

recommends that the petition be denied.

Respectfully submitted,
JAMES H. GARLICK,
Chairman.

Accepted and adopted.

Street Improvements

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Lawrence J. Keim (1237), for an extension of time to comply with resolution to improve Sussex and Whitcomb Avenues, from Seven Mile Rd. to Vassar. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,
JAMES H. GARLICK,
Chairman.

By Councilman Garlick:

Resolved, That Lawrence J. Keim be and he is hereby granted an extension of time of sixty days from the date of the adoption of this resolution, in which to comply with Common Council resolution of November 12, 1940 (p.3181), or any amendments thereto, for the improvement of Sussex and Whitcomb Aves., from the Seven Mile Rd. to Vassar, for F.H.A. approval.

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 Nottingham Land Co., et al (1282), to convert alley into easement in the block bounded by Eight Mile Road, Mendota, Norfolk and Pinehurst Avenues. 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 Pinehurst, Mendota, Norfolk Avenues and Eight Mile Road, West, as platted in Blackstone Park Subdivision No. 6, of part of N. 1/2 of Sec. 5 T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Michigan, as recorded in Liber 52, Page 91 of Plats of Wayne County Records, more particularly

described as the westerly 1/2 of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of Lots 4242 to 4249, both inclusive; the easterly line of Lots 4251 and 4252; the easterly line of Lots 4255, 4256 and 4257, all of last mentioned Subdivision. Also the easterly 1/2 of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of Lots 4258 and 4259; the westerly line of Lots 4261 to 4273, both inclusive, all of last mentioned Subdivision.

Also the westerly 1/2 of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of Lot 4250 of last mentioned Subdivision.

Also the westerly 1/2 of said north and south public alley, 18 feet wide, lying east of and adjoining the easterly line of Lots 4253 and 4254, all of last mentioned Subdivision. Also the easterly 1/2 of said north and south public alley, 18 feet wide, lying west of and adjoining the westerly line of Lot 4260 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 and for the use of the public as public easement the rear 6 feet adjoining the center line of said 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 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 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 purpose 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 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. 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 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 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 1/2 of said east and west public alley, 20 feet wide, lying north of and adjoining the northerly line of Lot 3080 of last mentioned Subdivision.

Also the northerly 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