

Contract PW-1054, be applied to the City intersection portion and that the final assessment costs for construction remain at \$3,111.20, the same as was in the original accepted proposal.

Adopted as follows:

Yeas—Councilmen Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—7.

Nays—None.

Reconsideration

Councilman Oakman moved to reconsider the vote by which the resolution was adopted.

Councilman Garlick moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

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

December 12, 1949.

To the Honorable, the Common Council:

Gentlemen — Petition of Charles Moore, et al (No. 7444), requesting the conversion into an easement of the east-west alley south of Moross Road and west of Chandler Park Drive, 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 October 13, 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 Miriani:

Resolved, That all that part of east-west alley south of Moross Road and west of Chandler Park Drive, as platted in Outer Drive Pointe, a subdivision of part of lot 26 of the

plat of partition of Magloire Moross Estate of part of P. C. 123, T. 1 S., R. 13 E., City of Detroit and Grosse Pointe Twp., Wayne County, Michigan, as recorded in Liber 55 of Plats, page 82, Wayne County Records, lying north of and adjoining the north line of lot 31 and south of and adjoining the south line of lots 1 to 5, 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 Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—7.

Nays—None.

Department of Public Works

November 30, 1949.

To the Honorable, the Common Council:

Gentlemen—By reason of an order of the Michigan Public Utilities Commission, dated July 24, 1936, the New York Central Railroad Company