

From the Corporation Counsel

December 27, 1927.

To the Honorable, the Common Council:

Gentlemen—Herewith please find ordinance covering vacation of alley in block bounded by Chicago Boulevard, Rochester Avenue, Lawton and Wildemere Avenues.

Very truly yours,

PAUL T. DWYER,

Assistant Corporation Counsel.

By Councilman Castator:

AN ORDINANCE to vacate all of public alley 18 feet wide adjoining the southerly line of Lots 150, 151, 152 and adjoining the southerly line of the easterly 15 feet of Lot 149 of the Dexter Boulevards Heights Subdivision of part of quarter section 33 of the ten thousand acre tract as recorded in Liber 30, page 81 of Plats of Wayne County Records, and for the dedication for alley purposes in lieu thereof of the easterly 5 feet of Lot 146, the westerly 15 feet of Lot 147, the southerly 12 feet of the easterly 15 feet of Lot 147, the southerly 12 feet of lot 148 and the southerly 12 feet of the westerly 15 feet of Lot 149 of the subdivision above mentioned. Also all that part of Lots 145 and 146 of the last mentioned subdivision described as follows: Beginning at a point on the southerly line of lot 145, said point being distant on a course north 63 degrees 58 minutes east 15.0 feet from the southwesterly corner of said lot; thence along the southerly line of lots 145 and 146 north 63 degrees 58 minutes east 40 feet to a point; thence along a line north 26 degrees, west 20 feet to a point; thence along a line south 37 degrees 24 minutes west 44.72 feet to the place of beginning, and to provide the conditions of said vacation and dedication.

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

Section 1. That all of public alley 18 feet wide adjoining the southerly line of Lots 150, 151, 152 and adjoining the southerly line of the easterly 15 feet of Lot 149 of the Dexter Boulevard Heights Subdivision of part of quarter section 33, ten thousand acre tract, as recorded in Liber 30, page 81 of Plats of Wayne County Records, be and the same is hereby vacated.

Sec. 2. That in lieu of the alley above described, so vacated, title holders shall dedicate for alley purposes the easterly 5 feet of lot 146, the westerly 15 feet of lot 147, the southerly 12 feet of the easterly 15 ft. of lot 147, the southerly 12 feet of lot 148 and the southerly 12 feet of the westerly 15

10 feet of lot 149 of last mentioned subdivision. Also all that part of 12 lots 145 and 146 of last mentioned 13 subdivision described as follows: 14 Beginning at a point on the southerly line of lot 145, said point being distant on a course north 63 15 degrees 58 minutes east 15.0 feet 16 from the southwesterly corner of 17 said lot; thence along the southerly line of said lots 145 and 146 18 north 63 degrees 58 minutes east 19 40 feet to a point; thence along a 20 line north 26 degrees west 20 feet 21 to a point; thence along a line 22 south 37 degrees 24 minutes west 23 44.72 feet to the place of beginning.

Sec. 3. That if at any time in the future, the alley deeded is ordered graded and paved, the entire expense of such grading and paving shall be borne by the petitioner.

Sec. 4. That the petitioner shall pay into the City Treasury whatever expense may have been incurred by the City in the matter of paving, curbing, crosswalks, sidewalks, etc., within the lines of the alley herein vacated as may be certified by the City Engineer.

Sec. 5. Petitioner for said vacation shall bear the entire expense of relocating or rerouting any public utility now installed in said alley which it may be necessary to remove due to the closing of same.

Sec. 6. 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 in the alley aforesaid and shall at all times have the right to enter upon the premises if found necessary on account of said sewer to repair same and provided further that the petitioner for vacation shall not build over the above described alley without first securing the approval of the City Engineer and the Board of Health.

Sec. 7. That the petitioners for the vacation of said above described alley, their successors and assigns, shall save and keep the City of Detroit free and harmless from any action either at law or in equity for damages or otherwise, resulting to themselves, their successors or assigns, or to any person, firm or corporation by reason of said vacation.

Sec. 8. That the City Controller be and he is hereby directed to execute a quit-claim deed covering the property herein vacated to the Shaarey Zedek Congregation, said deed to include the conditions by this ordinance imposed.

Read twice by title, ordered printed and laid on the table.