

lowing 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, Rogell, Van Antwerp, and the President—7.

Nays—None.

**Department of Public Works**

October 23, 1947.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith petition of Harry Frankel (6500), requesting the vacation of Lowdell and Pleasant Avenues and alleys adjoining, north of Dix Avenue.

The vacation of said streets and alleys was approved by the City Plan Commission in their communication to your Honorable Body of September 10, 1947. The petition was then referred to this office by your Committee of the Whole for investigation and report.

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

All City departments and private utility companies reported that they

will be unaffected by the vacation of said streets and alleys, 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.

**Aurora Gasoline Company**

October 23, 1947.

To the Honorable, the Common Council:

Gentlemen—On date of October 1, 1946 the Common Council of the City of Detroit authorized by resolution a permit by the Department of Public Works, J.C.C. pages 2296 and 2297, to cover the installation of a four inch diameter steel pipe line from the premises occupied by Aurora Gasoline Company through various streets and alleys in the City of Detroit to its ultimate destination, the premises of the Michigan Consolidated Gas Company in the City of Melvindale, Michigan.

It is now our understanding that a petition has been filed with the Common Council by Harry Frankel and Rose Frankel, his wife, requesting the vacating of certain streets and alleys in the subdivision known as the Palms Dix-Vernor Highway Subdivision, which subdivision is located in the City of Detroit and the plat of said subdivision is recorded in Liber 62 Page 29 of Plats in the Office of the Registrar of Deeds for Wayne County, Michigan.

The Aurora Gasoline Company pipeline above referred to is laid beneath Pleasant Avenue starting at So. Dix Avenue and goes northerly to the alley at the rear of Lots 14 to 34 inclusive in said subdivision and then westerly beneath said alley at the rear of Lots 14 to 34 inclusive and then northerly beneath Lowdell Avenue to the Wabash Railroad spur which is the northerly boundary of said subdivision.

We have now secured an easement from Harry Frankel and Rose Frankel, his wife, for the inspection, maintenance, repair and replacement of said pipe line so as to properly protect the rights of our company should the streets and alley be vacated in the property purchased by the Frankels in the above mentioned subdivision.

It is accordingly agreeable to us that the Common Council grant the petition for the vacating of the streets and alleys above described in detail and it is our understanding that when and if such vacation of said streets and alleys are granted under