

and the President Pro Tem—7.  
Nays—None.

#### Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Ned's Auto Supply Co. (7139), for the vacation of a portion of the east and west public alley lying westerly of John R. st. between Savannah and Nevada 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,

ROBT. G. EWALD,

Chairman.

By Councilman Ewald:

Resolved, That "a portion of the east and west public alley 10 ft. wide in block bounded by Nevada, Savannah, Charleston Aves. and John R. St. more particularly described as all that part of public alley 10 ft. wide lying between the northerly line of lots 106, 107, the northerly line of the easterly 26.48 ft. of lot 105 of Hugo H. Stender's Sub. of lots 7, 8, 9, 15 and 16, part of lot 14 Youngblood's sub. of the east part of the S. E.  $\frac{1}{4}$  of Sec. 11, T. 1, S. R. 11 E., Greenfield Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 26, page 53 of Plats of Wayne County Records and the southerly line of the easterly 88.33 ft. of lot 1 of Grix Home Park Subdivision of the S.  $\frac{1}{2}$  of the E.  $\frac{1}{2}$  of the N. E.  $\frac{1}{4}$  of Sec. 11, T. 1, S. R. 11 E., Township of Greenfield (now Detroit), Wayne Co., Michigan, as recorded in Liber 29, page 52 of Plats of Wayne County Records," be and the same is hereby vacated to become a part and parcel of adjoining property.

Provided petitioner deeds to the City of Detroit "the westerly part of lots 1 and 2 of Grix Home Park Subdivision of the S.  $\frac{1}{2}$  of the E.  $\frac{1}{2}$  of the N. E.  $\frac{1}{4}$  of Sec. 11, T. 1, S. R. 11 E., Township of Greenfield (now Detroit), Wayne Co., Michigan, as recorded in Liber 29, page 52 of Plats of Wayne County Records, being more particularly described as being the westerly 12 ft. of lot 1 of last mentioned subdivision and the westerly part of lot 2 of last mentioned subdivision being 12 ft. on the southerly line of said lot 2 and 2 ft. on the northerly line of said lot 2." To be used for alley purposes, and further

Provided, (1) The City of Detroit retain all right to the sewers located in said alley. (2) If a building is to be constructed over the vacated alley, the existing sewer is to be either replaced with cast iron pipe of the same size as the existing sewer, or the lat-

ter must be encased in six inches of concrete to meet the requirements of the City Engineer and the Department of Buildings and the Department of Engineering. (3) All work is to be done under city's inspection and supervision. Drainage to be maintained during construction. Plans of the new buildings are to be submitted to the City Engineer for approval before work is started. (4) All expense in connection with this work is to be borne by petitioner, and further

Provided, Petitioner deposits with the permit division of the Department of Public Works the sum of \$217.84 to reimburse the city for the expense incurred in the original paving of alley intersection within the lines of the alley herein vacated, said sum to apply on the cost of reconstruction, grading, etc. incidental to the vacation of said alley and to the dedication of the new portion of alley and further

Provided, Petitioner deposit an additional \$100.00 to cover any cost that may accrue in connection with the paving of that portion of the alley to be dedicated and for any other incidental costs over and above the reimbursement deposit. If the total cost of said work including the new paving exceeds \$217.84 the excess shall be deducted from the \$100.00 deposit and the balance refunded to petitioner. If the cost is less than \$217.84 the entire \$100.00 shall be refunded to petitioner, and further

Provided, That petitioner 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 closing of said alley or bear the entire 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, That if, as, and when petitioner, its successors or assigns, acquire lots 3 to 5, inclusive, of Grix Home Park Subdivision heretofore mentioned they will dedicate to the City of Detroit for alley purposes the westerly 2 feet of said lots for the purpose of widening the public alley, 18 ft. wide adjacent thereto to a width of 20 ft., and further

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

Resolved, That upon compliance with the provisions of this resolution the City Controller be and is hereby directed to issue a quit claim deed to the petitioner covering property herein vacated.

Adopted as follows:

Yeas—Councilmen Bradley, Ewald, Jeffries, Kronk, Lodge, Van Antwerp, and the President Pro Tem—7.  
Nays—None.