

November 22

comb, Garlick, Kronk, Oakman, Smith and the President Pro Tem—7.
 Nays—None.
 Councilman Kronk then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.
 The regular order was resumed.

Department of Public Works

November 18, 1949.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of James P. Long, et al, (No. 2795) requesting the vacation of the alley in block bounded by Pinehurst, Puritan and James Couzens Highway. The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of September 9, 1948.

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

As per our directive on November 18, 1949 the petitioners paid into the City Treasury the sum of \$240.53, Receipt No. 30717, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving the east ½ of Pinehurst Avenue at the intersection of the alley requested to be vacated.

On November 18, 1949 the petitioners deposited with the Permit Division of the Department of Public Works the sum of \$620.50, Receipt No. 1562, said amount being the estimated cost of removing the paved alley returns at the entrance to the alley to be vacated, and the cost of reconstructing the curbing and sidewalks incidental thereto.

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

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 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,
 GLENN C. RICHARDS,
 Acting Commissioner.

By Councilman Oakman:
 Resolved, That all of east and west public alley, 20 feet wide, in block bounded by Pinehurst Ave., Puritan Ave., and James Couzens Highway, as platted in Northwestern Puritan

Subdivision of the Southwest ¼ of the Northeast ¼ of Section 17, T. 1 S., R 11 E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 46, of plats, Page 31, Wayne County Records, lying north of and adjoining the north line of lots 3 to 11, both inclusive, and south of and adjoining the south line of lots 173 to 176, both inclusive, said alley lying between the east line of Pinehurst Avenue, 60 feet wide, and the west line of James Couzens Highway, 204 feet wide as now established;

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 sewers to repair, alter or service same; and further

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

Nays—None.

Department of Public Works

November 18, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of William R. Mathews, et al, (No. 5991) requesting the conversion into an easement of the north and south alley in block bounded by Oakfield, Lindsay, Trojan and Hessel, which petition was referred to this office by your Committee of the Whole for investigation and report.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their

communication to your Honorable Body of September 23, 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,

GLENN C. RICHARDS,

Acting Commissioner.

By Councilman Oakman:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Oakfield, Lindsay, Trojan and Hessel Avenues, as platted in Madison Park, being a subdivision of the N.W. $\frac{1}{4}$, Section 1, T. 1 S., R. 10 E., Redford Twp., Wayne County, Michigan, as recorded in Liber 53 of plats, Page 12, Wayne County Records, lying east of and adjoining the east line of lots 759 to 773, both inclusive, and west of and adjoining the west line of lots 809 to 823, 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, Oakman, Smith and the President Pro Tem—7.

Nays—None.

Department of Public Works

November 15, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of Calvin Presbyterian Church, et al (No. 6183) requesting the vacation of a portion of Ashton Avenue, south of Acacia Avenue, which petition was referred to this office by your Committee of the Whole for investigation and report.

The vacation of said portion of street was approved by the City Plan Commission with the recommendation that sufficient land be deeded to the City to permit the construction of a "turn-around" south of the vacated street.

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

We are in receipt of Warranty Deeds to land to be used for turn-around purposes as per City Plan Commission recommendation. Said deeds were approved as to form and execution by the Corporation Counsel, and as to description by the City Engineer, and we are attaching said deeds hereto for your Honorable Body's acceptance.

In reply to our inquiries all City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Acting Commissioner.

By Councilman Oakman:

Resolved, That all that part of Ashton Avenue, 80 feet wide, as platted in Altered & Revised Rosemont Forest Subdivision of the South $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 23, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 71, Page 18 of plats, Wayne County Records, lying south of the south line of Acacia Avenue, 60 feet wide as now established, and north of the northerly arc of a circle whose radius is 50 feet and whose center point is in the center of Ashton Avenue, 30 feet