

By Councilman Comstock:  
 Resolved, That the Corporation Counsel be and he is hereby directed to prepare the proper resolution to include the foregoing described property in the acquisition of playfield at Konkel and Junction Aves., and submit same to this body for approval.

Adopted as follows:  
 Yeas—Councilmen Castator, Comstock, Dorais, McNamara, Oakman, Van Antwerp, and the President Pro Tem.—7.  
 Nays—None.

**Department of Public Works**  
 April 4, 1947.

To the Honorable, the Common Council:

Gentlemen—The City Plan Commission, in their communication to your Honorable Body of October 18, 1946, recommended that the petition of Marion Teagan (2151), requesting the vacation of Hammond Avenue southerly of Buchanan Street and a portion of Cook Street easterly of Military, be granted provided the petitioner deeds a portion of his property to provide an outlet to Buchanan Street for the remaining portion of Cook Street.

On October 21, 1946, your Committee of the Whole concurred in the recommendation of the City Plan Commission on the condition that the 20-foot public alley between Buchanan Street and Cook Street, east of Military Avenue, adjoining the 37.14-foot strip of petitioner's property to be deeded for street purposes, is dedicated for street purposes. The petition was then referred to the Department of Public Works for further investigation and report.

On March 24, 1947, in reply to a letter from Hon. Eugene I. Van Antwerp, the Corporation Counsel's Office rendered the following opinion regarding the legality of rededicating the 20-foot public alley, adjoining the 37.14-foot strip to be deeded for street purposes: ". . . . It is our opinion that the location of the existent 20-foot alley alongside the strip dedicated for the relocation of Hammond Avenue does not at all affect the legality of the proceeding to vacate Hammond Avenue and Cook Street nor the legality of the dedication of the strip for the relocation of Hammond Avenue."

On April 7, 1947, the petitioner made the following payments into the City Treasury:

a) \$4,000.00, Receipt No. 48871, credited to Department of Water Supply Fund Code No. 601-9300-0-6290-908, said amount being the estimated cost of abandoning approximately 514 feet of 8" water main in Cook Street and Hammond Avenue and constructing approximately 396

feet of new 8" main in the new street from Cook to Buchanan.

b) \$160.00, Receipt No. 48872, credited to Public Lighting Commission Fund Code No. 123-9300-0-9, said amount being the estimated cost of removing Public Lighting Commission's wires in way of vacating Hammond Avenue.

c) \$250.00, Receipt No. 48870, credited to Fire Department Fund Code No. 106-9400-0, said amount being the estimated cost of cutting out hydrant and gate at Hammond Avenue approximately 150 feet north of Cook Street.

d) \$63.92, Receipt No. 48869, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving Buchanan Street at the intersection of Hammond Avenue.

The petitioner also deposited, on April 7, 1947, to the Permit Division of the Department of Public Works, the sum of \$1,854.00, Receipt No. 64914, said amount being the estimated cost of removing existing paved returns on south side of Buchanan Street at intersection of Hammond Avenue, of reconstructing the curbing and sidewalks incidental to said removal, and of stoning and grading the property deeded for new street. All other City departments and private utilities reported that they will be unaffected by the proposed vacations or that they have reached satisfactory agreements with the petitioners regarding their installations.

We are in receipt of a warranty deed from Marion Teagan to City of Detroit dedicating land for the new street as per City Plan Commission's recommendation, said deed having been approved as to form and execution by the Corporation Counsel and as to correctness of description by the City Engineer, and we are attaching said deed hereto for your acceptance.

On the basis of the opinion of the Corporation Counsel above mentioned, and inasmuch as the petitioner complied with all the requirements set forth by this office regarding reimbursements, etc., we recommend the adoption of the attached resolutions.

Respectfully submitted,  
 ERNEST JONES,  
 Commissioner.

