

August 9

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

Department of Public Works
August 8, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Jules F. Saut et al (No. 5557) requesting the conversion into an easement of the north and south alley in block bounded by Prest, Whitcomb, St. Martins and Pembroke Avenues, was referred to this office 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 7, 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,

CARL D. WARNER,
Commissioner.

By Councilman Connor:

Resolved, That all of north and south public alley, 18 feet wide, in block bounded by Prest, Whitcomb, St. Martins and Pembroke Avenues, as platted in Blackstone Park Subdivision No. 7 of the N. W. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of Sec. 6, T. 1 S., R. 11 E. Greenfield twp., Wayne County, Michigan, as recorded in Liber 53 of plats, Page 65, Wayne County Records, lying east of and adjoining the east line of lots 4414 to 4425, both inclusive, and west of and adjoining the west line of lots 4439 to 4450, 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 or assigns, shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the 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, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.
Nays—None.

Department of Public Works

August 2, 1949.

To the Honorable, the Common Council:

Gentlemen—Re: petition No. 5423, Pfeiffer Brewing Company to maintain three spur tracks across Pulford street between Bellevue and Beaufait approved by the Common Council June 3, 1947, JCC, page 1532.

The Pfeiffer Brewing Company has removed the easterly spur track described in above resolution as one of the two tracks formerly approved by the Common Council on petition No. 4887, May 1, 1945, JCC page 975.

Therefore petition No. 5423 should be amended to read as follows:

Two spur tracks across Pulford Street between Beaufait and Bellevue (One track formerly Mergrof Oil Company and one track formerly Pfeiffers petition 4887, JCC page 975, 5-1-45.)

Respectfully submitted,

W. L. HENDRICK,
Secretary.

By Councilman Smith:

Resolved, That resolution adopted June 3, 1947 (J.C.C., pp. 1532-3), authorizing the Dept. of Public Works to issue permit to the Pfeiffer Brew-