

Department of Public Works

August 19, 1949.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office, for investigation and report, the petition of the Michigan Boiler and Engineering Company (Petition No. 5159) requesting the vacation of certain alleys North of Jefferson Avenue, between Scotten and Pelham Avenues.

The vacation of said alleys was previously approved by the City Plan Commission in their communication to your Honorable Body of June 17, 1949.

Please be advised that all our investigations have been completed.

The only City department affected by the vacation of these alleys is the Department of Public Works, with its Paving and Sewer Divisions. Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated. The petitioners requested that the existing paved alley return on the East side of Scotten 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 and sidewalks, at such time as such removal is requested by them or the City of Detroit. This meets with the approval of the Department of Public Works.

In reply to our inquiries all other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alleys or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Kronk:

Resolved, That all of east and west public alley 20 feet wide, north of Jefferson Avenue, and east of Scotten Avenue as platted in the subdivision of Private Claim No. 563 for the heirs of J. B. Campau as recorded in Liber 1 of plats, Pages 94 and 95, Wayne County Records, lying north of and adjoining the north line of lots 12, 13 and 14, and south of and adjoining the south line of lot 19, all lots being the same as platted in last mentioned subdivision: Also, that part or east and west public alley, 20 feet wide, north of Jefferson Avenue, and west of Pelham Avenue as

platted in Bela Hubbard's Subdivision of part of Private Claim No. 77, north of River Street and southeast of Fort Street, as recorded in Liber 5 of plats, Page 46, Wayne County Records, lying north of and adjoining the north line of lots 15, 16, 17, and 18, and south of and adjoining the south line of the west 70 feet of lot 19, south of and adjoining the south line of 10 foot north-south public alley lying west of lot 19, all Bela Hubbard's Subdivision, heretofore mentioned:

Also, that part of north-south public alley, 10 feet wide, north of Jefferson Avenue between Scotten and Pelham Avenues, as platted in Bela Hubbard's Subdivision of part of Private Claim No. 77, north of River Street and southeast of Fort Street, as recorded in Liber 5 of plats, Page 46, Wayne County Records, lying west of and adjoining the west line of lots 19, 20, 21, and 22 of last mentioned subdivision:

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:

1. Provided, That by reason of the vacation of the above described alleys, 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 sewers to repair, alter or service same, and further

2. Provided, That if any building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, or the sewer shall be encased in six inches of class "A" concrete, or the sewer shall be rerouted, and such sewer manholes shall be constructed as shall be specified by the City Engineer, all 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 the 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, Edgcomb, Garlick, Kronk, Oakman, Smith and the President Pro Tem—7.

Nays—None.

Department of Public Works

August 16, 1949.

To the Honorable, the Common Council:

Gentlemen—On July 26, 1949, your Honorable Body authorized the Cor-