

the same is hereby confirmed.

Adopted as follows:

Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

**Reconsideration**

Councilman Van Antwerp 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 Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

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

The regular order was resumed.

**Department of Public Works**

May 15, 1963.

Honorable Common Council:

Gentlemen—Due to a misunderstanding on our part, we erroneously listed Contract PW-5050 for the demolition of Buildings at 3872 Hudson, Arturs Mednis, Contractor, in our letter of May 8, 1963. This Contract was, in turn, confirmed by your Honorable Body on May 14, 1963.

It is, therefore, requested that the necessary action be taken to delete this Contract from the list of those confirmed on May 14, 1963.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Connor:

Resolved, That communication from the Department of Public Works, requesting the confirmation of various paving and building demolition contracts which was adopted by resolution of May 14, 1963 (J.C.C. p. 1155), be and the same is hereby amended for the purpose of deleting therefrom Contract PW-5050—3872 Hudson, Arturs Mednis, Award Authorized 4-23-63, in accordance with the foregoing communication.

Adopted as follows:

Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

**Department of Public Works**

May 14, 1963.

Honorable Common Council:

Gentlemen—We are returning the petition of the Michigan Conference of Teamster's No. 4130, requesting the conversion of certain alleys east of Trumbull Avenue between Perry and Spruce Streets into easements for public utilities. The conversion of said alleys into easements was approved by the City Plan Commission with the recommendation that sufficient land be deeded to the City for a new alley outlet into Spruce Street and

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 paid into the City Treasurer, the sum of \$239.04, Receipt No. A-44142, said amount being the original cost of paving the north ½ of Spruce Street and the south ½ of Perry Street at the intersection of the alley to be vacated.

The petitioner has requested that the paving of the newly deeded alley, constructing a new alley return and removing the paved alley returns at the entrance to the alley to be vacated be done by private contract and all costs of such improvements being borne by the petitioner. The Department of Public Works has no objection to the petitioner's request provided the work is done under City specifications and inspection.

We are in receipt of a Warranty Deed from the petitioner to the City of Detroit deeding land for a new alley outlet into Spruce Street as per the recommendation of the City Plan Commission. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached hereto for your Honorable Body's acceptance.

All other City departments and privately owned utility companies reported that they will be unaffected by the change or that they have no objection to the conversion of the alleys into easements, provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in said alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Connor:

RESOLVED, That all of the north-south public alley, 18 feet wide, east of Trumbull Avenue between Perry and Spruce Streets as platted in Gibson's Subdivision of Block 92, Woodbridge Farm, Detroit, Michigan, T. 2 S., R. 12 E., as recorded in Liber 4, Page 4 of Plats Wayne County Records lying east of and adjoining the east line of Lot 11 to 18 both inclusive, west of and adjoining the west line of Lots 10 and 19 and west of and adjoining the west line of the 18 foot public alley lying between said Lots 10 and 19, all of the last mentioned subdivision.

Also all that part of the east-west public alley, 18 feet wide, east of Trumbull Avenue between Perry and Spruce Streets as platted in said Gibson's Subdivision of Block 92, Woodbridge Farm, Detroit, Michigan, T. 2 S., R. 12 E., as recorded in Liber 4, Page 4 of Plats Wayne County Rec-

ords lying south of and adjoining the south line of Lots 9 and 10, south of and adjoining the south line of the west 10.00 feet of Lot 8, north of and adjoining the north line of Lots 19 and 20 and north of and adjoining the north line of the west 10.00 feet of Lot 21 all of the above-mentioned subdivision.

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys 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 vacated public alleys hereinabove described for the purpose of installing, maintaining, repairing, removing, or replacing any sewer conduit, telephone, telegraph, electric light, gas main 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 easements for the purposes above set forth;

Second, said owners for their heirs, and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easements;

Third, if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners upon whose property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation unless such charges are waived by the utility owners; and further

**RESOLVED**, That the Warranty Deed of the Michigan Conference of Teamster's Welfare Fund, deeding land to the City of Detroit for alley purposes, described as: The easterly 20.00 feet of Lot 21 of Gibson's Subdivision of Block 92, Woodbridge Farm, Detroit, Michigan, T. 2 S., R. 12 E., as recorded in Liber 4 Page 4 of Plats Wayne County Records, be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County; and further

**RESOLVED**, That the petitioner make all necessary physical improvements to the newly deeded alley by private contract under City specifications and inspection and that all costs for such improvements be borne by the petitioner, its successors, or assigns, and further

**RESOLVED**, That free and easy ac-

cess to the underground and overhead public utility installations be available at all times to wheeled vehicles operated by said public utilities, which are installed in the above mentioned public alleys and further

**RESOLVED**, That the petitioner at his own expense and under City specifications and inspection construct a new catch basin in the 18.00 foot east-west public alley first north of Spruce Street at the intersection of the above-mentioned newly deeded alley.

Adopted as follows:

Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

#### Reconsideration

Councilman Van Antwerp 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 Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

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

The regular order was resumed.

#### Department of Public Works

May 10, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Harry Slatkin Builders, Incorporated, No. 4025, requesting the vacation of St. Martins Avenue between Cranbrook Drive West and Cranbrook Drive East. The vacation of said street was approved by the City Plan Commission and 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 \$400.00, Receipt No. B 43010, credited to the Public Lighting Commission, Lighting Division Fund Code No. 990-9423, said account being the estimated cost of removing P.L.C. facilities located in the street to be vacated.

The petitioner also paid into the City Treasury the sum of \$1,505.83, Receipt No. B 43009, credited to the Department of Public Works, Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving one-half of Cranbrook Drive at each end of the street to be vacated.

The petitioner has requested that the street returns remain in their present status as the petitioner plans to utilize same and has agreed by