

Van Antwerp, and the President Pro Tem.—8.  
Nays—None.

**Sidewalk Repairs**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of J. J. Taylor Estate (88), requesting an adjustment of bill for sidewalk repairs against property at 1938 W. Warren Ave. After consultation with the Department of Public Works, and careful consideration of the matter, your committee recommends that same be denied.

Respectfully submitted,

JAMES H. GARLICK,  
Chairman.

Accepted and adopted.

**Vacation of Acadia Ave.**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred communication from the City Plan Commission of December 22, 1941 (J. C. C. p. 3621-2, 1941), relative to the rezoning of property on the west side of Southfield Road north and south of Acadia ave. in Rosemont Forest Subdivision, and recommending the vacation of Acadia ave. between Ashton ave. and Southfield Road in connection with the change in zoning. After careful consideration of the matter, and inasmuch as the proposed change in zoning has been approved, your committee concurs in the recommendation, and offers the following resolution.

Respectfully submitted,

JAMES H. GARLICK,  
Chairman.

By Councilman Garlick:

Resolved, That "all that part of Acadia ave., 60 ft. wide lying between the easterly line of Ashton ave., 80 ft. wide, as now established, and the westerly line of Southfield Road, 204 ft. wide as now established, and as platted in Rosemont Forest Sub. of the S. 1/2 of the N. E. 1/4 of the S. E. 1/4 of Sec. 23, T. 1 S., R. 10 E., City of Detroit, Wayne County, Mich., as recorded in Liber 68, page 82 of Plats of Wayne County Records and lying between the southerly line of lot 70 and the northerly line of lot 71 all of last mentioned subdivision," be and the same is hereby vacated to become part and parcel of the adjoining property.

Adopted as follows:

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

Nays—None.

**Vacation of Alley**  
To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Knight-Menard Co. (376), for the conversion of the public alley in the block bounded by Manor, Monte Vista, Chippewa and Norfolk Aves. into an easement for public utilities. 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, 18 feet wide in block bounded by Manor, Monte Vista, Chippewa and Norfolk Avenues as platted in Blackstone Park Sub'n. No. 6 of part of the 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 westerly 1/2 of said north and south public alley, 18 feet wide lying east of and adjoining the easterly line of Lots 4019 to 4022 both inclusive and lots 4024 to 4037 both inclusive 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 4070 to 4081 both inclusive; the westerly line of Lots 4085 and 4087 all of last mentioned Subdivision.

Also all of north and south public alley, 18 feet wide lying between the easterly line of Lot 4023 and the westerly line of Lot 4084 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 4082 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 4083 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 4086 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 4088 of last mentioned Subdivision.

Be and the same are 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



alleys 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 alleys 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 \$97.20, said amount being the estimate cost for building concrete sidewalks at Chippewa and Norfolk Avenues within the lines of all alleys herein vacated, and further

Provided, That all 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 State of Michigan; Romie E. Ellas and Minnie B. Ellas, his wife; Myrtle R. Dietz; Roxanne Kenyon; Ada L. Beverley and Israel Meyers as owners in fee of adjoining property.

Adopted as follows:

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

Nays—None.

#### Vacation of Streets and Alleys

To the Honorable, the Common Council:

Gentlemen: To your Committee of the Whole was referred petition of Mary M. Morrow, et al. (9940), for the vacation of Hessel and Fargo aves. and alleys in Evergreen Gardens Sub., substituting easements for the alleys, and to provide for resubdivision of the property into wider lots and to eliminate unnecessary streets. 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 Fargo Avenue, 60 feet wide, as platted in Evergreen Gardens Sub'n. of part of the N.W.  $\frac{1}{4}$  of Sec. 2, T. 1, S. R. 10 E., City of Detroit, Wayne Co., Mich. as recorded in Liber 59, Page 92 of Plats of Wayne County Records except those portions of said Fargo Avenue being the easterly 20 feet of the westerly 120 feet lying east of and adjoining the easterly line of Evergreen Avenue as platted; the easterly 12 feet of the westerly 141 feet lying east of and adjoining the easterly line of Plainview Avenue as platted; the easterly 12 feet of the westerly 141 feet lying east of and adjoining the easterly line of Westmoreland Avenue as platted; the easterly 12 feet of the westerly 139 feet lying east of and adjoining the easterly line of Annchester Avenue as platted. Also all of east and west public alley, 20 feet wide as platted in last mentioned Subdivision lying between the northerly line of Lots 179 to 219, both inclusive, and the southerly line of Lots 220, 239, 240, 259, 260, 279, the southerly line of the easterly 40 feet of Lot 280; also the north  $\frac{1}{2}$  of said 20 foot east and west public alley lying south of and adjoining the southerly line of the westerly 80 feet of Lot 280 and the southerly line of north and south public alleys all of last mentioned Subdivision except those portions of said public alley 20 feet wide being the easterly 12 feet of the westerly 141 feet lying east of and adjoining the easterly line of Plainview Avenue as platted; the easterly 12 feet of the westerly 141 feet lying east of and adjoining the easterly line of Westmoreland Avenue as platted and the easterly 12 feet of the westerly 139 feet lying east of and adjoining