

Reconsideration

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

Councilman Castator 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, Van Antwerp, and the President—6.

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

October 8, 1947.

To the Honorable, the Common Council:

Gentlemen—The Grand Trunk Western Railroad Company are requesting permission to install a sewer, by private contract, in Frederick Avenue from St. Aubin Avenue to 500 feet west of St. Aubin Avenue.

It is recommended that the request be granted in accordance with the following resolution.

Respectfully submitted,
ERNEST JONES,
Commissioner.

By Councilman Comstock:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to Grand Trunk Western Railroad Company to install a lateral sewer, by private contract, in Frederick Avenue from St. Aubin Avenue to 500 feet west of St. Aubin Avenue.

Provided, The work is performed in accordance with plans and specifications of the City Engineer, and under the Inspection Division of the Department of Public Works, and further;

Provided, That the entire cost of the improvement shall be borne by petitioner; and further, that grantee shall deposit in advance with the Department of Public Works such amount as that department deems necessary to cover the cost of inspection and other services as shall be required.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Van Antwerp, and the President—6.

Nays—None.

Department of Public Works

September 29, 1947.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of Gratiot Avenue Baptist Church (4199) re-

questing the vacation of a portion of 18 foot east and west public alley in block bounded by Reno, Gratiot, Eastwood and Fordham Avenues to the Department of Public Works for investigation and report.

The vacation of said alley was previously approved by the City Plan Commission with the recommendation that the petitioners dedicate a portion of their property to be used as an alley outlet.

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

On September 16, 1947 the petitioners deposited into the City Treasury the sum of \$117.00, Receipt No. 21920, credited to Public Lighting Commission Fund Code No. 123-9300-0-6190-481, said amount being the estimated cost of removing said department's wires, necessitated by vacation of said alley.

On September 16, 1947 the petitioners also deposited the sum of \$853.10 with the Permit Division of the Department of Public Works, Receipt No. 71928, said amount being the estimated cost of constructing a paved alley return on south side of Fordham Avenue, west of Gratiot Avenue, at entrance of new alley, grading, stoning and installing drainage in said alley and incidental work.

We are in receipt of a quit claim deed executed by the authorized officers of the Gratiot Avenue Baptist Church deeding land for an alley outlet in accordance with recommendation of the City Plan Commission. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and we are attaching it hereto for your Honorable Body's acceptance.

We are also in receipt of a grant of easement protecting the City's interests in the lateral sewer located in alley to be vacated. Said easement was approved by the Corporation Counsel as to form and execution, and by the City Engineer as to description. The petitioners agreed not to erect any permanent structure of any nature whatsoever that may interfere with the easement granted without first securing the approval and permission of the City Engineer and the Department of Bldgs. and Safety Engineering.

All other City departments and private utility companies reported that they will be unaffected by the proposed vacation of 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 that part of east and west public alley, 18 feet wide, in block bounded by Reno, Gratiot, Eastwood and Fordham Avenues, as platted in Pulcher Estate Subdivision of part of the N.W. $\frac{1}{4}$ of Sec. 12, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 44 of plats, page 76, Wayne County Records, lying south of and adjoining the south line of lots 343, 344 and south of and adjoining the south line of the east 17 feet of lot 345, also described as lying between the west line, extended southerly, of the east 17 feet of lot 345 and the west line of 20 foot north and south public alley first west of Gratiot Avenue, between Eastwood and Fordham Avenues, all lots and alleys mentioned 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 proviso:

Provided, That by reason of the vacation of the above described alley the City of Detroit does not waive any rights to the lateral sewer located therein, and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter or service same, and if any building is to be constructed over said sewer, the same shall be replaced with 12 inch cast iron pipe or 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, provided that the petitioners shall not build over said alley without first securing the approval of the City Engineer and the Department of Buildings and Safety Engineering, and further,

Resolved, That for the purpose of enforcement of the above proviso, the City of Detroit hereby reserves unto itself the north and south three feet adjoining the center-line of the alley herein vacated, and further

Resolved, That quit claim deed of Gratiot Avenue Baptist Church to City of Detroit deeding land for alley purposes, said land being described as follows:

The east 18 feet of the west 23 feet of lot 345 of Pulcher Estate Subdivision of part of the N.W. $\frac{1}{4}$ of Sec. 12, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber

44 of plats, Page 76, Wayne County Records,"

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, McNamara, Oakman, Van Antwerp, and the President—6.

Nays—None.

Department of Public Works

October 9, 1947.

To the Honorable, the Common Council:

Gentlemen—Petition of Maynard L. James, et al (4512), requesting the conversion into an easement of the public alleys in block bounded by Meyers, Manor, Belton and Oakman Boulevard was referred, by your Committee of the Whole, 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 May 23, 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 located in above mentioned alleys.

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 these alleys into easements conforms with Common Council resolution of November 13, 1945, J.C.C. page 2230.

Respectfully submitted,

ERNEST JONES,
Commissioner.

By Councilman McNamara:

Resolved, That all of north and south public alley, 20 feet wide, and all of east and west public alley, 20 feet wide, in block bounded by Meyers Road, Manor Avenue, Belton Avenue and Oakman Boulevard, as platted in Robert Oakman Land Company's Aviation Field Subdivision No. 4 of N. W. $\frac{1}{4}$ and part of N. E. $\frac{1}{4}$ of Sec. 5, T. 2 S., R. 11 E., Greenfield Twp., and City of Detroit, Wayne County, Michigan, as recorded in Liber 58 of Plats, page 48, Wayne County Records, more particularly described as follows: All of said north and south public alley, 20 feet wide, lying east of and adjoining the east line of lots 2566 to 2582, both inclusive, and