

tor, Ewald, Jeffries, Lodge, Van Antwerp, and the President—7.

Nays—None.

#### Vacation of Streets and Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Harry Steinberg (5737) requesting vacation of alley and replat of lots, Santa Barbara, Pennington Dr., Curtis avenue. After consultation with City Plan Commission, Department of Public Works and careful consideration of the request, your committee recommends that same be granted and offers the following resolution.

Respectfully submitted,

EDWARD J. JEFFRIES, JR.,  
Chairman.

By Councilman Jeffries:

Resolved: That all that part of east and west public alley, 20 feet wide, in block bounded by Santa Barbara, Pennington, Curtis and Pickford avenues and more particularly described as the southerly 10 feet of said 20 foot public alley lying north of and adjoining the northerly line of Lots 753, 754, 757, 758, the northerly line of the easterly 31 feet of Lot 755 and the northerly line of the westerly 31 feet of Lot 756 of Canterbury Gardens No. 2, being a subdivision of the S. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of Section 9, T. 1 S. R. 11 E., City of Detroit, Wayne County, Michigan as recorded in Liber 45 Page 86 of Plats of Wayne County Records.

Also the northerly 10 feet of said 20 foot public alley lying south of and adjoining the southerly line of Lots 752 and 759 of last mentioned subdivision. Be and the same is hereby vacated to become a part and parcel of the adjoining lots.

Provided, the owners in fee deed to the City of Detroit, the westerly 9 feet of Lot 755 and the easterly 9 feet of Lot 756 both of Canterbury Gardens No. 2, being a subdivision of the S. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of Section 9, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan as recorded in Liber 45 Page 86 of Plats of Wayne County Records, and further

Provided, all taxes are paid on property adjoining alleys herein described, and further

Provided: (1) that the City of Detroit retain all rights to the sewer located in said alley; (2) that if a building is to be constructed over the existing sewer or less than two feet from sewer, the existing sewers must either be replaced with cast iron pipe of the same size as the existing sewer, or the latter one must be encased in 6 inches of concrete to meet the requirements of the City Engineer and the Department of Buildings and Safety Engineering; (3) that all work must be done under the City's inspection and super-

vision. Plans of the new buildings must be submitted to the City Engineer for approval before any work is started; (4) all expense in connection with this work is to be borne by property owner. And further

Provided, that petitioners reimburse the owners to the extent of the value of any utilities now installed in said alley which it may be necessary to abandon due to the necessity of said alley or bear the expense of relocating or rerouting any public utilities installed in said alley which it may be necessary to relocate or reroute due to the closing of said alley, and further

Provided, Petitioner deposits with the Permit Division of the Department of Public Works the sum of \$590.38, to reimburse the City for the expense incurred in the original paving of alley intersections within the lines of the alley herein vacated, said sum to apply on the cost of reconstruction, grading, etc., incidental to the change in the location of the aforesaid alley. And further

Provided, petitioner deposit an additional \$300.00 to cover any costs that may accrue over and above the reimbursement deposit. If the total cost of said work exceeds \$590.38, the excess shall be deducted from the \$300 deposit and the balance refunded to petitioner. If the cost is less than \$590.38 the entire \$300 shall be refunded to petitioner. And further

Provided, that if petitioner desires to do the work himself, he shall secure the necessary permits from the Department of Public Works and proceed under City specifications and with City Inspection. Costs of inspection and other City expense to be deducted from the reimbursement of \$590.38 and the \$300 deposit refunded. And further

Resolved that upon compliance with the provisions of this resolution, the City Controller be and is hereby directed to issue quit claim deeds covering property herein vacated, said deeds to be issued to owners in fee of adjoining lots.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Jeffries, Lodge, Van Antwerp, and the President—7.

Nays—None.

#### Taxes

By Councilman Jeffries:

Resolved. That that portion of resolution adopted August 3, 1937 (J.C. C. p. 1703) authorizing and directing the City Treasurer to accept from Viola B. Peters (4499 and 5125) amounts as shown in settlement of certain general city taxes be rescinded, for the purpose of correction.

Adopted as follows:

Yeas—Councilmen Bradley, Castator, Ewald, Jeffries, Lodge, Van Antwerp, and the President—7.

Nays—None.