

building is to be constructed over said sewer the same shall be replaced with 20 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,

Resolved, That upon compliance with the above provisos the City Controller be and he is hereby directed to issue a Quit Claim deed to the Jehovah Zion Evangelical Lutheran Church, a Michigan non profit Corporation, as owner in fee of the adjoining property.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Edwards, Rogell, Sweeny, and the President—7.

Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Geo. Jarman, et al (5342), for the vacation of east and west public alley in the block bounded by Vaughan, Evergreen Road, W. Chicago and Orangelawn aves. 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 east and west public alley, 18 feet wide, in block bounded by Vaughan Avenue, Evergreen Road, W. Chicago and Orangelawn Avenue, and more particularly described as all of east and west public alley, 18 feet wide, lying first southerly in Orangelawn Avenue and parallel thereto between Vaughan Avenue 62.86 feet wide as now established and the westerly line of north and south public alley, 20 feet wide, and, also, lying between the northerly line of lot 140 and the southerly line of lots 141, and 142 and 143, all as platted in Maple's Woods Subdivision, being a subdivision of the E. $\frac{1}{4}$ of the E. $\frac{1}{2}$ of the N. E. $\frac{1}{4}$ of Section 34, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 62 Page 14 of plats of Wayne County Records.

Be and the same is hereby vacated as a public alley and converted into an 18 feet 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 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 enclosures) 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 pay into the Permit Division of the Department of Public Works the sum of \$63.00, said sum being the estimated cost of constructing sidewalks on the east side of Vaughan Avenue across the alley herein closed, 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 said conversion into easement, 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 Lester B. Harrington and Frances Harrington, his wife, and Geo. J. Jarman and Mary A. Jarman, 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 the abutting property, the City Engineer be and he is hereby directed to release said deeds.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, Edwards, Rogell, Sweeny, and the President—7.
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, approval of vouchers, contracts, 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,
WM. A. COMSTOCK,
Chairman.

Corporation Counsel

August 9, 1945.

To the Honorable, the Common Council:

Gentlemen—Please authorize the necessary cancellation in the following Accounts Receivable, for the reasons stated:

Detroit Crane Company—Controller's No. 56762—damage to fire wires \$7.50. We are offered \$5.62 in full settlement.

Felix Poplaski—Controller's No. 59177—damage to fire department car \$5.00. Debtor, an itinerant peddler, cannot be located.

Ranzy Wells—Controller's No. 59565—damage to Water Board car \$4.69. We are offered \$3.98 in full settlement.

Nick John Tolomei—Controller's No. 56471—damage to city car \$19.05. We are offered \$16.19 in full settlement.

Richard W. Lowe—Controller's No. 56452—damage to city car \$6.19. Debtor paid \$3.00. Cannot now be located.

Edward LaFortune—Controller's No. 58200—damage to Water Board car \$3.13. Refuses to pay.

Respectfully submitted,
LEO E. LAJOIE,
Assistant Corporation Counsel.

Approved:
WILLIAM E. DOWLING,
Corporation Counsel.

By Councilman Sweeny:

Resolved, that the City Controller be and he is hereby authorized and directed to cancel accounts receivable bills in accordance with the foregoing communication.

Adopted as follows:
Yeas—Councilmen Castator, Com-

stock, Dorais, Edwards, Rogell, Sweeny, and the President—7.
Nays—None.

Corporation Counsel

August 7, 1945.

To the Honorable, the Common Council:

In re: Petition 485, Claim 11264, Mrs. Evelyn Sackett, 9270 N. Martindale Ave.

Gentlemen—On February 13, 1942, at about 4:30 p. m., petitioner claims to have received injuries in front of 20815 Grand River Avenue. This matter was presented to your Honorable Body on April 27, 1942, and upon our recommendation, denied.

Suits were started in the Circuit Court for the County of Wayne, same being No. 229,843 and 229,844. An offer of settlement has been made in the sum of \$110.00 which are medical bills incurred, and which we deem advantageous to the City of Detroit, and recommend the adoption of the following resolution.

Very truly yours,
JAMES R. WALSH,
Asst. Corporation Counsel.

Approved:
PAUL T. DWYER,
Acting Corporation Counsel.

By Councilman Comstock:

Resolved, That the Controller be and he is hereby directed and instructed to draw his warrant upon the proper fund in favor of Mrs. Evelyn Sackett in the sum of \$110.00, same being payment in full for all claims or demands of whatsoever nature the said Mrs. Evelyn Sackett may have against the City of Detroit by reason of injuries received February 13, 1942, at about 4:30 p. m. in front of 20815 Grand River Avenue, Detroit; and be it further

Resolved, That the said sum of \$110.00 be paid upon the presentation of releases and discontinuance of Circuit Court suits Nos. 229,843 and 229,844, to be approved by the Corporation Counsel.

Adopted as follows:
Yeas—Councilmen Castator, Comstock, Dorais, Edwards, Rogell, Sweeny, and the President—7.
Nays—None.

Art Commission

August 8, 1945.

To the Honorable, the Common Council:

Gentlemen—In our Budget for the coming year was set up the position of Intermediate Clerk at rate of \$1,886 to \$2,018. After survey of the duties by the Civil Service Commission it was recommended that this