

to a point in the southerly line of said Lot 11 which point is 6.96 feet westerly from the extreme southeast corner of said Lot 11 and the southerly line of McNichols Road, 86 feet wide as now established.

Also a triangular portion of said north and south public alley lying east of and adjoining the easterly line of Lot 51 of last mentioned Subdivision and between the easterly line of said Lot 51 extended northerly 8 feet and the northerly line of said lot extended easterly 4.36 feet.

Also the westerly $\frac{1}{2}$ of said north and south public alley lying east of and adjoining the easterly line of Lots 52 to 54 inclusive all of last mentioned Subdivision and between the southerly line of said Lot 52 extended easterly to the centerline of said public alley and the northerly line of said Lot 54 extended easterly to said center line. Also the westerly $\frac{1}{2}$ of said north and south public alley lying east of and adjoining the easterly line of Lots 57 and 58 of last mentioned Subdivision and between the southerly line of said Lot 57 extended easterly to the center line of said public alley and the southerly line of McNichols Road, 86 feet wide as now established.

Also the westerly $\frac{1}{2}$ of said north and south public alley lying east of and adjoining the easterly line of Lots 55 and 56 of last mentioned Subdivision and between the southerly line of said Lot 55 extended easterly to the center line of said public alley and the northerly line of said Lot 56 extended easterly to said center line.

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

Provided, All taxes are paid in full on all of adjoining property, and further

Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the lateral sewer located therein 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 petitioners shall not build over said sewer without first securing the approval of the City Engineer and The Board of Health, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works the sum of \$148.00 which amount is the estimated cost for the removal of alley return, grading and building straight curb and sidewalks at McNichols Road within the lines of the alley herein vacated, and further

Resolved, That upon compliance with the above provisos the City Controller be and is hereby directed to

issue Quit Claim Deeds to Phillip C. Baker and Thelma Parker Baker, his wife as joint tenants, survivor to take all and A. Esther Kupfer, Trustee; Mary L. Evans; Triangle Center Incorporated, A Michigan Corporation and Union Guardian Trust Company; a Michigan Corporation individually and as Trustee under Declaration of Trust recorded in Liber 2002 of Mortgages, Page 577 of Wayne County Records as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Garlick, Lodge, Sweeny, Van Antwerp and the President Pro Tem.—5.

Nays—None.

Vacation of Wadsworth Ave.

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Nash-Kelvinator Corp. (9281), for the vacation of Wadsworth Ave., between Strathmoor and Mark Twain Aves., and a portion of the north and south public alley in the block south of Wadsworth Ave., between Mark Twain and Strathmoor 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,
HENRY S. SWEENEY,
Chairman.

By Councilman Sweeny:

Resolved, That all that part of north and south public alley in block bounded by Strathmoor, Mark Twain, Plymouth and Wadsworth Avenues more particularly described as that part of north and south public alley, 18 feet wide, lying between the easterly line of Lots 44 to 54 both inclusive; the easterly line of the northerly 22 feet of Lot 55 and the westerly line of the northerly 22 feet of Lot 75; the westerly line of Lots 76 to 86 both inclusive, all of New Plymouth Road Subdivision of Lots 7, 8, 9, 10, 11, 12, 25, 26, 27, 28, 29 and 30 of Frischkorn's Grand River Farms Sub. of W. $\frac{1}{2}$ of W. $\frac{1}{2}$ of S. E. $\frac{1}{4}$ of Section 30, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 46, Page 93 of Plats of Wayne County Records.

Also all that part of Wadsworth Avenue lying between Strathmoor and Mark Twain Avenues more particularly described as that part of Wadsworth Avenue, 50 feet wide, lying between the northerly line of Lots 44 and 86; the northerly line of north and south public alley, 18 feet wide, heretofore mentioned, all of last men-

tioned Subdivision and the southerly line of Lots 24 and 31 of Frischkorn's Grand River Farms of W. 1/2 of W. 1/2 of S. E. 1/4 of Sec. 30, T. 1 S., R. 11 E., South of P. M. Rwy. Right of Way, Greenfield Twp., Wayne Co., Mich., as recorded in Liber 39, Page 64 of Plats of Wayne County Records.

Be and the same are hereby vacated to become part and parcel of adjoining property, Provided owners in fee deed to the City of Detroit, the southerly 18 feet of Lot 75 of New Plymouth Road Subdivision of Lots 7, 8, 9, 10, 11, 12, 25, 26, 27, 28, 29 and 30 of Frischkorn's Grand River Farms Sub. of W. 1/2 of W. 1/2 of S. E. 1/4 of Section 30, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 46, Page 93 of Plats of Wayne County Records. To be used for alley purposes, and further

Provided, owners in fee produce an abstract brought to date or other satisfactory evidence showing ownership of above described property to be deeded for alley purposes, and further

Provided, petitioners deposit with the Permit Division of the Department of Public Works the sum of \$200.00, said sum being the estimate cost for the construction of a manhole at the intersection of the alley herein vacated with the alley to be dedicated, and further

Provided, petitioners deposit with the Permit Division of the Department of Public Works the sum of \$525.81 to reimburse the City of Detroit for the expense incurred in the original return and paving of Mark Twain Avenue within the lines of Wadsworth Avenue herein vacated, said sum to apply on the cost of the removal and/or reconstruction of returns, sidewalks and grading on Mark Twain Avenue within the lines of Wadsworth Avenue herein vacated and at alley herein dedicated, and further

Provided, petitioners deposit with the Permit Division of the Department of Public Works as additional \$5.82 to cover any cost that may accrue over and above the reimbursement deposit. Any cost in excess of \$525.81 shall be deducted from the \$5.82 deposit and the balance shall be refunded to petitioner, and further

Provided, petitioners pay into the City Treasury the sum of \$75.00 being Estimate No. 499 of the Public Lighting Commission for the cost of moving poles out of Wadsworth Avenue herein vacated, said amount to be credited to P. L. C. Account No. 9, and further

Provided, Owners in fee, their successors or assigns shall bear the entire cost of any and all improve-

ments to be installed in alley herein dedicated, and further

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

Provided, Owners in fee file with the City Clerk, within 30 days, an agreement in writing waiving any and all claims for damages which may arise due to the separation of grades affecting all property herein vacated, and further

Resolved, That upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim Deed to Nash-Kelvinator Corporation, a Maryland corporation, as owner in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Garlick, Lodge, Sweeny, Van Antwerp and the President Pro Tem.—5.

Nays—None.

Zoning

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of Ora J. Mulford, et al (9557), to change the zoning to ML district on several parcels of land southeasterly of Lafayette and Canton aves., and Marion A. MacDonald (9510), to change the zoning on the north side of West Chicago ave. between Terry and Coyle aves. from R1 to B2 district. After consultation with the City Plan Commission, and careful consideration of the requests, your committee recommends that same be denied.

Respectfully submitted,

HENRY S. SWEENEY, Chairman.

Accepted and adopted.

And the Council then adjourned until Friday, November 21st, 1941, at 11:30 A. M.

CHARLES E. DORAIS, President Pro Tem.

THOMAS D. LEADBETTER, City Clerk.