

pressly on the condition that said utility lines, and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Department by said grantee at its expense, and further

Provided, That said permit issued by the Department of Public Works is granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted providing for an annual charge or rental for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said Charter, or ordinance or resolution, and that said grantee does hereby bind itself thereunto and to accept said permit on the conditions hereby imposed, and in the event of the said grantee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, this permit shall immediately become void, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council and grantee hereby expressly waives any right to claim damages or compensation for property constructed hereunder or for the removal of same, and further, that grantee acquires no implied or other privileges hereunder not expressly stated herein

Adopted as follows:

Yeas—Councilmen Comstock, Connor, Edgecomb, Garlick, Kronk, Miriani, Cakman, Smith and the President—9.

Nays—None.

Department of Public Works

February 3, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Luther C. Sheridan, et al (No. 3431), requesting the conversion into an easement of the 18-foot north and south public alley in block bounded by Minock, Westwood, Westfield and W. Chicago Avenues, was referred to this department by your Committee of the Whole for investigation and report, and is returned herewith.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of December 9, 1948.

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

In reply to our inquiries, all 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 an easement conforms with Common Council resolution of November 13, 1945, J.C.C. Page 2230.

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

Respectfully submitted,

T. C. HANSON,
Commissioner.

By Councilman Comstock:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by Minock, Westwood, Westfield and W. Chicago Avenues, as platted in Warrendale Warsaw Subdivision of the W. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ of Section 35, T. 1 S., R. 10 E., Redford Twp., Wayne County, Michigan, as recorded in Liber 47 of plats, Page 33, Wayne County Records, lying west of and adjoining the west line of lots 55 to 67, both inclusive, and east of and adjoining the east line of lots 80 to 92, both inclusive, all lots being the same as platted in last mentioned subdivision;

Es 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, hereinabove 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 buildings 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 Comstock, Con-

nor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—9.

Nays—None.

Department of Public Works

February 2, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Frank D. Fry et al (1723) requesting the conversion into an easement of the public alleys in block bounded by Meyers Road, Manor Avenue, Outer Drive and St. Martins Avenue, was referred to this department by your Committee of the Whole for investigation and report, and is returned herewith.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of July 15, 1948.

We wish to advise that all of our investigations have been completed. In reply to our inquiries, all 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 an easement conforms with Common Council resolution of November 13, 1945, J. C. C. Page 2230.

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

Respectfully submitted,
THOMAS C. HANSON,
 Commissioner.

By Councilman Comstock:

Resolved, That all of public alleys 18 and 20 feet wide, in block bounded by Meyers Road, Manor Avenue, Outer Drive and St. Martins Avenue, as platted in Bleinheim Forest Subdivision of part of N. 1/2 of the S. 1/2 of the S. E. 1/4 of Section 5, and the S. 1/2 of the N. 1/2 of the S. E. 1/4 of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 55 of plats, Page 39, Wayne County Records, more particularly described as follows: All of north and south public alley 20 feet wide, lying east of and adjoining the east line of lots 171 to 183, both inclusive, east of and adjoining the east line of the north 20 feet of Outer Drive as platted in last mentioned subdivision, and as vacated by Common Council resolution of September 28, 1948, J. C. C. Page 2577, west of and adjoining the west line of lot 184, west of and adjoining the west line of lots 161 to 170, both inclusive, and west of and adjoining the west line of 18-foot east and west public alley hereinafter described; also all of east and west public alley, 18 feet wide, lying north of and ad-

joining the south line of lot 161, all lots being the same as platted in last mentioned subdivision.

Be and the same are hereby vacated as public alleys and converted into public easements, which easements shall be subject to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of said lots 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, hereinabove 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 buildings or structures of any nature whatsoever, (except necessary line fences) shall be built or placed upon said easements or any part thereof so that said easements shall be forever of easy access for the purposes named above.

Third, that said easements 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 Comstock, Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—9.

Nays—None.

Department of Public Works

January 31, 1949.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of the Department of Parks & Recreation requesting the vacation of Stout Avenue, between Kendall Avenue and the alley north of Schoolcraft Avenue, to this department for investigation and report.

The vacation of said street was approved and recommended by the City Plan Commission in their communication to your Honorable Body of December 11, 1947.

Please be advised that all of our investigations have been completed.

In reply to our inquiries all City departments (except the Department of Water Supply), and all private utility companies reported that they were unaffected by the vacation of