

July 11

of Detroit, with the right to ingress and egress at any time to and over said easement for the purposes above set forth.

Adopted as follows:  
Yeas—Councilmen Beck, Connor, Garlick, Oakman, Rogell, Smith, and the President—7.  
Nays—None.

### Department of Public Works

July 11, 1950.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of Robert L. Deary (1063), requesting the vacation of an east-west alley in block bounded by McKinstry, Clark, Vernor Highway and Uthes Avenues. The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of June 8, 1950, with the recommendation that the petitioners deed new alley outlets in lieu of the alley to be vacated. Your Committee of the Whole concurred in this recommendation and referred the petition to this office for investigation and report.

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

We are in receipt of Quit Claim deeds to property to be used for alley purposes in lieu of the vacated alley, as per City Plan Commission's recommendation. These deeds have been approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and are attached hereto for your Honorable Body's acceptance.

In reply to our inquiries all City departments, except the Sewer Division of the Department of Public Works, and privately owned utility companies reported that they will be unaffected by this vacation.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
CARL D. WARNER,  
Commissioner.

By Councilman Rogell:

Resolved, That all of east-west public alley, 20 feet wide, in block bounded by McKinstry, Clark, Vernor Highway and Uthes Avenues, which alley was opened through condemnation proceedings on May 2, 1901 and which alley is in fact the south 10 feet of the east 24 feet of lot 81, the south 10 feet of lot 80, the south 10 feet of the west 15 feet of lot 79, the north 10 feet of the east 24 feet of lot 82, the north 10 feet of lot 83 and the north 10 feet of the west 15 feet of lot 84, all lots mentioned being the same as platted in Bartholemew Estate Subdivision of part of Private Claim 47, between Dix Avenue and Albert Street, and part of Private Claim 583, as recorded in Liber 10,

Page 12 of plats, Wayne County Records.

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 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

2. Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted or encased in six inches of Class "A" concrete, or, in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors or assigns, and further

3. Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering, and further

Resolved, That Quit Claim deed of H. Herbert Renshaw, an unmarried man, to the City of Detroit deeding land for alley purposes, said land being described as, north 18 feet of the south 147.50 feet of Lot 82 and 83, and the north 18 feet of the south 147.50 feet of the west 15 feet of Lot 84 of Bartholemew Estate Subdivision of part of Private Claim 47, between Dix Avenue and Albert Street, and part of private claim 583, as recorded in Liber 10, page 12½ of Plats, Wayne County Records, and Quit Claim deed of W. S. Pocock Company, a Michigan Corporation to the City of Detroit deeding land for alley purposes, said land being described as, the south 17.94 feet of the north 120 feet of the west 15 feet of Lot 79, and south 17.94 feet of the north 120 feet of Lot 80, and the south 17.94 feet of the north 120 feet of the east 24 feet of Lot 81, Bartholemew Estate Subdivision of part of Private Claim 47, between Dix Avenue and Albert Street, and part of Private Claim 583, as recorded in Liber 10, page 12½ of Plats, Wayne County Records.

Be and the same are hereby accepted and the City Controller be and he is hereby directed to record said deeds in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Oakman, Rogell, Smith, and the President—7.  
Nays—None.