

Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—8.

Nays—None.

### Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Nottingham Land Co., et al (22), to convert alley into easement for public utilities in the block bounded by Meyers, Norfolk, Chippewa and Manor aves. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
HENRY S. SWEENEY,  
Chairman.

By Councilman Sweeny:

Resolved, That all of north and south public alley in block bounded by Meyers Road, Manor, Chippewa and Norfolk Avenues as platted in Blackstone Park Subdivision No. 6 of part of the N.  $\frac{1}{2}$  of Sec. 5, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 52 Page 91 of Plats of Wayne County Records more particularly described as the westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide lying east of and adjoining the easterly line of Lots 3882 to 3892 both inclusive, Lots 3894 to 3907 both inclusive, Lots 3911 to 3920 both inclusive, Also the easterly  $\frac{1}{2}$  of said north and south public alley lying west of and adjoining the westerly line of Lots 3969 to 3982 both inclusive, Lots 3984 to 3987 both inclusive all of last mentioned Subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide, lying east of and adjoining the easterly line of Lot 3893 of last mentioned Subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide, lying east of and adjoining the easterly line of Lots 3908, 3909 and 3910 all of last mentioned Subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide lying west of and adjoining the westerly line of Lot 3983 of last mentioned Subdivision.

Be and the same are hereby vacated to become part and parcel of the adjoining property,

Provided, Owners in fee grant to the use of the public, as public easement, the rear 6 feet adjoining the center line of north and south public alley herein vacated, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations which shall be

observed by the owners of all lots heretofore mentioned 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 rear 6 feet adjoining the center line of said vacated alley herein 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 of ingress and 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 kind whatsoever (except the necessary line fences dividing said lots) shall be built or placed upon said 12 foot 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 except that same shall not be opened for the passage of vehicles therein, and further

Provided, That existing sewers are to remain in their same location and further

Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights in the lateral sewer located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair same, and further

Provided, All taxes shall be paid on all abutting property, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$64.80, said amount being the estimate cost for building concrete sidewalks at Chippewa and Norfolk Avenues within the lines of the alley herein vacated, and further

Provided, That all provisos shall be complied with within 30 days from the date of this resolution, and further

Resolved, That upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim deeds to Vernon J. Brown, Auditor General of the State of Michigan, Nottingham Land Company, a Michigan Corporation; Minnie Sullivan Mitchell and Elizabeth Crowley Newbold; Joseph H. Simpson and Helen E. Simpson,

Brother and Sister as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—8.

Nays—None.

### RESOLUTIONS

By Councilman Sweeny:

Resolved, That the City Controller be and he is hereby authorized and directed to honor voucher when presented by the Public Welfare Commission covering the employment of three nurses for February, 1942, in connection with the case of Nick Cobane, this voucher to be charged against Account 27-K in the General Fund.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—8.

Nays—None.

By Councilman Van Antwerp:

Only occasionally in the history of this Common Council is a sorrow visited upon one of its members as poignant as that caused by the death, first of a loving wife, and then a loving daughter, all within the short space of three months.

It is therefore with a feeling akin to that of the sorrow occasioned by the loss of one of our own beloved ones that we grieve over the passing of Mrs. Dorothy Faust, only daughter of the esteemed President of this Common Council.

Dorothy Faust thought only of others in her unselfish devotion to her loved ones. In the short span of her life she has built up rich rewards for the new life which she has now entered, and it is with this feeling of consolation that we would comfort the loved ones of her family whom she has left behind. However, the people of this city have lost a fine person, a sincere and irreplaceable aid to our Council President, now therefore be it

Resolved, that the deepest sympathy of the members of this Common Council be extended to her father, President John W. Smith, to her husband, George Faust, and to her brother, John Smith Jr. in their great bereavement.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—8.

Nays—None.

By Councilman Van Antwerp:

It is with profound and heartfelt sorrow that this Common Council expresses for itself and the many employees of the City, as well as a host of friends and acquaintances, its loss in the passing of a highly respected and kindly public servant.

Peter A. Dunn served this community faithfully and well for many years prior to his retirement as Engineer of Sewer Maintenance on October 1, 1936. Even before Civil Service was adopted, in fact dating back to 1890, Peter A. Dunn chose the City of Detroit as his employer, and on through the years he worked conscientiously and with a high degree of thoroughness as many of his fellow employees will attest. The people of this city have lost a sincere friend and a faithful servant at his sudden passing, even at a ripe age, and it brings grief to the many who knew him, now therefore be it.

Resolved, that the sincere sympathy of this Common Council be extended to his daughters, Hazel Dunn and Mrs. Edith Parker, and to his son, Earl Dunn, for the loss of a devoted father, and as a further mark of respect, that we now adjourn.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President Pro Tem.—8.

Nays—None.

And the Council then adjourned.

JOHN C. LODGE,  
President Pro Tem.

THOMAS D. LEADBETTER,  
City Clerk.

### ORDINANCE No. 173-D

(File in container and make notation at Article II on page 33)

AN ORDINANCE to amend Article II of Chapter 25 of the Compiled Ordinances of the City of Detroit for the year 1936, by amending Section 1 thereof and adding a new section to be known as Section 3 (a) and (b) thereto.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Article II of Chapter 25 of the Compiled Ordinances of the City of Detroit for the year 1936 be and the same is hereby amended by amending Section 1 thereof and adding a