

move tree situated in front of 2661 Hooker Avenue.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, Van Antwerp, and the President—6.  
Nays—None.

**Vacation of Alley**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Marcellus W. Gredell, et al (8865), for the conversion of alley into easement in the block bounded by Clarita, Seven Mile Road, Edinborough and Annchester 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,

CHARLES E. DORAIS,  
Chairman.

By Councilman Dorais:

Resolved, That all of north and south public alley, 18 feet wide in block bounded by Annchester, Edinborough Roads, Clarita Avenue and 7-Mile Road as platted in C. W. Harrah's Northwestern Subd'n. of the N. W. ¼ of N. W. ¼ of Sec. 11, T. 1 S., E. 10 E., Redford Twp., Wayne Co., Mich., as recorded in Liber 47, page 54 of Plats of Wayne County Records, more particularly described as the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of Lot 265 of last mentioned Subdivision; The easterly ½ of said north and south public alley lying west of and adjoining the westerly line of Lots 309 to 314, both inclusive; Lots 316, 321 to 323, both inclusive, and Lot 328 all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of Lot 266; the easterly line of the northerly 5 feet of Lot 267, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 30 feet of Lot 267; the easterly line of the northerly 10 feet of Lot 268, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 25 feet of Lot 268; the easterly line of the northerly 15 feet of Lot 269; The easterly line of the southerly 10 feet of Lot 271; the easterly line of the northerly 30 feet of Lot 272; the easterly line of the southerly 30 feet of Lot 275; the easterly line of Lots 276, 277, 278, the easterly line of the northerly 25 feet

of Lot 279; the easterly line of the southerly 25 feet of Lot 282; the easterly line of the northerly 19 feet of Lot 283; the easterly ½ of said north and south public alley lying west of and adjoining the westerly line of Lots 324 to 327, both inclusive, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 20 feet of Lot 269; the easterly line of the northerly 20 feet of Lot 270, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 15 feet of Lot 270; the easterly line of the northerly 25 feet of Lot 271, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 5 feet of Lot 272; the easterly line of Lot 273, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of Lot 274; the easterly line of the northerly 5 feet of Lot 275, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 10 feet of Lot 279; the easterly line of Lot 280, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of Lot 281; the easterly line of the northerly 10 feet of Lot 282, all of last mentioned Subdivision.

Also the westerly ½ of said north and south public alley lying east of and adjoining the easterly line of the southerly 16 feet of Lot 283; the easterly line of Lot 284, all of last mentioned Subdivision.

Also the easterly ½ of said north and south public alley lying west of and adjoining the westerly line of Lot 315 of last mentioned Subdivision.

Also the easterly ½ of said north and south public alley lying west of and adjoining the westerly line of Lots 317 to 320, both inclusive, all of last mentioned Subdivision.

Be and the same is hereby vacated as a public alley and converted into a 9-foot public easement which shall be subjected to the agreements, covenants, uses, reservations and regulations as hereinafter set forth which shall be observed by the owners of said lots heretofore mentioned and by their grantees and assigns, their successors 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 9 feet of said vacated alley 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 to 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 18-foot easement or any part thereof so that said easement shall be forever of easy access for the purposes above set forth.

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 alley the City of Detroit does not waive any rights in the lateral sewer 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, All taxes shall be paid on all abutting property, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works the sum of \$29.16, said sum being the estimate cost of building sidewalks across said vacated alley at Clarita Avenue, and further

Provided, All of the above provisos shall be compiled with within 30 days from the date of this resolution, and further

Resolved, That upon compliance with the above provisos, the City Controller be and is hereby directed to issue Quit Claim Deeds to Joseph F. Ferry, Ray Delinski and Josephine Delinski, his wife; Charles James and Dorothy James, his wife; Miller Homes, Inc., a Michigan Corporation; John Stuart Robertson and Dorothy Eunice Robertson, his wife; Lydia Terrill and Grace Terrill; John W. Kaines and M. Kathryn Kaines, his wife; Harold F. Schumacher and Carolyn E. Schumacher, his wife; Carl Robert Lamparter and Mary J. Lamparter, his wife; Lewis E. White and Norah K. White, his wife; Marcellus W. Gredell and Velma Gredell, his wife; Fred F. Dare and Irene K. Dare, his wife; Collett Realty Company, a Michigan Corporation, as owners, in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick,

Lodge, Sweeny, Van Antwerp, and the President—6.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred [petition of the Buhl Land, Co. (7396-1937), for the vacation of a portion of the alley extending westerly from Adair street between Franklin and Wight streets.] After consultation with the City Plan Commission, and careful consideration of the petition, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
CHARLES E. DORAIS,  
Chairman.

By Councilman Dorais:

Resolved, That all right, title and interest to the following described land lying between Walker, Adair, Wight and Franklin Streets more particularly described as The northerly 20 feet of the southerly 110 feet of the easterly 130 feet of that part of O. L. 2 north of Wight Street of Plat of the Geo. Hunt Farm, South of the Gratiot Road as Subdivided by A. E. Hathon and recorded in Liber 27 Page 251 of Deeds of Wayne County Records. Said land having been used for alley purposes for more than twenty years. Be and the same is hereby vacated to become part and parcel of the adjoining property.

Provided, Owners in fee deed to the City of Detroit, The westerly 20 feet of the northerly 110 feet of O. L. 2, South of Franklin Street of Plat of the George Hunt Farm South of the Gratiot Road as Subdivided by A. E. Hathon and recorded in Liber 27 Page 251 of Deeds of Wayne County Records. To be used for alley purposes, and further

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 said alley 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, Petitioners deposit with the Permit Division of the Department of Public Works the sum of \$206.15, said sum being the cost of building straight curb in Adair Street constructing new alley return in Franklin Street at alley herein dedicated, and further,

Provided, Petitioners pay into the City Treasury the sum of \$70.00, said sum being the cost of removing P.L.C. Wires from alley herein vacated, said sum to be credited to P.L.C. Account No. 9, and further

*Permit Deposit \$29.16*

*Permit deposit \$225*

*226.5*