

of J. C. Lashleys West Chicago Boulevard and Evergreen Subdivision of the S. W. ¼ of the N. W. ¼ of Sec. 35, T. 1 S. R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 57 of plats, page 58, Wayne County records, and between the southerly line of Lot 242 of J. C. Lashleys West Chicago Blvd., and Evergreen Subd. of the S.W. ¼ of the N. W. ¼ of Section 35, T. 1 S. R. 10 E. Redford Township, Wayne County, Michigan, as recorded in Liber 52 of Plats, Page 80, Wayne County records be and the same is hereby vacated to become a part and parcel of the adjoining property.

Provided, the owner in fee of Lots 347 to 349 both inclusive of J. C. Lashleys West Chicago Blvd. and Evergreen Subd., No. 1, heretofore mentioned, grant to the use of the public as public easement, the north 6 feet adjoining the centerline and the south 6 feet adjoining the centerline of said east and west 18 foot public alley, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations, which shall be observed by the owner of said lots 347 to 349, both inclusive and by their grantees and assigns and their heirs, executors and 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 central 12 feet of said vacated east and west 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 building or structures of any kind whatsoever (except necessary line fences) 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 12 foot easement shall be used for the same purpose for which public alleys are generally used in the City of Detroit, excepting the 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 the premises if found necessary on account of said sewer to repair same and further,

Provided that existing Public Lighting Commission pole and wire structure attached, at present located outside of the limits of 12 foot easement herein dedicated be allowed to remain in its present location until such time as the Public Lighting Commission deems it necessary to relocate or replace said pole and wire structures, at which time of relocation or replacement it shall be reset within the proper limits of the easement herein described and further

Provided petitioners deposit with the Permit Division of the Department of Public Works the sum of \$54.00 to cover the cost of construction of a sidewalk on Plainview Avenue across alley herein vacated and further,

Resolved, that upon compliance with the above provisos the City Controller be and the same is hereby directed to issue quit-claim deed to Oscar Schemers and Irene Schemers, his wife, as owners in fee of adjoining property and further

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

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

**Vacation of Alley**

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Carl A. Brown, et al. (4639), for the conversion of alley in block bounded by Evergreen, Plainview, Clarita and Seven Mile Road 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,

FRANK CODY,  
Chairman.

By Councilman Cody:

Resolved, That all of North and South public alley 18 ft. wide, in block bounded by Evergreen, Plainview, Clarita Avenues and Seven Mile Road, as platted in C. W. Harrah's Northwestern Subdivision of the N. W. ¼ of the N. W. ¼ of Sec. 11, T.1S.R.10E., Redford Twp., Wayne County, Michigan, as recorded in Liber 47, Page 54, Plats of Wayne County records, more particularly described as all of North and South public alley 18 ft. wide, lying between the easterly line of Lots 51 to 84 both inclusive, and the westerly line of Lots 117 to 136, both inclusive,

all of C. W. Harrah's Northwestern Subdivision heretofore mentioned, be and the same is hereby vacated as a public alley and converted into a public easement, which easement shall be subjected to the following agreements, covenants, uses, reservations and regulations, which shall be observed by the owners of said lots and by their grantees and assigns and their heirs, executors and 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 vacated North and South 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 building or structures of any kind whatsoever (except necessary line fences) shall be built or placed upon said 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, excepting the 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 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 \$54.00 to cover the cost of construction of a sidewalk on Clarita Avenue across alley herein vacated, and further,

Resolved, That upon compliance with the above provisos the City Controller be and the same is hereby directed to issue quit-claim deeds to John A. Sable and Mary I. Sable, his wife, National Homes, Inc., Miller Development Corp., Fred B. Osborn, Walter L. Henderson and Eleanor R. Henderson, his wife, Riverview Homes, Inc., Miller Homes, Inc., Marjorie Ethel Archbold Kyker, Otto Emmett Pennell, Jr., John W. Robertson and Margaret R. Robertson, his wife, John T. Lindley and Hazel L. Lindley, his wife, Collins A. Brown and Nellie M. Brown, his wife, Edward B. Dwyer and Susie M. Dwyer, his wife, Charles E. Mehornay, Jr., and Minetta B. Mehornay, his wife, George N. Cunningham

and Marie T. Cunningham, his wife, Elmer C. Southerland and Ethel B. Southerland, his wife, Wilbur S. McAlister and Jane McAlister, his wife, and Mabel D. VanBuskirk, Clarence V. Shaw and Charlotte R. Shaw, his wife, Frederick G. Stradinger and Frances Stradinger, his wife, and Harry Merlau Michels, as owners in fee of adjoining property and further

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

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

#### Finance

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred the following communications from city departments requesting the transfer of funds, approvals of contracts, vouchers, etc. After consultation with the City Controller, and careful consideration of the requests, your committee recommends that same be approved in accordance with the accompanying resolutions.

Respectfully submitted,

FRANK CODY,  
Chairman.

#### Controller

September 22, 1943.

To the Honorable, the Common Council:

Gentlemen—The approval of your Honorable Body is hereby requested to make immediate payment to the City Treasurer for the Sewage Treatment and Disposal in the amount of \$240,067.00 from the Public Building Fund in order that these funds may be available for the purchase of United States Government bonds.

Respectfully submitted,

CHARLES G. OAKMAN,  
Controller.

By Councilman Rogell:

Resolved, That the City Controller be and he is hereby authorized and directed to make immediate payment to the City Treasurer from the Public Building Fund in the amount of \$240,067.00.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Rogell, Sweeny, and the President—6.

Nays—None.

#### Controller

September 22, 1943.

To the Honorable, the Common Council:

Gentlemen—We have the sum of