

May 24

comb. Garlick, Kronk, Miriani, Oakman, Smith and the President—8.  
Nays—None.

Department of Public Works

May 19, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith petition of the Fifty-Two Corporation, et al (No. 5079), requesting the vacation of an alley west of Loraine and north of Warren Avenue.

The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of May 13, 1949, with the recommendation that petitioners deed a portion of their property to provide an alley outlet in lieu of the alley to be vacated. 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.

In reply to our inquiries, all City departments (except the Department of Public Works) and all 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:

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated. This satisfies the demands of the Sewer Division of the D.P.W.

As to the paving division: This department requires the petitioners to pay all costs for improving the alley deeded to the City. However, when the alley south of the portion of alley herein requested to be vacated, was vacated on January 5, 1948, the petitioners deposited the sum of \$793.40 to provide an alley outlet into Loraine Ave. No work has been done on this to date. The alley presently requested to be vacated is the same alley for the improvement of which the deposit of \$793.40 was made in 1948. The paving division therefore agreed to have this deposit applied towards the improvement of the alley now being deeded to the City.

The deed for the new alley outlet was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and we are attaching it hereto for your Honorable Body's acceptance.

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

Respectfully submitted,

T. C. HANSON,  
Commissioner.

By Councilman Kronk:

Resolved, That that part of 10-foot

north and south public alley west of Loraine Avenue and north of Warren Avenue, as platted in Hubbard and Dingwall's Humboldt Avenue Subdivision of part of P. C. 474 and 338 lying between Grand River and Warren Avenue, as recorded in Liber 17 of plats, Page 43, Wayne County Records, lying west of and adjoining the west line of the north 3 feet of lot 39, west of and adjoining the west line of lots 40, 41 and the south 13 feet of lot 42:

Also, all of east and west alley 20 feet wide which was deeded to the City of Detroit, and which deed was accepted by Common Council resolution of January 5, 1948, J.C.C. Page 3455, said alley being in fact the north 3 feet of lot 39, and the south 17 feet of lot 40, both lots being the same as platted in Hubbard and Dingwall's Humboldt Avenue Subdivision, heretofore mentioned:

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property subject to the following provisions:

a) Provided that by reason of the vacation of the above described 10-foot north and south alley, the City of Detroit does not waive any rights to the sewer 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 or service same; and further

b) Provided that if a building is to be constructed over above described north and south alley, said sewer shall be replaced with cast iron pipe of the same size, or it shall be encased in concrete, all costs incident thereto to be borne by the petitioners or their successors or assigns, or, the sewer may be rerouted, at petitioner's expense, all work herein mentioned to be done under the supervision and inspection of the Department of Public Works; and further

c) Provided, that petitioners or assigns shall not build over said north and south alley without first securing the approval of the Department of Public Works and the Department of Buildings and Safety Engineering; and further

Resolved, That Quit Claim deed of Fifty-Two Corporation to the City of Detroit, deeding for alley purposes the following described property:

"The southerly one foot of lot 43 and the northerly 19 feet of lot 42, both lots being the same as platted in Hubbard and Dingwall's Humboldt Ave. Subdivision of part of Private Claims 474 and 338 lying between Grand River and Warren Avenue as recorded in Liber 17 of Plats, page 43, Wayne County Records; to be used for alley purposes"

Be and the same is hereby accepted and the City Controller be and he is



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hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

May 20, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Hall-Dodds Company (No. 4498) requesting the vacation of an alley east of Gratiot Avenue, between Filbert and August Avenues, was referred by your Committee of the Whole to the Department of Public Works for investigation and report.

The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of March 24, 1949, with the recommendation that the petitioners deed a new alley outlet into Filbert Avenue.

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

As per our directive, on May 16, 1949, the petitioner deposited into the City Treasury the sum of \$140.00. Receipt No. 52679, credited to Fire Department Fund Code No. 106-9400-0, said amount being the estimated cost of relocating a fire hydrant, necessitated by the dedication of the alley outlet.

On May 16, 1949, the petitioners deposited with the Permit Division of the Department of Public Works the sum of \$1,028.80, Receipt No. 91851, said amount being the estimated cost of stoning the deeded alley, installing drainage therein, and constructing a paved return at the entrance to the alley. The petitioners have submitted a quit-claim deed deeding land for alley purposes, as per City Plan Commission recommendation. Said deed was approved as to form and execution by the Corporation Counsel, and as to description by the City Engineer, and we are attaching it hereto for your Honorable Body's acceptance.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of the 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 Kronk:

Resolved, That that part of east and west alley, east of Gratiot Ave-

nue, between Filbert and August Avenues, as platted in Trombley's Sunny Side Subdivision of lot 1 of the division of the estate of Mary Ann Fourrier being the N. E.  $\frac{1}{4}$  of P. C. 613, Detroit, Wayne County, Michigan, recorded in Liber 42 of plats, Page 55, Wayne County Records, and in J. S. Visger's Loretto Subdivision, south  $\frac{1}{2}$  of P. C. 613 east of Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Gratiot of plats, Page 67, Wayne County Records, lying south of lots 1, 2, 3 and 4 of Trombley's Sunnyside Subdivision, and north of lots 42, 43 and 44 of J. S. Visger's Loretto Subdivision, and being that portion of alley above described lying west of a line drawn from the northeast corner of a line drawn from the northeast corner of lot 4 of southerly to a point in the north line of lot 44 of J. S. Visger's Loretto Subdivision, said point in the north line of lot 44 being 23.27 feet easterly of the northwest corner of lot 44;

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property; and further

Resolved, That Quit Claim deed of Hall Dodds Co., a Michigan Corporation to the City of Detroit, deeding land for alley purposes, said alley being described as

"All that part of lots 43, 44 and 45 of J. S. Visger's Loretto Subdivision of the S.  $\frac{1}{2}$  of P. C. 613 E. of Gratiot Avenue, City of Detroit, Wayne County, Michigan according to the plat recorded in L. 18, P. 67 of plats, described as:—Beginning at the S.Wly corner of said lot 43, thence northerly 123.11 feet to a point in the northerly line of lot 44 of said sub., which point is distant northeasterly 23.27 feet from the northwesterly corner of said lot 44; thence northeasterly along the northerly line of lots 44 and 45 a distance of 22.39 feet; thence southerly and parallel with the first described line, 123.11 feet to a point in the northerly line of Filbert Ave.; thence southwesterly along the northerly line of Filbert Ave., 22.39 feet to the point of beginning."

Be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of deeds for Wayne County.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

May 24, 1949.

To the Honorable, the Common Council:

Gentlemen—The Ford Motor Com-