

Van Antwerp, and the President—7.
Nays—None.

Councilman Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

November 11, 1947

To the Honorable, the Common Council:

Gentlemen—Petition of Hugh & Gorman et al (5583) requesting the conversion into an easement of the north and south public alley in block bounded by Whitehill, Lansdowne, Britain and Morang Avenues was referred to the Department of Public Works by your Committee of the Whole for investigation and report.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of September 10, 1947.

We wish to advise that all of our investigations have been completed.

Proper restrictions as to the use of the easement are incorporated into the vacating resolution to protect the City's interests in the lateral sewer and the Fire Department's telegraph wires located in above mentioned alley.

All other city departments and private utility companies reported that they will be unaffected by the proposed change, or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

The conversion of this alley into easement conforms with Common Council resolution of November 13, 1945, J.C.C. page 2230.

Respectfully submitted,

ERNEST JONES,
Commissioner.

By Councilman Comstock:

Resolved, That all of north and south public alley, 9 feet wide, in block bounded by Whitehill, Lansdowne, Britain and Morang Avenues, as platted in Obenauer-Barber Laing Co.'s Du Nord Park No. 1, a subdivision of part of lot 2 subdivision of back concession of private claim 258, City of Detroit, Wayne County, Michigan, as recorded in Liber 56 of plats, page 24, Wayne County Records, lying east of and adjoining the east line of lots 425 to 441, both inclusive, of last mentioned subdivision;

Be and the same is hereby vacated as public alley and converted into a public easement, which easement shall be subject 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, 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 public alley herein above 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 or 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 nature 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 to the lateral sewers located therein, and at all times shall have the right to enter the premises, if found necessary, on account of said sewers, to alter, repair or service same.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, Van Antwerp, and the President—7.
Nays—None.

Department of Public Works

November 12, 1947.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of Kenneth A. Meade, et al (No. 2292), requesting the conversion into an easement of the north and south public alley in block bounded by Pinehurst, Monte-Vista, Clarita, and 7 Mile Road to the Department of Public Works for investigation and report.

The vacation of these alleys was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of February 14, 1947.

We wish to advise that all of our investigations have been completed.

Proper restrictions as to the use of the easements are incorporated into the vacating resolution to protect the City's interests in the lateral

sewers and the Fire Department's signal wires located in above mentioned alley.

All other city departments and private utility companies reported that they will be unaffected by the proposed change or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

The conversion of this alley into easement conforms with Common Council resolution of November 13, 1945. J.C.C. page 2230.

Respectfully submitted,

ERNEST JONES,
Commissioner.

By Councilman Comstock:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by, Monte Vista, Pinehurst, Clarita Avenues and 7 Mile Road, as platted in Palmyra Woods Subdivision of part of the N. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Sec. 8, T. 1 S., R. 11 E., City of Detroit and Twp. of Greenfield, Wayne County, Michigan, as recorded in Liber 45 of plats, Page 85, Wayne County Records, lying east of and adjoining the east line of lots 26 to 36, both inclusive, and west of and adjoining the west line of lots 67 to 77, both inclusive, all lots being the same as platted in last mentioned subdivision;

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property subject 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, 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 public alley herein above 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 or 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 nature 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.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, Van Antwerp, and the President—7.
Nays—None.

Department of Public Works

November 12, 1947.

To the Honorable, the Common Council:

Gentlemen—Lateral Sewer No. 6535 has been completed and accepted by your Honorable Body. The cost of the sewer has been assessed against the abutting property as set forth in lateral sewer assessment roll B-22, the total assessment being \$4,613.63.

A notice of the completion of this roll was published in the Detroit Legal News on October 22, 1947 as prescribed by ordinance. No protests were received against this roll. We therefore recommend that your Honorable Body confirm same.

Respectfully submitted,

ERNEST JONES,
Commissioner.

By Councilman Comstock:

Resolved, That Lateral assessment roll B-22 for defraying the cost of constructing Lateral Sewer 6535, prepared by the D.P.W. in accordance with the ordinance, be and the same is hereby approved and confirmed.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, Van Antwerp, and the President—7.
Nays—None.

Reconsideration

Councilman Comstock moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, Van Antwerp, and the President—7.
Nays—None.

Councilman Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

November 10, 1947.

To the Honorable, the Common Council:

Gentlemen—Returning herewith the following petitions—6875, 7280 and 7282, requesting the forced construction of sidewalks at the following locations: