

satisfactory evidence of ownership of the property granted to the City, and the property requested to be reconveyed by the City of Detroit; and further

Resolved, That upon compliance with the above provisos the City Engineer be and he is hereby directed to release said quit claim deed.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 4, 1947.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of George A. Barry, et al, No. 6258, requesting the conversion into an easement of the public alley south of Curtis Avenue and west of Murray Hill Avenue 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 September 10, 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 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 Oakman:

Resolved, That all that part of east and west public alley, 20 feet wide, south of Curtis Avenue and west of Murray Hill Avenue, as platted in St. Mary's Subdivision of part of the W. ½ of the S.E. ¼ of Sec. 12, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 59 of plats, Page 81, Wayne County Records, lying north of and adjoining the north line of lot 242 and south of and adjoining the south line of lots 116 to 120, 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, 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 sewer located therein, and at all times shall have the right to enter the premises, if found necessary, on account of said sewer to alter, repair or service same.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 5, 1947.

To the Honorable, the Common Council:

Gentlemen—Petition of Outer Drive Faith Evangelical Lutheran Church (No. 6009), requesting the conversion into an easement of the north and south public alley north of Santa Clara Avenue between Ward and Sorrento 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.