

### Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Dossin's Food Products (8746), for the vacation of the public alley first northerly of and parallel to Gratiot Ave. westerly of Superior St. 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,  
HARRY I. DINGEMAN,  
Chairman.

By Councilman Dingeman:

Resolved, That all that part of Public Alley lying south of and adjoining the southerly line of Lots 36 and 37 in Block bounded by Moran, Gratiot and Superior Streets more particularly described as Beginning at a point in the southeasterly corner of Lot 36 of Fischer & Bernarts Sub. of part of Lot No. 20 North of Gratiot Ave., of the Subdivision of the Leib Farm, Detroit, Wayne County, Mich., as recorded in Liber 8, page 48 of Plats of Wayne County Records; thence along a line South 26 Degrees 13 Minutes 02 Seconds East 18.85 feet to a point in the southerly line of said public alley; thence along the southerly line of said public alley South 26 Degrees 05 Minutes West 67.99 feet to a point, said point being the southeast corner of alley vacated by the Common Council July 17, 1928, J. C. C. pages 1915 and 1916; Thence along the easterly line of said vacated alley and said line extended North 26 Degrees 13 Minutes 02 Seconds West 27.35 feet to a point in Lot 37 of last mentioned Subdivision; Thence along a line North 63 Degrees 46 Minutes 40 Seconds East 11 feet to a point in the southerly line of said Lot 37; Thence along the southerly line of said Lots 37 and 36 North 26 Degrees 05 Minutes East 54.23 feet to the point of beginning. Be and the same is hereby vacated to become part and parcel of the adjoining property.

Provided, 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 closing of same or bear the entire expense of relocating or rerouting any public utilities now installed in said alley which it may be necessary to relocate or reroute due to the closing of same, 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 in alley aforesaid and shall at all times have the right to enter the premises if found necessary on account of said sewer to repair same and further provided that petitioners shall not build over the above described alley without first securing the approval of the City Engineer and the Board of Health, and further

Provided. 1. One new manhole must be constructed at point "1" as shown on sketch on file in City Engineer's Office. 2. A deposit of \$200.00 must be made with the Permit Division of the Department of Public Works to cover the cost of constructing this new manhole, and further

Resolved, That upon compliance with the above provisions the City Controller be and is hereby directed to issue Quit Claim Deed to Dossin Food Products, a Michigan Corporation, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Kronk, Lodge, Smith, and the President Pro Tem.—6.

Nays—None.

### RESOLUTIONS

By Councilman Dingeman:

Resolved, that the Auditor General, City Treasurer, Corporation Counsel and Budget Director, together with the Public Welfare Commission, be and they are hereby authorized and requested to represent the City of Detroit at the conference with the State Social Welfare Commission at Lansing on Friday, December 1st, for the purpose of discussing welfare finances.

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Kronk, Lodge, Smith, and the President Pro Tem.—6.

Nays—None.

By Councilman Smith:

Whereas, the Penker Construction Company request the payment of monies which the City, under the terms of the contract, might withhold by reason of claims for liquidated damages in their Partial Estimate for work completed on their Contract TW-21, Sewage Disposal Project, as of November 15, 1939; and

Whereas, the contractor continues to represent that he is in need of such monies to carry on the work under the contract; and

Whereas, the contractor has filed with the City satisfactory releases by his sureties, approving the payment of monies without prejudice to the City's claim for liquidated