

nation resolution, etc., be and the same is hereby amended accordingly.

Adopted as follows:
Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.
Nays—None.

Department of Public Works

March 11, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith petition of the Aurora Gasoline Co., (Petition No. 4224) requesting the vacation of a portion of the north and south public alley south of Puritan Avenue between Washburn and Wyoming Avenues. The vacation of said alley was approved and recommended by the City Plan Commission in their communication to your Honorable Body of January 14, 1949. The petition was then referred to this office by your Committee of the Whole for investigation and report.

Please be advised that all of our investigations have been completed. As per our directive on March 8, 1949, the petitioners deposited into the City Treasury the sum of \$338.98, Receipt No. 45352, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving Puritan Avenue at the intersection of the alley to be vacated.

The petitioners requested that the existing paved alley return on the south side of Puritan Avenue, at the entrance to the alley requested to be vacated, remain in its present status as they intend to utilize same, and, by letter filed with the original petition, have agreed to pay all costs incidental to the removal of the paved alley return and the reconstruction of curbing incidental thereto at such time as such removal is requested by them or the City of Detroit.

Proper provisions protecting the City's interests in the sewer located in the alley are incorporated in the vacating resolution.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alley, 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,
THOMAS C. HANSON,
Commissioner.

By Councilman Garlick:

Resolved, That all that part of north and south public alley, 20

feet wide, south of Puritan Avenue, between Washburn and Wyoming Avenues, as platted in Dyer's St. Mary's Subdivision of the N. 1/2 of the N. E. 1/4 of the S. E. 1/4 of Sec. 17, T. 1 S., R. 11 E., as recorded in Liber 46 of plats, Page 68, Wayne County Records, lying east of and adjoining the east line of lot 30 and west of and adjoining the west line of lots 26 to 29, both inclusive, and west of and adjoining the west line of the north 8.52 feet of lot 25, 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 provisions:

1. Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the sewers 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, alter and service same, and further

2. Provided, That if any building is to be constructed over the sewer, said sewer shall be replaced by cast iron pipe of the same size, or the sewer shall be encased in 6 inches of Class "A" concrete, and such sewer manholes shall be constructed as shall be specified by the City Engineer; all such work to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners or their assigns; and further

3. Provided, That petitioners or their assigns shall not build over said sewer without first securing the approval of the City Engineer and the Department of Buildings and Safety Engineering.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.

Nays—None.

Department of Public Works

March 11, 1949.

To the Honorable, the Common Council:

Gentlemen — Petition of Clyde Thomas, Jr., et al, (No. 3837) requesting the conversion into an easement of the north and south public alley in block bounded by Avon, Greenview, St. Martins and Pembroke 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 January 14, 1949.

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 Garlick:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by Avon, Greenview, St. Martins and Pembroke Avenues, as platted in Southlawn Grove Subdivision of the N. 1/2 of the N. 1/2 of the S. E. 1/4, Sec. 2, T. 1 S., R. 10 E., Redford Twp., Wayne County, Michigan, as recorded in Liber 53 of plats, Page 41, Wayne County Records, lying west of and adjoining the west line of lots 153 to 163, both inclusive, and east of and adjoining the east line of lots 164 to 174, 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.

Provided, The City of Detroit Hereby Reserves for Itself 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 of ingress or egress at any time to and over said easement for the purposes above set forth;

And Further Provided, That the owners of lots abutting on said vacated alley, their heirs and assigns, Shall Not Build or Construct any buildings or structure of any nature whatsoever, (except necessary line fences) upon said easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above;

And Further Provided, Said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting that same shall not

be opened for the passage of vehicles therein;
And Further Provided, That if at any time in the future, the owners of any lots abutting on said vacated alley, their heirs and assigns, shall request the removal and/or relocation of any existing poles or other utilities in said easement, upon whose property such poles or other utilities are located, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Connor, Edgcomb, Garlick, Kronk, Miriani, Oskman, Smith and the President—8.
Nays—None.

Department of Public Works
March 4, 1949.

To the Honorable, the Common Council:

Gentlemen—This office is in receipt of street paving petitions from various home builders, who own the majority of the property abutting the streets for which they have deposited with the City Treasurer one-quarter of the estimated cost in each case, as listed herewith:

- Pet. No. 4639, Stanley Nowicki, Westwood Ave., Chicago to Orange-lawn;
- Pet. No. 4633, Elim Baptist Church, Appoline, Grove to Jas. Couzens;
- Pet. No. 4772, Rev. F. A. Banaszak, Dwyer, Miller to Dorothy;
- Pet. No. 4774, Rev. L. C. Zurek, Diversey, Woodmont to Asbury Park;
- Pet. No. 4706, Greenlee Builders, Gilchrist, Margareta to 7 Mile Rd.;
- Pet. No. 4524, Defense Homes, Patton, Joy to Cover;
- Pet. No. 4520, Maxwell Fader Co., Grandmont, Davison to Schoolcraft.

Since these petitions have majority ownership in each case, and the City ordinance relative to the one-quarter payment in advance has been fulfilled, it is hereby recommended that the necessary plans be made and the streets be advertised for paving proposals.

Respectfully submitted,
THOS. C. HANSON,
Commissioner.

By Councilman Kronk:
Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to prepare plans and advertise for paving proposals on the streets listed in the foregoing communication.

Adopted as follows:

Yeas—Councilmen Connor, Edgcomb, Garlick, Kronk, Miriani, Oskman, Smith and the President—8.
Nays—None.