

encroachments on public property, be and the same are hereby rescinded in accordance with the three foregoing communications.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.
Nays — None.

Department of Public Works

January 16, 1973

Honorable Common Council:

Re: Petition No. 2530, Detroit Board of Education, Vacation of a portion of the north-south alley and the east-west alley in the block bounded by Blake, Charleston, Seven Mile Road West, and Penrose Avenue.

Gentlemen — The above petition requests the vacation of the above described alleys. The requested vacations were recommended by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Blake 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 creditor to the departments named, for the purposes indicated:

Department of Water Supply (Sewer Maintenance Division) P.O. No. 19171 for the estimated cost to install drainage in the newly dedicated alley, \$3,800.00.

Public Lighting Commission P.O. No. 19170 for the estimated cost to relocate lighting facilities, \$19,000.00.

Department of Public Works P. O. No. 19172 for the estimated cost to pave the newly dedicated alley, \$5,900.00.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Blake Avenue.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the north-south alley to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

By Councilman Levin:

Resolved, That all that part of the north-south public alley, 15 feet wide, in the block bounded by Blake, Charleston, Seven Mile Road, and

Penrose, abutting the rear line of lots 90 to 94, the southerly 5 feet of lot 89 and the northerly 15 feet of lot 95 of Walker's Subdivision of the southwest ¼ of the southeast ¼ of Section 2, T.1.S., R.11.E., Township of Greenfield, Wayne County, Michigan, as recorded in Liber 29, Page 48, Plats, Wayne County records; also

All that part of the east-west public alley, 15 feet wide, in the block bounded by Blake, Charleston, Seven Mile Road, and Penrose, having been platted as the northerly 15 feet of lot 32 of the above mentioned subdivision,

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property subject to the following provision in the north-south alley only:

1) Provided, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same, and further

2) Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Services Section of the Detroit Metro Water Department and the Department of Buildings and Safety Engineering; and further

3) Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

4) Provided, That if the sewer 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 any construction not in accordance with Provision 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 sewer; and shall also be liable for all claims for damages resulting from his action, and further

Resolved, That the Warranty Deed of the Detroit Board of Education deeding land to the City of Detroit for alley purposes, being described as:

The south 20 feet of the north 25 feet of Lot 89, Walker's Subdivision being a part of the Southwest ¼ of the Southeast ¼ of Section 2, T.1.S., R.11.E., Township of Greenfield, Wayne County, Michigan, as recorded in Liber 29, Page 48, 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 Browne, Eberhard, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.
Nays — None.

Department of Public Works

January 17, 1973

Honorable Common Council:

Re: Petition No. 2620; Detroit Board of Education; Vacation of Dickerson Avenue between Avondale and Essex, and the vacation of the north-south alley east of Dickerson between Avondale and Essex.

Gentlemen — The above petition request the vacation of the above described street and alley. The requested vacations were recommended by the City Plan Commission with the further recommendation that sufficient land be dedicated for a new alley outlet into Lenox 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 Metro Water Department; P.O. No. 86456; \$5,620.00 — For the estimated cost of abandoning the existing water main and discontinuing individual water services and construct a new 8 inch water main.

Public Lighting Commission - Lighting Division; P.O. No. 86453; \$8,000.00 — For the estimated cost to relocate lighting facilities.

Fire Department; P.O. No. 86457 — \$1,800.00 — For the estimated cost to relocate one fire hydrant.

Public Lighting Commission - Communications Division; P.O. No. 86454; \$1,500.00 — For the estimated cost to relocate one fire alarm circuit.

Department of Public Works - Street Maintenance Division; P.O. No. 86458; \$9,000.00 — For the estimated cost to remove the existing alley return and construct a new alley and alley return over the newly dedicated alley.

DPW - Intersection Fund; P.O. No. 86459; \$676.00 — For the original cost of paving the streets at the intersection of the street and alley to be vacated.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Lenox 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.

The cost of installing the drainage in the newly dedicated alley shall be determined by the Sewer Maintenance Division of the Detroit Metro Water Department with the entire cost being borne by the petitioner.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public alley to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacations or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

By Councilman Levin:

Resolved, That all that part of Dickerson Avenue, 60 feet wide, between Avondale Avenue and Essex Avenue lying between and abutting the front line of lots 713 to 732 and lots 733 to 752 of the St. Clair Park Subdivision of part of Private Claims 315 and 322, south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 90, Plats, Wayne County records; also all that part of a strip of land deeded to the City of Detroit for street purposes on March 20, 1920, said strip abutting the south line of the above mentioned subdivision at Dickerson Avenue, 60 feet wide, being 14.91 feet wide on the easterly line of Dickerson and 14.88 feet wide on the westerly line of Dickerson,

Be and the same is hereby vacated as a public street to become a part and parcel of the abutting property, and be it further

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Dickerson, Lenox, Avondale, and Essex Avenues abutting the rear line of lots 737 to 752 and the northerly 15 feet of lot 736 of the St. Clair Park Subdivision as recorded in Liber 27, Page 90, Plats, Wayne County records; and abutting the rear line of lots 80 to 89 of the Jefferson Park Subdivision of the Jefferson Park Realty Company in the City of Detroit, Wayne County, Michigan, as recorded in Liber 26, Page 93, Plats, Wayne County records; also abutting the rear line of lots 20 to 23 and the northerly 15 feet of lot 24 inclusive of the Riverside Boulevard Subdivision of part of Private Claims 689 and 131 lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as