

mends that the petition be denied.  
Respectfully submitted,

WM. A. COMSTOCK,  
Chairman.

Accepted and adopted.

Spur Tracks

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Castaloy Corp. (4219), for permission to maintain a spur track, formerly in the name of Lyon, Inc., across S. Waterman Ave., between Fort and South Sts. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
WM. A. COMSTOCK,  
Chairman.

By Councilman Comstock:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue a permit to the Castaloy Corporation to maintain a spur track (formerly in the name of Lyon, Inc.) across S. Waterman Ave., between Fort and South Streets, connected with the Michigan Central Exposition Spur, and to be maintained on the south side of the Michigan Central Railroad, in accordance with blue print submitted to and approved by said department.

Provided, That said spur track is maintained in accordance with the terms and provisions of the Compiled Ordinances of the City of Detroit for the year 1936, as amended, and under the supervision and inspection of the Department of Public Works, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and grantee hereby expressly waives any right to claim damages or compensation for property constructed and/or maintained hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, 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 the Wayne Grain & Malting Co. (4033), for the vacation of the alley in the block bounded by Dix, Powell Aves. and the River Rouge, petition-

ers offering to dedicate a new outlet into Dix Ave. 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,  
WM. A. COMSTOCK,  
Chairman.

By Councilman Comstock:

Resolved, That part of public alleys in block bounded by Dix, Powell Avenues and River Rouge more particularly described as that part of east and west 20 foot public alley lying between the southerly line of the easterly 60 feet of lot 2 of Dix Rouge Subdivision of Outlot B", G. W. Zanger's Oakwood Subdivision of part of P. C.'s 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, page 27 of Plats of Wayne County Records and the northerly line of the easterly 68 feet of lot 3 of last mentioned subdivision. Also that part of north and south 20 foot public alley lying between the easterly line of east and west public alley heretofore mentioned, the easterly line of lots 3 to 5 both inclusive and the westerly line of lot 1 all of last mentioned Subdivision. Be and the same are hereby vacated to become part and parcel of the adjoining property,

Provided, Owners in fee deed to the City of Detroit, all of lot 6 of Dix Rouge Subdivision of Outlot "B", G. W. Zanger's Oakwood Subdivision of part of P. C.'s 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, page 27 of Plats of Wayne County Records. To be used for alley purposes, and further

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

Provided, Owners in fee produce an abstract or other satisfactory record showing free title to grantor conveying above described property, and further

Provided, Petitioners comply with all provisos herein contained within 30 days from the date of this resolution, and further

Provided, That, if at any time it becomes necessary or desirable to improve alley herein dedicated, the entire cost of such improvement including the paving of the return into Dix Avenue shall be borne by petitioners, and further

Resolved, That upon compliance with all of the provisos herein contained the City Controller be and he is hereby directed to issue Quit Claim deed to Wayne Grain and Malting

ing Company, a Michigan corporation, as owner in fee of adjoining property, and further

Resolved, That upon receipt of proper evidence that all taxes are paid on the abutting property, the City Engineer is hereby directed to release said deed.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, 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 Ernest V. Knobloch, et al. (6455), to convert the north and south alleys in the blocks bounded by Freeland, Ardmore, Seven Mile Road and Vassar Drive into easements for public utilities only. 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,

**WM. A. COMSTOCK,**

Chairman.

By Councilman Comstock:

Resolved, that all of north and south public alleys 18 feet wide in blocks bounded by Freeland, Ardmore Avenues, 7 Mile Road West, Cambridge Avenue and Vassar Drive as platted in San Bernardo Park No. 1, being a subdivision of the E. 1/2 of W. 1/2 of S. E. 1/4 of Sec. 6, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Michigan, as recorded in Liber 49, Page 13 of Plats of Wayne County Records and more particularly described as the westerly 1/2 of said north and south public alleys, 18 feet wide lying east of and adjoining the easterly line of Lots 447 to 467, both inclusive, all of last mentioned Subdivision. Also the easterly 1/2 of said north and south public alleys 18 feet wide lying west of and adjoining the westerly line of Lots 414 to 434, both inclusive, all of last mentioned Subdivision.

Be and the same are hereby vacated as public alleys and converted into 9 foot public easements, 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 9 feet of said vacated alley herein described for the purpose of installing, maintaining, repairing, re-drawing 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 building or structure of any kind whatsoever (except the necessary line fence dividing said lots) shall be built or placed upon said 18 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 to 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 \$97.20. Said amount being the estimate cost for the construction of sidewalks on the north and south sides of Cambridge Avenue within the lines of the alley herein vacated, and further

Resolved, That upon compliance with the above provisos the City Controller be and he is hereby directed to issue Quit Claim Deeds to State of Michigan; Victor F. Fromhart and Dorothy L. Fromhart, his wife; Wayne McLoney and Genevieve McLoney, his wife; Nora M. Kelly; Marcus Ginn, Carl G. Dahlman and Ellen A. Dahlman, his wife, and Richard C. Dahlman, Single; Roy B. Swanson and Gertrude M Swanson, his wife; Charles A. Dobbins and Vera L. Dobbins, his wife; Raymond C. Ahlgren and Mildred L. Ahlgren, his wife; William R. Slatery; George E. Grundenberger and Hulda L. Grundenberger, his wife; Lorenzo Lonero and Carrie Lonero, his wife and Vincent Lonero, Single; Ernst Loehr and Wilhelmine E. Lcehr, his wife; Philip M. Zimmerman and Jessica A. Zimmerman, his wife; Lloyd Oscar Clark and Doshia Josephine Clark, his wife; John D. Green and Elsie May Green, his wife; Ethel M. Hines, James J. Yungman and Winifred Yungman, his wife; Robert A. Willson and Helen L. Willson, his wife; Paul L. Gessler; William Freeland and Annie Freeland, his wife, and James E. Standring, a single man; Lucius M. Carr and Hazel C. Carr, his wife; Anthony J. Zecker and Kathryn A. Zecker, his wife; Philip J. Lanceault and Elizabeth S.