By Councilman Comstock:

Resolved, That all of Hammond Avenue, 33 feet wide as now established, lying between the southerly line of Buchanan Street, 60 feet wide as opened and as now established and the northerly line of Cook Street 60 feet wide as now established, more

particularly described as all of said Hammond Avenue, 33 feet wide, as platted in plat of the subdivision of the estate of Stephen Livernois, being part of P. C. 574, as recorded in Liber 180 of deeds, pages 343, 344 and 345, Wayne County Records, lying east of and adjoining the easterly line of lots 81 to 92, both inclusive, and east of and adjoining the easterly line of the southerly 5.50 feet of lot 80, all lots being the same as platted in Kent & Hurd's Subdivision of lots 49, 50, 54, 55, 74, 75, 89, 92, 93, 98, 101 and 102 of the estate of Stephen Livernois on P. C. 574, T. 2 S., R. 11 E., Springwells, Wayne County, Michigan, as recorded in Liber 6 of plats, page 66, Wayne County Records;

Also, all that part of Cook Street, 60 feet wide, lying southerly of Buchanan St. between Military Ave. and Pere Marquette R. R. right-of-way, more particularly described as all that part of said Cook St., 60 feet wide, as platted in plat of the subdivision of the estate of Stephen Livernois, being part of P. C. 574, as recorded in Liber 180 of deeds, pages 343, 344 and 345, Wayne County Records, lying between a line, said line being the easterly line, extended southerly, of Hammond Ave., 33 feet wide as now established, and a line, said line being the easterly line, extended southerly to the southerly line of Cook St., of the westerly 37.14 feet of lot 92 of Kent & Hurd's Subdivision, heretofore mentioned,

Be and the same are hereby vacated as public streets to become a part and parcel of the adjoining property, and further,

Resolved, That warranty deed of Marion Teagan to City of Detroit deeding land for street purposes, said land being described as "the westerly 37.14 feet of lots 81 to 92, both inclusive, of Kent & Hurd's Subdivision of lots 49, 50, 54, 55, 74, 75, 89, 92, 93, 98, 101 and 102 of the estate of Stephen Livernois on P. C. 574, T. 2 S., R. 11 E., Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 6, page 66 of plats, Wayne County Records; also, the westerly 37.14 feet of all that part of lot 80 of last mentioned subdivision lying between the northerly line of lot 81 of last mentioned subdivision and the southerly line of Buchanan St., 60 feet wide as now established",

Be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, Dorais, McNamara, Oakman, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

## Department of Public Works

April 1, 1947.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of the Detroit Bank (No. 3438), requesting the vacation of an 18 foot east and west public alley in block bounded by Chalmers, Hayes, Harper and Evanston Avenues, to the Department of Public Works for further investigation and report. This vacation was approved and recommended by the City Plan Commission in their communication, to your Honorable Body, of January 9, 1947.

We wish to advise that all of our investigations have been completed. On April 1, 1947, the petitioners made the following deposits into the City Treasury: \$200.00, receipt No. 48615, credited to Public Lighting Commission Fund Code No. 123-9300-0-9, said amount being the estimated cost of removing P.L.C. wires located in alley requested to be vacated; \$150.00, receipt No. 48614 credited to Fire Department Fund Code No. 106-9400-0, said amount being the estimated cost of rerouting Fire Department's signal wires; \$362.76, receipt No. 48613, credited to Police Department Fund Code No. 118-622-1, said amount being the estimated cost of rerouting this department's signal wires; \$544.96, receipt No. 48616, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving the easterly  $\frac{1}{2}$  of Chalmers Avenue and the westerly  $\frac{1}{2}$  of Hayes Avenue, between Harper and Evanston Avenues at the intersection of the alley requested to be vacated.

On April 1, 1947, the petitioners also deposited with the Permit Division of the Department of Public Works the sum of \$561.25, receipt No. 64730, said being the estimated cost of removing existing paved alley returns and reconstructing the curbing and sidewalks on the east side of Chalmers and the west side of Hayes Avenue at the intersection of the alley requested to be vacated.

All other City departments and private utilities reported that they will be unaffected by the proposed vacation of said alley or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

In view of the above, we recommend the adoption of the attached resolution.

Respectfully submitted,  
ERNEST JONES,  
Commissioner.

By Councilman Comstock:  
Resolved, That all of east and west public alley, 18 feet wide in block bounded by Chalmers, Hayes, Harper, and Evanston Aves. more particularly