

February 8

tion, reduction and refund of certain real or personal property taxes for the year 1948.

We have examined said resolution and concur in the recommendations of the Board of Assessors.  
Respectfully submitted,  
JOHN H. WITHERSPOON,  
Asst. Corp. Counsel.

Approved:  
PAUL T. DWYER,  
Acting Corp. Counsel.

Adopted as follows:

Yeas—Councilmen Comstock, Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—9.

Nays—None.

**Board of Assessors**

January 28, 1949.

To the Honorable, the Common Council:

Gentlemen—Due to a revision in the assessable frontage and the inspection cost, will you please rescind that portion of the resolution of January 25, 1949 (J.C.C. 196), confirming the following street paving assessment roll:

Roll B-10204—Hubbell Avenue, Curtis to 8 ft. S. of Seven Mile Road.

For the purpose of correction we respectfully request your adoption of the attached resolution.

Respectfully submitted,  
THOMAS M. CORCORAN,  
President.

By Councilman Oakman:

Resolved, That paving assessment Roll B-10204 be cancelled and that the Board of Assessors be ordered and directed to re-assess the above rolls in accordance with the corrected frontage and costs as submitted by the Department of Public Works.

Adopted as follows:

Yeas—Councilmen Comstock, Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—9.

Nays—None.

**Board of Assessors**

February 8, 1949.

To the Honorable, the Common Council:

Gentlemen—We herewith transmit to your Honorable Body Assessment Rolls numbered 216-M, Pages 1 to 72, both inclusive, in the amount of \$74,742.87 for constructing cement sidewalks in front of and adjoining the lots and parcels of land described therein.

The usual notice required by law has been given to the parties in interest, as will appear by the annexed notice and affidavit of publication. We have, therefore, signed

the same, and report them to your Honorable Body.

Respectfully submitted,  
THOMAS M. CORCORAN,  
President.

By Councilman Comstock:

Resolved, That Assessment Rolls Numbered 216-C, Pages 1 to 72 inclusive, in the amount of \$74,742.87, both sidewalks in front of and adjoining the lots and parcels of land described therein, are hereby approved and confirmed, that the description contained therein are received as correct; and that the sums set forth in the said assessment Rolls are the correct ones which each individual or set of individuals should be assessed at and pay, and that the said assessments be collected from the several persons liable to pay the same according to law.

I approve the form of the above resolution.

RAYMOND J. KELLY,  
Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Comstock, Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—9.

Nays—None.

**Board of Education**

To the Honorable, the Common Council:

Gentlemen—Will you kindly grant proper authorization to permit the electrical contractor for the Mumford High School Building, namely the Post Electric Company, to cross under Santa Clara Avenue for the installation of the underground fire and telephone services for the Mumford High School?

Respectfully submitted,  
E. M. LANE,  
Secretary.

By Councilman Smith:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to the Board of Education, to install fire alarm and telephone conduit lines underground across Santa Clara Ave. between Ilene and Washburn Aves., to serve the Mumford High School, provided said lines are installed at least 3 ft. below the top grade of the street, and further

Provided, That said work shall be performed under the supervision of the Department of Public Works and Dept. of Buildings & Safety Engineering, and in accordance with plans submitted to and approved by said departments, and further

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted ex-



pressly on the condition that said utility lines, and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said grantee at its expense, and further

Provided, That said permit issued by the Department of Public Works is granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said Charter, or ordinance or resolution, and that said grantee does hereby bind itself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein

Adopted as follows:

Yeas—Councilmen Comstock, Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—9.

Nays—None.

Department of Public Works

February 3, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Luther C. Sheridan, et al (No. 3431), requesting the conversion into an easement of the 18-foot north and south public alley in block bounded by Mincock, Westwood, Westfield and W. Chicago Avenues, was referred to this department by your Committee of the Whole for investigation and report, and is returned herewith.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of December 9, 1948.

We wish to advise that all of our investigations have been completed.

In reply to our inquiries, all City departments and private utility companies reported that they will be unaffected by the proposed change, or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

The conversion of this alley into an easement conforms with Common Council resolution of November 13, 1945, J.C.C. Page 2230.

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

Respectfully submitted,

T. C. HANSON,

Commissioner.

By Councilman Comstock:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by Mincock, Westwood, Westfield and W. Chicago Avenues, as platted in Warrendale Warsaw Subdivision of the W. 1/2 of S. W. 1/4 of Section 35, T. 1 S., R. 10 E., Redford Twp., Wayne County, Michigan, as recorded in Liber 47 of plats, Page 33, Wayne County Records, lying west of and adjoining the west line of lots 55 to 67, both inclusive, and east of and adjoining the east line of lots 80 to 92, both inclusive, all lots being the same as platted in last mentioned subdivision;

And the same is hereby vacated as a public alley and converted into a public easement, which easement shall be subject to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of said lots 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 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 to ingress or egress at any time to and over said easement 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 easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above.

Third, that said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting the same shall not be opened for the passage of vehicles therein.

Adopted as follows:

Yeas—Councilmen Comstock, Con-