

July 12  
 set forth in communication of the  
 Secretary of the Department of Pub-  
 lic Works that the Gas Tank removal  
 assessment levied against property  
 described as "W. 35.33 ft. of E. 133.72  
 ft. of N. 91.72 ft. of O. L. 65, lying  
 of and adj. Kercheval Avenue, Plat  
 of the Sub. of Van Dyke Farm" as  
 shown on Roll G. T. 1-6, be and is  
 hereby cancelled.  
 Adopted as follows:  
 Yeas—Councilmen Connor, Gar-  
 lick, Kronk, Smith and the President  
 pro tem—5.  
 Nays—None.

Department of Public Works  
 June 29, 1949.

To the Honorable, the Common  
 Council:

Gentlemen—We are returning here-  
 with Petition No. 5590 of Dr. Casimir  
 A. Domzalski et al seeking to open  
 alley North of Outer Drive East of  
 Van Dyke and have alley sewer in-  
 stalled in order to eliminate open  
 ditch crossing petitioner's property.

The City Engineer has investi-  
 gated and reports:

"The construction of a public sewer  
 in the newly dedicated street be-  
 tween Van Dyke and Conner Ave-  
 nues and connecting the ditch to  
 same, would enable the property  
 owners of approximately twenty-seven  
 acres to develop their properties. This  
 new sewer would also serve as an  
 outlet for future lateral sewers.

"We, therefore, recommend the  
 construction of the public sewer in  
 Milbank Avenue, between Van Dyke  
 and Conner Avenues, the estimated  
 cost of \$40,000.00 to be charged to  
 the authorized "Small Relief Arms"  
 fund.

"After the completion of the pub-  
 lic sewers, lateral sewers in any  
 dedicated alley may then be con-  
 structed and the cost of same as-  
 sessed against the abutting properties  
 in accordance with City Ordinances.

"The petitioner's request to ex-  
 tend the alley east of and parallel  
 to Van Dyke Avenue from the north  
 line of Outer Drive to a point 180  
 feet north was referred to the City  
 Planning Commission. The opening  
 of the alley does not preclude the  
 construction of the public sewer in  
 Milbank Avenue, between Van Dyke  
 and Conner, or the lateral sewer in  
 the alley as it is now dedicated.

"At the present, this ditch cannot  
 be closed as it serves as an outlet for  
 the storm run-off from Van Dyke  
 Avenue pavement."

Very truly yours,  
 WILLIAM L. HENDRICK,  
 Secretary.

By Councilman Oakman:  
 Resolved, That the Dept. of Public  
 Works be and it is hereby authorized  
 and directed to proceed with the

construction of a public sewer in  
 Milbank Avenue, between Van Dyke  
 and Conner Avenues, at an estimated  
 cost of \$40,000.00, charging this work  
 against the Small Relief Arms Fund.

Adopted as follows:  
 Yeas—Councilmen Connor, Gar-  
 lick, Kronk, Smith and the President  
 pro tem—5.  
 Nays—None.

Department of Public Works

To the Honorable, July 5, 1949,  
 Council, the Common

Gentlemen—Petition of Reinhard  
 W. Pearson, et al (5555), requesting  
 the conversion into an easement of  
 a portion of the north and south  
 alley east of Cadieux and south of  
 Sioux Avenues, was referred to this  
 Department by your Committee of  
 the Whole for investigation and re-  
 port, and is returned herewith.

The vacation of this alley was  
 previously approved and recommend-  
 ed by the City Plan Commission in  
 their communication to your Honor-  
 able Body of May 20, 1949.

We wish to advise that all of our  
 investigations have been completed.  
 In reply to our inquiries, all City  
 departments and private utility com-  
 panies reported that they will be un-  
 affected by the proposed change, or  
 that they have reached satisfactory  
 agreements with the petitioners re-  
 garding 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 recom-  
 mend the adoption of the attached  
 resolution.

Respectfully submitted,  
 CARL D. WARNER,  
 Commissioner.

By Councilman Oakman:

Resolved, That that part of the  
 north-south alley east of Cadieux  
 Avenue and south of Sioux Avenue,  
 as platted in Block 8 of "Columbia"  
 Freund's Subdivision of lots 26 to 33  
 inclusive, of Michael Cadieux Estate  
 P. C.'s 506 & 564, Grosse Pointe,  
 Wayne County, Michigan as recorded  
 in Liber 17 of Plats, Page 93, Wayne  
 County Records, lying west of and  
 adjoining the west line of lot 8 and  
 east of and adjoining the east line  
 of lots 5, 6, 7 and the north 8 ft.  
 of lot 4, all lots being the same as  
 platted in last mentioned subdivi-  
 sion,

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 here-  
 by 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 pur-



pose 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 an time in the future, the owners of any lots abutting on said vacated alley, their heirs or assigns, shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property 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, Garklick, Kronk, Smith and the President pro tem—5.

Nays—None.

**Department of Public Works**

July 11, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith petition of Kuno Felsner Victor De Volder, et al (5078) requesting the vacation of the dead end portion of Law Avenue, east of Hereford Avenue.

The vacation of said portion of street was approved by the City Plan Commission in their communication to your Honorable Body of April 26, 1949.

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

As per our directive, on June 20, 1949, the petitioners deposited into the City Treasury the sum of \$297.90, receipt No. 653, credited to Public Works Maintenance Fund, Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving Hereford Avenue, at the intersection of the street to be vacated.

The petitioners have requested that the existing paved return on the east side of Hereford Avenue at the entrance to the street requested to be

vacated, remain in its present status, as they intend to utilize same for driveway purposes, and by letter (filed with the original petition) have agreed to pay all costs incidental to the removal of this including, at such time as such removal is requested by the petitioners, their heirs or assigns, or when requested by the City of Detroit. The Department of Public Works has agreed to this.

All other city departments and privately owned utility companies and reported that they will be unaffected by the vacation of said street.

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

Respectfully submitted,  
 CARL D. WARNER,  
 Commissioner.

By Councilman Oakman:

Resolved, That all of Law Avenue, 50 ft. wide, east of Hereford Avenue, as platted in Grosse Pointe Gardens, being a subdivision of part of Private Claim 586, Grosse Pointe and Gratiot Townships, Wayne County, Michigan, as recorded in Liber 1056, Page 499 of Deeds, Wayne County Records, lying between the north line of lot 138 and the south line of lot 137, both lots being the same as platted in last mentioned subdivision.

Be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas — Councilmen Connor, Garklick, Kronk, Smith and the President pro tem—5.

Nays—None.

**Department of Public Works**

July 11, 1949.

To the Honorable, the Common Council:

Gentlemen—This is to certify in accordance with Article 6 of the Contract Agreement of the following contract that work provided for in said Contract has been given final inspection and found fully performed and the Contractor has submitted an affidavit that all payrolls, material bills, and other indebtedness connected with the work has been paid:

Paving of:

PW-752, Stahelin avenue, McNichols to Outer Drive, Contractor, A. J. Smith Contracting Company, \$13,997.75.

As the work provided for in this Contract has been completed it is accepted by the Commissioner of Public Works and he does recommend that it be accepted by your Honorable Body and that full payment of the above stated sum as indicated in Estimate No. 1 (Final), be made at