

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 16, 1947.

To the Honorable, the Common Council:

Gentlemen—Petition of Albert F. Reilly, et al (6378), requesting the conversion into an easement of the north and south public alley in block bounded by Sherwood, Concord, Nuernberg Avenues and McNichols Road was referred to the Department of Public Works by your Committee of the Whole 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 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 Oakman:

Resolved, That all of north and south public alley, 15 feet wide, in block bounded by Sherwood Avenue, Concord Avenue, Nuernberg Avenue and McNichols Road, as platted in Cavell's North Detroit Subdivision, of part of the N.E. ¼ of Sec. 16, T. 1 S., R. 12 E., Hamtramck, Wayne County, Michigan, as recorded in Liber 20 of plats Page 38, Wayne County Records, lying east of and adjoining the east line of lots 20 to 35, both inclusive, and west of and adjoining the west line of lots 42

to 57, both inclusive, all lots being the same as platted in last mentioned subdivision;

Be and the same is hereby vacated as public alley and converted into a 15 foot 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 sewer to alter, repair or service same.

Adopted as follows:

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

Nays—None.

Department of Public Works

October 16, 1947.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of the Detroit Construction Co. (3813), requesting the conversion into an easement of the public alleys north of Outer Drive, between Dolphin and Rockdale Avenues, and south of Outer Drive, between Dolphin and Lahser Avenues, to the Department of Pub-