

Smith, Sweeny, Van Antwerp and the President Pro Tem.—9.
Nays—None.

TUESDAY, MARCH 11

Chairman Sweeny submitted the following reports of Committee of the Whole for above date, and recommended their adoption:

Claims and Accounts

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of Mr. and Mrs. Marvin Brown (6117), Edith K. Greulich (4727), Geo. Greulich (4728), Carl Herman (5341), Interstate Sanitation Co. (6118), Raymond McClain (5270), Michigan Bell Telephone Co. (6120), and (6121), Adolph Schulte (5479), Dora Sisler (1417), Gilbert Stam (5480), and Edwin Superson (5750), requesting compensation for alleged personal injuries, damages to automobiles, property, etc. After investigation by the Corporation Counsel's office, and careful consideration of the matters, your committee recommends that same be denied.

Respectfully submitted,
HENRY S. SWEENEY,
Chairman.

Accepted and adopted.

Water Main Assessments

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of the Radio Land Co. (5934), and the Greater Detroit Building Co. (5935), for refund of water main assessments paid on property acquired under the State Scavenger Sale. After consultation with the Board of Water Commissioners, and careful consideration of the matters, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
HENRY S. SWEENEY,
Chairman.

By Councilman Sweeny:

Resolved, That the City Controller be and he is hereby authorized and directed to draw warrants upon the proper fund in favor of the following named persons or firms in the amount shown opposite their respective names, said sums being refund of water main assessments paid on properties described, for the reason that said properties were acquired through the State Scavenger Sale:

Radio Land Co., 500 United Artists Bldg., \$23.65, lot 312, Radio Sub. No. 1, east side Patton Ave. (w. 22, item 106-221).
Greater Detroit Building Co., 12828

Livernois Ave., \$33.95, lot 85, Longfellow Manor Sub., east side Avon Ave. (w. 22, item 83-600).

Adopted as follows:

Yeas—Councilmen Dingeman, Ewald, Garlick, Hamilton, Lodge, Smith, Sweeny, Van Antwerp and the President Pro Tem.—9.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Nottingham Land Co., et al (5284), for the vacation of alleys in the blocks bounded by Pembroke, Appoline, Chippewa and Meyers, and Chippewa, Appoline, Norfolk and Meyers, and offering to substitute therefor easements 12 ft. in width for public utilities. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
HENRY S. SWEENEY,
Chairman.

By Councilman Sweeny:

Resolved, that all public alleys in blocks bounded by Appoline Avenue, Meyers Road, Pembroke, Chippewa and Norfolk Avenues as platted in Blackstone Park Subn. No. 6 of part of the N. ½ of Sec. 5, T. 1 S. R. 11 E., Greenfield Twp., Wayne Co., Mich., as recorded in Liber 52, Page 91 of Plats of Wayne County Records more particularly described as the southerly 10 feet of east and west public alley 20 feet wide lying north of and adjoining the northerly line of Lots 2995, 2996 and 2997 all of last mentioned Subdivision. Also the westerly 10 feet of north and south public alley 20 feet wide lying east of and adjoining the easterly line of the southerly 10 feet of east and west public alley heretofore mentioned, the easterly line of Lots 2995, 3692, 3693 and 3701 all of last mentioned subdivision.

Also the southerly 10 feet of east and west public alley 20 feet wide lying north of and adjoining the northerly line of Lots 2998 and 2999 all of last mentioned Subdivision. Also the northerly 10 feet of east and west public alley 20 feet wide lying south of and adjoining the southerly line of Lot 3687 of last mentioned Subdivision. Also the westerly 10 feet of north and south public alley 20 feet wide lying east of and adjoining the easterly line of the northerly 10 feet of east and west public alley heretofore mentioned, the easterly line of Lots 3687 to 3691 both

inclusive, 3694 to 3697 both inclusive, 3699, 3700, 3702 to 3720 both inclusive all of last mentioned subdivision. Also the easterly 10 feet of north and south public alley 20 feet wide lying westerly of and adjoining the westerly line of Lots 3769 to 3816 both inclusive, 3820 to 3844 both inclusive, all of last mentioned Subdivision.

Also the westerly 10 feet of north and south public alley 20 feet wide lying east of and adjoining the easterly line of Lot 3698 of last mentioned Subdivision.

Also the easterly 10 feet of north and south public alley 20 feet wide lying west of and adjoining the westerly line of Lots 3777 and 3778 of last mentioned Subdivision.

Also the easterly 10 feet of north and south public alley 20 feet wide lying west of and adjoining the westerly line of Lot 3781 of last mentioned Subdivision.

Also the easterly 10 feet of north and south public alley 20 feet wide lying west of and adjoining the westerly line of Lot 3782 of last mentioned Subdivision.

Also the easterly 10 feet of north and south public alley 20 feet wide lying west of and adjoining the westerly line of Lots 3817, 3818 and 3819 all of last mentioned Subdivision.

Be and the same are hereby vacated to become part and parcel of the adjoining property.

Provided, the owners in fee grant to the use of the public, as public easements, the rear 6 feet adjoining the center lines of all alleys herein vacated, which easement shall be subjected to the following agreements, covenants, uses, reservations, and regulations which shall be observed by the owners of said lots heretofore mentioned and by their grantees and assigns and their heirs, executors, administrators and assigns forever, to-wit:

First, said owners hereby grant to and for the use of the public an easement or right of way over said rear 6 feet of said vacated alleys herein described for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley in the City of Detroit with the right of ingress and egress at any time to and over said easement for the purposes above set forth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any kind whatsoever (except the necessary line fences dividing said lots) shall be built or placed upon said 12-foot easement or any part thereof so that said easement shall be forever of easy access for the purposes named above.

Third, that said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit excepting that same shall not be opened for the passage of vehicles therein and further

Provided, that by reason of the vacation of the above described alleys the City of Detroit does not waive any rights in the lateral sewers located therein and at all times shall have the right to enter upon the premises if found necessary on account of said sewer to repair same and further,

Provided, petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$231.96 to reimburse the City for the expense incurred in the original paving of alley intersection at Appoline Avenue herein vacated, said sum to apply on the cost of removing paved return, grading and reconstruction of curbing and building new sidewalks at street intersections of all alleys herein vacated, and further

Provided, petitioners deposit an additional \$25.00 to cover any costs which may accrue over and above the reimbursement deposit. If the total cost of said work exceeds \$231.96 the excess shall be deducted from the \$25.00 deposit and the balance refunded to Petitioners. If the cost is less than \$231.96 the entire \$25.00 shall be refunded to petitioners and further

Resolved, that upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim Deeds to Nottingham Land Company, a Michigan Corporation; Vernon J. Brown, Auditor General of the State of Michigan; Max Serlin and Morris Swidler; Harold E. Candler and Marie V. Candler, his wife; Margaret T. Daly; Fred J. Fricke and Harriet Fricke, his wife; Robert B. Brown and Annie J. Brown, his wife as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dingeman Ewald, Garlick, Hamilton, Lodge, Smith, Sweeny, Van Antwerp and the President Pro Tem.—9.

Nays—None.

And the Council then adjourned.

CHARLES E. DORAIS,
President Pro Tem.

THOMAS D. LEADBETTER,
City Clerk.