

Committee of the Whole for investigation and report.

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

On December 9, 1947, the petitioners deposited into the City Treasury the sum of \$402.34, Receipt No. 32656, to reimburse the City of Detroit for the original cost of paving Allen Place and Roselawn Avenue at the intersection of the alleys requested to be vacated.

The petitioners requested that the existing paved returns at entrances to said alley remain in their present condition, as their plans call for the utilization of said returns, and have agreed to pay all costs incidental to their removal at any time in the future if it becomes necessary to remove them.

Proper restrictive provisions are incorporated in the vacating resolution protecting the City's interests in the lateral sewer located in the alley requested to be vacated.

All other City departments and private utility companies reported that they will be unaffected by the vacation of said alley.

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

Respectfully submitted,
ERNEST JONES,
Commissioner.

By Councilman Rogell:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by Oakman Blvd., Roselawn Ave., and Allen Place, lying west of and adjoining the west line of lots 43 to 60, both inclusive, and east of and adjoining the east line of lots 61 to 76, both inclusive, all lots and said alley being the same as platted in Robert Oakman Land Company's Grand River and Oakman Highway re-subdivision of lots 2 and 3 of the subdivision of the east $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of Sec. 33, and lots 25 to 34, inclusive, and part of lots 35, 36 and 37 of the Maplegrove Subdivision of lot 4 of the subdivision of the east $\frac{1}{2}$ of northwest $\frac{1}{4}$ of Section 33, and part of the southwest $\frac{1}{4}$ of Section 28, T. 1 S., R. 11 E., Detroit, Wayne County, Michigan, as recorded in Liber 57 of plats, Page 8, Wayne County Records;

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 provisions:

(a) 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 alley or service same, and further

(b) Provided, that if any building is to be constructed over said sewer the same shall be replaced with cast iron pipe of same size, or the present sewer shall be encased in 8" 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 of the Department of Public Works, and all costs entailed to be borne by the petitioners, and further,

(c) Provided, that petitioners, their successors or assigns, shall not build over said alley without first securing the approval of the City Engineer, and the Department of Building and Safety Engineering.

Adopted as follows:

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

Department of Public Works

December 15, 1947.

To the Honorable, the Common Council:

Gentlemen — Petition of Morris Kaufman et al (6008) requesting the conversion into an easement of a certain public alley in block bounded by Monica, Prairie, 7 Mile Road and Cambridge 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 October 31, 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 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 Rogell:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by Prairie, Monica, 7 Mile Road and Cambridge Avenue, lying east of and adjoining the east line of lots 81 to 94, both inclusive, and west of and adjoining the west

line of lots 55 to 68, both inclusive, all lots and said alley being the same as platted in Golfdale Subdivision of part of W. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ of Section 4, T. 1 S., R. 11 E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 36 of plats, Page 98, Wayne County Records;

Be and the same is hereby vacated as a 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.

Adopted as follows:

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

Department of Public Works

December 15, 1947

To the Honorable, the Common Council:

Gentlemen—Attached hereto is progress report and letter from the City Engineer's Office on the grade separation protection program for the week ending December 12, 1947.

Respectfully submitted,

ERNEST JONES,
Commissioner.

Department of Public Works

December 12, 1947.

Mr. Ernest Jones

Commissioner of Public Works

Dear Sir—Attached is a tabulation

showing the status of agreement negotiations with all the Railroads for a program of improved crossing protection as of this date.

The following report refers to specific construction progress that has been made during the current week.

Detroit Terminal Railroad: Concrete bases for the signal equipment at W. Chicago and Joy Road were constructed this week. This completes all of the foundation work at the locations scheduled in the current year's program. Enough 3-inch pipe for the conduit installation at three crossings has been located and is being processed at this time. Cable material is still lacking and until received will continue to hold up faster progress.

The joint application of the City and Railroad to the Michigan Public Service Commission, for an appropriate order covering the protection installation program in the years 1948 and 1949, has been signed by the Commissioner of Public Works and returned to the Railroad for similar action and submission to the Commission.

Pere Marquette Railway: We are informed that all necessary materials are at hand for the full completion of the crossing protection equipment being installed at the Greenfield and Joy Road crossings on the Main Line. The Greenfield crossing installation was progressed to 80% of full completion, and the Joy Road work to 90%. It is now expected that it will be possible to place both protective devices in service before the end of the coming week.

Pennsylvania Railroad: In response to our recent letter of inquiry, Supt. Kimble of the Railroad's Toledo Division, advises that the warning signals erected at Joy Road and Fullerton Avenue crossings will be placed in service on December 17, 1947 at 11:01 A. M. The operation of these signals, the installation of which had been virtually completed last September, was held in abeyance pending authorization by the Michigan Public Service Commission.

New York Central Railroad: Interruptions to the installation work being performed at the Lonyo and Central crossings on the Main Line was occasioned by signal changes that were necessary in the vicinity of the John Lodge Expressway grade separation with the railroads south of Baltimore.

However, it is reported that completion percentage was advanced 5% in connection with the Lonyo Road work, and about 2% at Central.

The full completion of both crossing protections is expected to take