

same shall not be opened for the passage of vehicles therein and further

Provided, That existing sewers are to remain in their same location, and further

Provided, That by reason of the vacation of the said 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 are paid on abutting property, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works the sum of \$48.60, said amount being the estimate cost for building concrete sidewalks on the north side of Norfolk Avenue 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 State of Michigan; Knight Menard Company, a Michigan corporation, and Nottingham Land Company, a Michigan corporation, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, 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 Thomas B. Morgan, et al. (1138), to convert alley into easement in the block bounded by Schaefer, Hartwell, Pembroke and Chippewa 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,

JAMES H. GARLICK,

Chairman.

By Councilman Garlick:

Resolved, That all of east and west public alley in block bounded by Schaefer Highway, Hartwell, Pembroke and Chippewa Avenues as platted in Blackstone Park Subdivision No. 6 of part of N.  $\frac{1}{2}$  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  $\frac{1}{2}$  of said east and west public alley, 20 feet wide lying north of and adjoining the northerly line of Lots 3077 and 3078 all of last mentioned Subdivision.

Also the southerly  $\frac{1}{2}$  of said east and west public alley, 20 feet wide, lying north of and adjoining the northerly line of Lot 3079 of the mentioned Subdivision.

Also the southerly  $\frac{1}{2}$  of said east and west public alley, 20 feet wide, lying north of and adjoining the northerly line of Lot 3080 of the mentioned Subdivision.

Also the northerly  $\frac{1}{2}$  of said east and west public alley, 20 feet wide, lying south of and adjoining the southerly line of Lot 3161 of last mentioned Subdivision.

Be and the same is hereby vacated as a public alley and converted into a 10-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 assign 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 10 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 owner 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 20-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, the existing sewers are to remain in their same location, and further

Provided, Petitioners deposit with the Permit Division of the Department of Public Works the sum of \$194.87 to reimburse the City of Detroit for the expense incurred in the original paving of the alley intersection within the lines of the alley herein vacated in Hartwell Avenue



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north of Pembroke Avenue, said amount to apply on the removal and/or reconstruction of said return, and further

Provided, Petitioners deposit an additional \$43.92 to cover any cost that may accrue over and above the reimbursement deposit. Any cost in excess of \$194.87 shall be deducted from the \$43.92 deposit and the balance shall be refunded to petitioners, and further

Provided, All taxes are paid on all of abutting property, and further

Resolved, That upon compliance with the above provisos, the City Controller be and is hereby directed to issue Quit Claim Deeds to Thomas B. Morgan and Pauline N. Morgan, his wife; Winifred Y. Palmer; William Beverly and Mary Beverley, his wife; N. Clare MacNaughton and Ruth A. MacNaughton, his wife, as owners in fee of adjoining property.

Adopted as follows:  
Yeas—Councilmen Comstock, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, 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 the Nottingham Land Co., et al. (1139), to convert alley into easement in the block bounded by Meyers Road, Manor, Norfolk Aves. and Eight Mile Road. 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,

JAMES H. GARLICK,

Chairman.

By Councilman Garlick:

Resolved, That all of north and south public alley in block bounded by Meyers Road, Manor, Norfolk Avenues and 8 Mile Road as platted in Blackstone Park Subdivision No. 6 of part of N.  $\frac{1}{2}$  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 westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide lying east of and adjoining the easterly line of Lots 3921 to 3924 both inclusive; the easterly line of Lots 3926 to 3932 both inclusive; the easterly line of Lots 3935 to 3952 both inclusive all of last mentioned Subdivision.

Also the westerly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide, lying east of and adjoining the easterly line of Lots 3925, 3933 and 3934 all of last mentioned Subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley, 20 feet wide,

lying west of and adjoining the westerly line of Lot 3953; the westerly line of Lots 3955 to 3968 both inclusive all of last mentioned Subdivision.

Also the easterly  $\frac{1}{2}$  of said north and south public alley 20 feet wide lying west of and adjoining the westerly line of Lot 3954 of last mentioned Subdivision.

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

Provided, Owners in fee grant to the use of the public as public easement the rear 6 feet adjoining the center line of north and south public alley herein vacated, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of all 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 adjoining the center line 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 except that same shall not be opened for the passage of vehicles therein, and further

Provided, That existing sewers are to remain in their same location 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 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, 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 \$51.84, said amount being the esti-