

July 12

1932

(3183) for cancellation of tree planting assessments.

After consultation with the Department of Parks and Boulevards, and careful consideration of the requests, your committee recommends that same be denied.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

Accepted and adopted.

#### Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred the petition of Bruce J. MacGuire (1977), asking vacation of alleys between Grixdale and Greendale Aves., west of D. G. H. & M. R. R.

After consultation with the City Plan Commission, and careful consideration of the matter, your committee recommends that the request be granted in accordance with the following resolution.

Respectfully submitted,  
EUGENE I. VAN ANTWERP,  
Chairman.

By Councilman Van Antwerp:

Resolved, that all that part of the east and west alley, 15 ft. wide, lying in the rear of lots 44, 45, 46, 47 and the rear east 10 ft. of lot 48, also the rear east 10 feet of lot 124, lots 125, 126 and 127 of O'Keefe and Metzen Subdivision No. 2 of the southwest  $\frac{1}{4}$  of northwest  $\frac{1}{4}$  except the south 532.50 feet of Section 12 of J. E. O'Flaherty Farm as recorded in Liber 26, Page 82, of plats of Wayne County Records.

Also all of public alley 10 feet wide lying between the north line of Greendale Avenue and the south line of Grixdale Avenue and adjoining the westerly line of D. G. H. & M. R. R. Right of Way.

Provided, petitioner, his heirs or assigns, deeds to the City of Detroit, for alley purposes, the westerly 20 feet of lot 48 of above mentioned subdivision, and further

Provided, That by reason of the vacation of the above described alleys the City of Detroit does not waive any right in the lateral sewers located therein and shall at all times have the right to enter upon the premises if found necessary on account of said sewers to repair same, and provided further, that petitioner, his heirs and assigns, shall not build over the above described alleys without first securing the approval of the City Engineer and the Board of Health, and further

Provided, petitioner, his heirs or assigns, files with the City Clerk, within 30 days from the date of the adoption of this resolution, an agree-

ment in writing, waiving any and all claims for damages which may accrue to lots 44 to 47, both inclusive, the east 10 feet of lot 48 and lots 124 to 127, both inclusive, of O'Keefe and Metzen Subdivision No. 2 of the southwest  $\frac{1}{4}$  of northwest  $\frac{1}{4}$  of the south 532.50 feet of Section 12 of J. E. O'Flaherty Farm as recorded in Liber 26, Page 82 of plats of Wayne County Records. Also lots of Wayne 318 of Kiefer Homes Subdivision and part of the S. E.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$  of Section 12 and part of the N. E.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$  of Section 12 T. 1, S. M. R. R. T. 1, S. R. 11 East, as recorded in Liber 34, Page 14, of Plats of Wayne County Records and alleys herein vacated, and further

Provided, petitioner, his heirs or assigns, agree to pay into the city treasury, to be deposited in the 3-B General Road Fund, whatever expense may have been incurred by the city in the matter of paving, curbing, crosswalks, sidewalks, etc., within the lines of alleys herein vacated as may be certified by the City Engineer, and further,

Provided, that petitioner, his heirs or assigns, reimburses the owners to the extent of the value of any utilities now installed in said alleys which it may be necessary to abandon due to the closing of same, or bears the entire expense of relocating or rerouting any public utilities now installed in said alleys which it may be necessary to relocate or reroute due to the closing of same, and further

Provided that if at any time in the future, the alley described as the "westerly 20 feet of lot 48" is ordered graded and paved, the entire expense of such grading and paving shall be borne by petitioner, his heirs or assigns, therefore be it

Resolved, that the City Controller be and he is hereby directed to execute a Quit Claim Deed covering the property herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Castator Hall, Jeffries, Lindsay, Smith, Van Antwerp, and the President—8.  
Nays—None.

#### Finance

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred the following communications from various departments requesting the transfer of funds, approval of contracts, vouchers, etc. After consultation with the City Controller, and the interested department heads, and careful consideration of the requests, your committee recommends that same be