

Department of Public Works  
September 29, 1950.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Irwin W. Johnson et al (No. 1858), requesting the vacation of the north south alley in block bounded by Ardmore, Freeland, St. Martins and Vassar Avenues.

The petitioners have originally requested that only the center 12 feet of the 18 foot alley be converted into an easement so that 3 feet adjoining their lots could be vacated outright. The City Plan Commission's recommendation was pursuant to this request. In the meantime the local utility companies voiced their objection to such plan of vacation as it would necessitate the removal of their installations, all of which lie within the 3 foot strip adjoining the property lines. The sponsoring petitioner thereupon obtained the consent of all of the owners on both sides of the alley to be vacated to the conversion of the entire alley into an easement. This was discussed with the City Plan Commission and it meets with their approval.

In reply to our inquiries all City departments and privately owned utility companies reported that they have no objection to this change.

The conversion of the alley into an easement conforms with Common Council resolution of November 13, 1943, J.C.C. page 2230.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
CARL D. WARNER,  
Commissioner.

By Councilman Garlick:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Freeland, Ardmore, Vassar and St. Martins Avenues, as platted in San Bernardo Park No. 1, a subdivision of the E.  $\frac{1}{2}$  of W.  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$  of Section 6, T. 1 S., R. 11 E., as recorded in Liber 49 of plats, Page 13, Wayne County Records, lying east of and adjoining the east line of lots 338 to 347, both inclusive, and west of and adjoining the west line of lots 380 to 389, both inclusive, all lots mentioned being the same as platted in last mentioned subdivision.

Be and the same is hereby vacated as a public alley and converted into a public easement, which easement shall be subject to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of said lots and by their grantees and assigns, and their heirs, executors, administrators and assigns, forever to-wit:  
First, said owners hereby grant to 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 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, Oakman, Rogell, Smith, and the President—7.

Nays—None.

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Honorable Common Council:

Gentlemen—This is to certify in accordance with Article 6 of the Contract Agreement of the following Contracts that work provided for in said Contracts has been given final inspection and found fully performed and the Contractor has submitted an affidavit that all payrolls, material bills, and other indebtedness connected with the work have been paid:

PW-1174—Westwood, Elmira to Plymouth—Julius Porath & Son, \$13,266.75.

PW-1210F—Westmoreland, 7 Mile to Vassar—T. E. Currie Company, \$20,160.00.

PW-1224P—Stout, Pembroke to Trojan—T. E. Currie Company, \$16,816.80.

PW-1264—Belton, Mendota to Middlepoint—Sachs & Kaufman, \$6,310.95.

PW-1265—Conrad, Central to 111 feet E. of 51st St.—Sachs & Kaufman, \$8,137.80.

PW-1277—N.  $\frac{1}{2}$  of Southern, 185 feet West of Martin to Martin—Sachs & Kaufman, \$3,734.60.

PW-1135—Mettetal, Ellis to Cathedral—Weir Contracting Company, \$7,581.50.

PW-1312—West Parkway, Orange-lawn to 40 feet North of the S. P. L. Plymouth, Weir Contracting Company, \$26,783.10.

PW-1300F—Chatham, Tireman to 15 ft. N. of Belton—Weir Contracting Co., \$15,894.50.