

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Theodore A. Peters et al (6409), for the vacation of an alley in the rear of Gratiot ave. frontage, southerly of Fournier Ave. After consultation with the City Plan Commission, and careful consideration of the matter, your committee recommends that the petition be granted in accordance with the following resolution.

Respectfully submitted,

HENRY S. SWEENEY,
Chairman.

By Councilman Sweeney:

Resolved, That all of north and south public alley in block bounded by Gratiot, Park Drive, August and Fournier Avenues, more particularly described as all of north and south public alley 18 feet wide lying east of and adjoining the easterly line of the northerly 19.81 feet of lot 17, the easterly line of lots 18 to 25, both inclusive, and the westerly line of that part of lot 14 lying northerly of a line being 2 feet northerly of and parallel to the southerly line of said lot 14 and the southerly line of Park Drive Avenue as opened, all of above mentioned lots and alley as platted in Rivard's Home Subdivision of part of lot 2 of Mary Ann Fournier Estate Subdivision, P. C. 613 and part of P. C. 394 City of Detroit, Wayne County, Michigan, as recorded in Liber 40 of plats, page 64, Wayne County records, be and the same is hereby vacated as a public alley to become part and parcel of adjoining property.

Provided, owners in fee deed to the City of Detroit the southerly 2 feet of lot 14 and the southerly 2 feet of that part of lot 13, lying westerly of Park Drive Avenue as opened both of Rivard's Home Subdivision of part of lot 2 of Mary Ann Fournier Estate Subdivision, P. C. 613 and part of P. C. 394 City of Detroit, Wayne County, Michigan, as recorded in Liber 40 of plats, page 64, Wayne County records, and further

Provided, that by reason of the vacation of the above described alley the City of Detroit does not waive any right in the lateral sewer located therein, and shall at all times have the right to enter upon the premises if found necessary on account of said sewer to repair, alter or service same, and further, that if any building is to be constructed over said sewer, the same shall be replaced with 18-inch vitrified pipe encased in 8 inches of Class "A" concrete together with the construction of such manholes as specified by the City Engineer. All work to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by

the petitioners, and further, that petitioners shall not build over said alley without first securing the approval of the City Engineer and the Department of Health, and further,

Provided, petitioners pay into the City Treasury the sum of \$271.45 to reimburse the City for the cost of the original paving of Park Drive Avenue at the intersection of the alley herein vacated, same to be credited to General Road Fund Revenue, Miscellaneous Receipts, and further

Provided, if at any time in the future it becomes necessary to remove and/or reconstruct existing paved alley return on Park Drive Avenue at alley herein vacated either by request of adjacent owner or by order of the City, the entire expense of such removal and/or reconstruction shall be borne by petitioners, their heirs, successors or assigns in accordance with petitioner's letter on file with original petition and further

Provided, Petitioners reimburse the owners to the extent of the value of any utilities now installed in said alley which it may be necessary to abandon due to the closing of said alley 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 the same, and further

Resolved, upon compliance with the above provisions, the City Controller be and he is hereby directed to execute a quit claim deed to Theodore A. Peters and Viola D. Peters, his wife, as owners in fee of the 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 Castator, Cody, Rogell, Sweeney, Van Antwerp, and the President—6.

Nays—None.

RESOLUTIONS

By Councilman Van Antwerp:

It is with deep sorrow and regret that this Body notes the passing of Edward J. Hickey, one of Detroit's outstanding and best beloved business men whose death occurred January 13th in Harper Hospital where he had been confined for several weeks.

Mr. Hickey was a native Detroiter, having been born within the confines of old Corktown, November 18, 1863, the son of Patrick B. and Mary Ready Hickey.

At the age of ten his formal schooling in the Wilkins School was interrupted by the death of his father, and he became a cash boy in a local