

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 Oakman:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Lindsay, Gilchrist, Fargo and Trojan Avenues, as platted in Madison Park being a subdivision of the N.W. ¼, Sec. 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 283 to 297, both inclusive, and west of and adjoining the west line of lots 333 to 347, 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 Beck, Connor, Garlick, Jeffries, Kronk, Oakman, Rogell, Smith and the President—9.
 Nays—None.

Department of Public Works

January 6, 1950.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education requesting the vacation of the alley in block bounded by Patton, Fielding, Cathedral and Westfield Avenues, within the limits of the McColl School Site. The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of December 1, 1949. The petition was then 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.

As per our directive, on January 3, 1950, the Board of Education issued a purchase order, No. 896, in the amount of \$800.00 to the Permit Division of the Department of Public Works, said amount being the estimated cost of constructing sewer manholes in Cathedral and Westfield Avenues, necessitated by the vacation of the alley.

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 would remove their installations at no expense to the Board of Education.

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

Respectfully submitted,
 CARL D. WARNER,
 Commissioner.

Board of Education

October 27, 1949.

To the Honorable, the Common Council:

Gentlemen—The Board of Education has been informed by the Department of Buildings and Safety Engineering that a permit for the construction of the first unit of the McColl School Building cannot be obtained because of the fact that this unit is to be constructed over a public alley which has never been vacated for Board of Education use.

In order that the Department of Buildings and Safety Engineering may proceed with the issuance of the necessary permit, the Board of Education requests your Honorable Body to direct the vacation of the north and south alley in the block bounded by Cathedral, Fielding, Westfield and Patton Avenues, as indicated on the attached drawing. Any costs rea-