Roll 1-E-14—Lot 348, W.S. Blackstone bet. Eaton and Lyndon, Cancel \$68.40, Receipt No. 16316, Item No. 109422, Treas. Receipt No. 11986.

Roll 1-E-17—Lot 144, W.S. Braille bet. Eaton and Lyndon, Cancel \$20.90, Receipt No. 16569, Item No. 105740, Treas. Receipt No. 11705.

Roll 1-E-18—Lot 416, S.S. W. Outer Dr. bet. Braille and Patton, Cancel \$25.00, Receipt No. 16588, Item No. 124914, Treas. Receipt No. 40540.

Roll 1-E-18—Lot 184, E.S. Pierson bet. Lyndon and Eaton, Cancel \$63.40, Receipt No. 16360, Item No. 106450, Treas. Receipt No. 35764.

Roll 1-E-18—Lot 185, E.S. Pierson bet. Lyndon and Eaton, Cancel \$21.40, Receipt No. 16361, Item No. 106451, Treas. Receipt No. 35763.

Roll 1-E-18—Lot 191, E.S. Pierson bet. Lyndon and Eaton, Cancel \$82.30, Receipt No. 16366, Item No. 106457, Treas. Receipt No. 40802.

Roll 1-E-20—Lot 242, W.S. Pierson, bet. Eaton and Lyndon, Cancel \$10.40, Receipt No. 16417, Item No. 107009, Treas. Receipt No. 38641.

Roll 1-E-23—Lot 510, E.S. Patton bet. Eaton and W. Outer Dr., Cancel \$49.40, Receipt No. 16532, Item No. 103915, Treas. Receipt No. 41474.

Roll 1-E-23—Lot 496, W.S. Patton