

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 to ingress or egress at any time to and over said easement for the purposes above set forth;

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above.

Third, that said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting the same shall not be opened for the passage of vehicles therein.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, and the President—8.

Nays—None.

**Department of Public Works**

April 21, 1950.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of the Acme Auto Batt Company and the Fifty Two Corporation, et al, requesting the vacation of the alleys north of Warren Avenue and west of Loraine Avenue. The vacation of said alleys was approved by the City Plan Commission, and the petition was referred to this office by your Committee of the Whole for investigation and report.

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

On April 20, 1950 the petitioners deposited with the City Treasury the sum of \$31.20, Receipt No. 47422, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving the west ½ of Loraine Avenue at the intersection of the alley requested to be vacated.

On April 20, 1950 the petitioners deposited with the Permit Division of the Department of Public Works the sum of \$268.80, Receipt No. 268.80, said amount being the estimated cost of removing the paved return at the entrance to the alley to be vacated, and the construction of curbing and sidewalks across said alley.

In connection with a prior vacation of an alley for the Fifty-Two Corporation (January 5, 1948, J.C.C. Page 3455) said Fifty Two Corporation deposited \$793.40 with our Permit Division (Receipt No. 75258) to cover the cost of improving an alley which the petitioner deeded to the City. No work was done on this, and as the alley was subsequently vacated, the

money was agreed to be applied to cover the cost of stoning the alley which the petitioners now seek to vacate. The money is still on deposit, and we recommend a refund of deposit, to the Fifty Two Corporation.

Proper provisions are incorporated in 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 private 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.

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

Respectfully submitted,  
**CARL D. WARNER,**  
 Commissioner.

By Councilman Beck:

Resolved, That all that part of north-south public alley 10 feet wide, north of Warren Avenue and west of Loraine Avenue, as platted in Hubbard and Dingwall's Humboldt Avenue Subdivision of part of P.C. 474 and 333 lying between Grand River and Warren Avenue, as recorded in Liber 17 of plats, Page 43, Wayne County Records, lying between the south line, extended, of the north 16 feet of lot 43 and the south line, extended, of the north 14 ft. of lot 48, both lots being the same as platted in last mentioned subdivision;

Also, all of east-west alley, 20 ft. wide, which was deeded to the City of Detroit and which deed was accepted by Common Council resolution of October 4, 1949, J.C.C. Page 2985, said alley being in fact the south 20 feet of the north 26 feet of lot 45 of Hubbard and Dingwall's Humboldt Avenue Subdivision, heretofore mentioned;

Also, all of east-west alley, 18 feet wide, which was deeded to the City of Detroit and which deed was accepted by Common Council resolution of March 23, 1926, said alley being in fact the south 18 ft. of lot 48 of Hubbard and Dingwall's Humboldt Avenue Subdivision, heretofore mentioned.

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:

(a) Provided, That by reason of the vacation of the above described 10-foot north and south alley the City of Detroit does not waive any rights to the sewer located therein, and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer, to repair, alter or service same; and further

(b) Provided, That if a building is to be constructed over the above described north-south alley, said sewer shall be replaced with cast iron pipe of the same size, or it shall be encased in concrete, all costs incident thereto to be borne by the petitioners, their successors or assigns, or the sewer may be rerouted at petitioner's expense, all work herein mentioned to be borne by the petitioners, their successors or assigns, or the sewer may be rerouted at petitioner's expense, all work herein mentioned to be done under the supervision and inspection of the Department of Public Works; and further

(c) Provided, That petitioners or assigns shall not build over said north-south alley without first securing the approval of the City Engineer and the Department of Buildings and Safety Engineering; and further

Resolved, That the Permit Division of the Department of Public Works be and it is hereby authorized and directed to refund to the Fifty Two Corporation the sum of \$793.40, said amount being held for the purpose of improving the alley, hereinabove vacated; and further

Resolved, That the City Controller be and he is hereby directed to issue quit claim deeds to the Fifty Two Corporation, a Michigan Corporation, and to the Acme Auto Batt Co., a Michigan Corporation, as owners in fee of the property abutting the alleys herein vacated; and further

Resolved, That upon receipt of proper evidence that all taxes are paid on the abutting property, the City Engineer be and he is hereby directed to release said deeds.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, and the President—8.

Nays—None.

Department of Public Works  
April 24, 1950

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report, the petition of Edward Mooney, Roman Catholic Archbishop of the Archdiocese of Detroit, et al (No. 8719) requesting the vacation of a portion of the alleys in block bounded by Pinehurst, Mendota, W. Chicago and Orangelawn Avenues. The vacation of said alleys was approved by the City Plan Commission in their communication to your Honorable Body of March 16, 1950 with the recommendation that the petitioners deed an alley outlet in lieu of the alleys to be vacated.

We are in receipt of a quit claim deed whereby land is dedicated for alley purposes in accordance with the

City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and it is attached hereto for your Honorable Body's acceptance.

As per our directive, the petitioners paid into the City Treasury on April 21, 1950, the sum of \$200.69. Receipt No. 47549 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 to be vacated.

On April 21, 1950 the petitioner deposited with the Permit Division of the Department of Public Works the sum of \$761.72, Receipt No. 7596, said amount being the estimated cost of removing the paved return at the entrance to the alley to be vacated, and constructing new curbing and sidewalks incidental thereto, constructing a paved return at the entrance to the deeded alley and stoning and grading said new alley.

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.

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

We recommend the adoption of the attached resolution.

Respectfully submitted,  
CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That all that part of north-south public alley, 16 feet wide, in block bounded by Pinehurst, Mendota, W. Chicago and Orangelawn Avenues, as platted in B. E. Taylor's Southlawn Subdivision No. 3 of the W. ½ of the N.E. ¼ of Sec. 32, T. 1 S., R. 11 E., as recorded in Liber 34, Page 27 of plats, Wayne County Records, lying west of and adjoining the west line of lots 1000, 1001, west of and adjoining the west line of the south 18 feet of lot 999, west of and adjoining the west line of the north 17 feet of lot 1002, and east of and adjoining the east line of lots 1045, 1046, the north 17 feet of lot 1044 and the south 18 feet of lot 1047, all lots being the same as platted in last mentioned subdivision;

Also, all of east-west alley, 18 feet wide, east of Pinehurst Avenue and south of Orangelawn Avenue, deed for which was accepted by the Common Council on April 20, 1926 and which alley is in fact the south 18 feet of lot 1047 of B. E. Taylor's Southlawn Subdivision No. 3, heretofore mentioned;

Be and the same are hereby vacated