

erly line of lot 40 of last mentioned subdivision.

Also the easterly $\frac{1}{2}$ of said north and south public alley, 20 ft. wide, lying west of and adjoining the westerly line of lot 41 of last mentioned subdivision.

Be and the same is hereby vacated as a public alley and converted into 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 the entire 10 ft. 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 20-ft. 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, petitioners deposit with the Permit Division of the Department of Public Works, the sum of \$51.84, said sum being the estimated cost for the construction of sidewalk on north side of Southampton Avenue within the lines of the alley herein vacated; and further

Provided, all taxes are paid on all abutting property; and further

Provided, all of the above provisos shall be complied 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 Lillie Paye, Girard Paye and Gladys Paye,

his wife, Muriel Paye Dirkes, Phillip Paye and Susanne Paye, his wife; Muriel Paye Dirkes, Howard Spedding and Louise Spedding, his wife; Phillip Paye and Susanne Paye, his wife; John W. Bennett and Mary Lucile Bennett, his wife; Carl E. Dirkes and Muriel Paye Dirkes, his wife; James Wishart and Helen Wishart, his wife; William F. Sherman and Mary C. Sherman, his wife; Arthur Paschke, Guardian of the Estate of August Paschke, Mentally Incompetent; Alberic Couvreur; Nathan S. Kunkel and Helen M. Kunkel, his wife; Julius J. Ferra and Eileen M. Ferra, his wife; Tony Sansica and Rose Sansica, his wife; Edward T. Hopkins and Marie L. Hopkins, his wife, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President—8.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Ralph Toal (Teal) et al (1283), for the conversion of alley into easement in the block bounded by Oldtown, Cadieux, Linville and Berden 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, 20 feet wide, lying between Cadieux, Oldtown avenues north of Linville avenue as platted in Cadieux Gardens Subdn. of part of lot 42 of Plat of P. C. 506 and E. $\frac{1}{2}$ of P. C. 564, City of Detroit, Wayne County, Mich., as recorded in Liber 60, page 100 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 1 and 2; the easterly line of the northerly 13 feet of lot 3, 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 the southerly 7 feet of lot 3; the easterly line of lots 4 and 5; the easterly line of the northerly 6 feet of lot 6; the easterly line of the southerly 1 foot of lot 8; the easterly line of lots 9 to 13 both inclusive; the easterly line of the nos-

therly 5 feet of lot 14, 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 the southerly 14 feet of lot 6; the easterly line of lot 7; the easterly line of the northerly 19 feet of lot 8, 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 the southerly 15 feet of lot 14; the easterly line of lot 15; the easterly line of the northerly 18 feet of lot 16 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 the southerly 2 feet of lot 16; the easterly line of lots 17 and 18, 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 19 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 20 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 21 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 22 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 lots 23 and 25 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 24 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 26 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 27 of last mentioned subdivision.

Also all of said north and south public alley, 20 feet wide as platted in Paschke Subdivision of part of lots 39, 40 and 41 of Plat of P. C. 506 and E. $\frac{1}{2}$ of P. C. 564 (L. 118, p. 520 Deeds), City of Detroit, Wayne County, Michigan as recorded in Liber 57, page 69 of Plats of Wayne County Records more particularly de-

scribed 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 1 and 2 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 3 and 4 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 59 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 60 of last mentioned subdivision.

Be and the same is hereby vacated as a public alley and converted into 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 assigns forever, to wit:

First, said owners hereby grant to and for the use of the public an easement or right of way over the entire 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 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 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, petitioners deposit with the Permit Division of the Department of Public Works the sum of \$51.84, said sum being the estimated

cost for the construction of sidewalk across alley herein vacated on north side of Linville avenue, and further

Provided, all taxes shall be paid on abutting property, and further

Provided, all of the above provisos are to be complied 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 Narcisco Gallo and Evelyn Gallo, his wife; Florida Michigan Lands, Inc., of Detroit, a Florida corporation; Robert M. Welch and Gertrude K. Welch, his wife; Thomas M. Faddis and Bessie N. Faddis, his wife; Robert J. Lawson and Alyce M. Lawson, his wife; Walter H. Euesden and Yvonne Euesden, his wife; Chester R. Bushong and Clara Bushong, his wife; James C. Lewis and Inez Lewis, his wife; William M. Bach and June Bach, his wife; Mary I. Wallace; Joseph Taylor and Anna L. Taylor, his wife; Robert Rauch and Verna Rauch, his wife; Anthony Maniscalchi and Mary Maniscalchi, his wife; State of Michigan; Arthur Paschke, guardian of estate of August Paschke, mentally incompetent; Bernice Corbin and Ralph Toal and Dorothy Toal, his wife, as owners in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President—8.

Nays—None.

Vacation of Rouge Ave. and Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Charles J. Rogers (1465), for the vacation of that portion of Rouge Ave., between Sanders Ave. and the Wabash R. R., and also the public alleys adjoining. 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 Rouge Avenue, 60 feet wide, lying between Wabash R. R. R. of W. as now established and the westerly line of Sanders Avenue, 66 feet wide as now established and lying between the northerly line of Lots 50 to 66 both inclusive and the southerly line of Lots 67 to 83 both inclusive and said lines extended westerly to the Wabash R. R. R. of W., all of G. W. Zanger Dix Avenue

Subn. of part of P. C.'s 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 58, page 25 of Plats of Wayne County Records, also all of north and south public alley, 20 feet wide, lying west of and adjoining the westerly line of Lots 50 and 83, all of last mentioned Subdivision. Also all of east and west public alley, 10 feet wide, as platted in last mentioned subdivision and lying south of and adjoining the southerly line of Lots 50 to 66 both inclusive of last mentioned Subdivision and the southerly line of north and south public alley heretofore mentioned.

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

Provided, Petitioner deposit with the Permit Division of the Department of Public Works the sum of \$132.84, said amount being the estimate cost of constructing sidewalks on west side of Sanders Avenue within the lines of alley and Rouge Avenue herein vacated, and further

Provided, Petitioner 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

Provided, Petitioner 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

Resolved, that upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim deed to State of Michigan as owner in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Comstock, Dorais, Edwards, Garlick, Rogell, Sweeny, Van Antwerp, and the President—8.

Nays—None.

And the Council then adjourned.

JOHN C. LODGE,
President.

THOMAS D. LEADBETTER,
City Clerk.