

concurred with the recommendation of the Department of Parks and Recreation to name the 18 acre Pembroke-Wyoming recreation site Eugene I. Van Antwerp Memorial Park in memory of the late Mr. Van Antwerp.

Respectfully submitted,
CHARLES A. BLESSING

Director of City Planning.

By Councilman Tindal:

Be It Resolved, that the Parks and Recreation facility adjacent the Beaubien Junior High School, located at Pembroke and Wyoming, be officially designated "Eugene I. Van Antwerp Memorial Park".

Adopted as follows:

Yeas — Councilmen Beck, Hood, Tindal, Wierzbicki and President Pro Tem Ravitz—5.

Nays—None.

Department of Public Works

June 11, 1969

Honorable Common Council:

Re: Petition No. 7475. The Detroit Board of Education. Alleys bounded by Woodward, John R., Holbrook and Owen and Josephine Avenue between Woodward and John R. Conversion to Subsurface Easement.

Gentlemen—The above petition requests the conversion of the east-west and north-south public alleys 18 and 20 feet wide in the blocks bounded by Woodward, John R., Holbrook and Owen and part of Josephine Avenue between Woodward and John R. into an easement for subsurface public utilities.

The requested conversion into easement for subsurface public utilities was recommended by City Plan Commission, with the recommendation that sufficient land be dedicated for a new alley outlet into Holbrook Avenue.

The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has issued the following purchase orders which have been credited to the departments named, for the purposes indicated:

Detroit Metropolitan Water Services Fund Purchase Order No 14044, \$420.00. For estimated cost of disconnecting water services in the area to be vacated.

Detroit Metropolitan Water Services-Sewer Maintenance Division. Purchase Order No. 22777, \$5,200.00. For the estimated cost to construct one catch basin, one manhole, and a twelve inch sewer line in the newly deeded alley.

Fire Department Fund. Purchase Order. No. 14045, \$1,500.00. For the estimated cost of relocating two (2) fire hydrants in the area to be vacated.

Public Lighting Commission Fund.

Purchase Order 14047, \$5,000.00. For the estimated cost to remove all overhead equipment in the area to be vacated.

DPW — Street Maintenance Division. Purchase Order No. 22778, \$11,000.00. For the estimated costs to:
1) Construct concrete alley and alley return in newly deeded alley (\$8,000.00). 2) Remove paved returns and construct new curb and walk and backfill at entrance to Josephine and alleys to be vacated (\$3,000.00).

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Holbrook Avenue. This deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said street and alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

ROBERT P. ROSELLE,

Commissioner.

By Councilman Beck:

Resolved, That all that part of Josephine Avenue, 60 feet wide, between Woodward Avenue and John R. Street lying southerly of and abutting the southerly line of lots 5 to 13 and the north-south vacated alley, 20 feet wide between lots 5 and 6, and the north-south public alley, 20 feet wide, between lots 6 and 7; lying northerly of and abutting the northerly line of lots 56 to 64, all inclusive of Frazer and McLaughlin's Subdivision of the West 1880.54 feet of the South 297 feet of the North 654 feet and West 1320 feet of the South 198 feet of the North 852 feet of 1/4 Section 44, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 14, Page 29, Plats, Wayne County records; also

All that part of the east-west public alley, 18 feet wide, in the block bounded by Woodward, John R., Holbrook and Josephine, lying west of the west line of John R. Street, 80 feet wide, lying southerly of and abutting the southerly line of lots 57 to 62 and the easterly 25 feet of lot 63; lying northerly of and abutting the northerly line of lots 75 to 80 and the easterly 25 feet of lot 74, all inclusive of the above mentioned subdivision; also

All that part of the north-south public alley, 20 feet wide, first westerly of John R. Street between Josephine and Owen Avenues lying westerly of and abutting the westerly line of lot 7 and easterly of and

abutting the easterly line of lot 6 inclusive of the above mentioned subdivision; also

All that part of the east-west public alley, 17.50 feet wide, in the block bounded by Woodward, John R., Josephine and Owen, lying northerly of and abutting the northerly line of lots 7 to 13, northerly of and abutting the north line of the north-south alley, 20 feet wide, west of the westerly line of lot 7, all inclusive of the above mentioned subdivision; also lying southerly of and abutting the southerly line of the westerly 3.0 feet of lot 57, lots 58 to 64 and the easterly 17.0 feet of lot 65, all inclusive of Owen and Bartlett's Subdivision of the South 297 feet of the North 357 feet of the West 1880.54 feet of ¼ Section 44, 10,000 acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 15, Page 52, Plats, Wayne County records;

Be and the same are hereby vacated as a public street and alleys and are hereby converted into public easements for subsurface utilities of the full width of the street and alley, which easement 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 street and alleys and by their heirs, executors, administrators and assigns to wit:

First, said owners hereby grant to and for the use of the public easements or right-of-way under said vacated public street and alleys hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed under a public street and alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

Third, that if at any time in the future the owners of any lots abutting on said vacated street and alley shall request the removal and-or relocation of any existing utilities in said easement, such owners, upon whose property the utilities are located shall pay all costs incident to such removal and-or relocation, unless such charges are waived by the utility owners.

Fourth, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and be it further

Resolved, That the Warranty Deed of the Board of Education deeding land to the City of Detroit for alley purposes being described as the easterly 20 feet of the westerly 25 feet of lot 74 of Frazer and McLaughlin's Subdivision as recorded in Liber 14, Page 29, 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.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Tindal, Wierzbicki and President Pro Tem Ravitz—5.

Nays—None.

Department of Public Works

April 30, 1969.

Honorable Common Council:

Re: Alley Paving Group 69 E-2 (1). Fitzgerald Neighborhood Improvement Program. Detroit Code Enforcement Project No. 1, Mich. E-2. Award of Contracts.

Gentlemen—In response to published advertisements, bids were received on April 22, 1969, for each of the Contracts for Alley Paving Group 69 E-2 (1). This group consists of seven Contracts, all in the Fitzgerald Neighborhood Improvement Program, Detroit Code Enforcement Project No. 1, Mich. E-2, as listed below:

PW-7235W(E-2), West Street, Santa Rosa; East Street, Stoepel; South Street, Puritan; North Street, Grove.

PW-7237W(E-2), West Street, Roselawn; East Street, Greenlawn; South Street, Puritan; North Street, Florence.

PW-7238W(E-2), West Street, Prairie; East Street, Monica; South Street, Puritan; North Street, McNichols.

PW-7239W(E-2), West Street, Indiana; East Street, Wisconsin; South Street, Pilgrim; North Street, Puritan.

PW-7240W(E-2), West Street, Santa Rosa; East Street, Stoepel; South Street, J. C. Lodge; North Street, Midland.

PW-7241W(E-2), West Street, Woodingham; East Street, Turner; South Street, Midland; North Street, Pilgrim.

PW-7242W(E-2) West Street,