

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 heirs 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.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Oakman, Rogell, Smith, and the President—7.

Nays—None.

#### Department of Public Works

July 10, 1950.

To the Honorable, the Common Council:

Gentlemen—The petition of the Pfeiffer Brewing Company and Wheelock White Realty Company (2093), requesting the vacation of Pulford Avenue between Beaufait and Bellevue Avenues, was referred to this office by your Committee of the Whole for investigation and report. The vacation of said street was approved by the City Plan Commission in their communication to your Honorable Body of June 29, 1950.

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

On July 10, 1950, the petitioners deposited with the City Treasurer the sum of \$109.00, Receipt No. 698, credited to Public Lighting Commission's Revenue Account No. 123-9400, said amount being the estimated cost of removing P.L.C. pole and wires, necessitated by the vacation of said street.

On July 10, 1950, the petitioners paid into the City Treasury the sum of \$275.70, Receipt No. 697, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the east  $\frac{1}{2}$  of Beaufait Avenue and the west  $\frac{1}{2}$  of Bellevue Avenue, at the intersection of Pulford Avenue.

The petitioners have requested that the paved returns at the entrance to Pulford Avenue remain in their present status as they may utilize same and, by letter, filed with the original petition, have agreed to pay all costs incident to the removal of the returns and the construction of new curbing and sidewalks, at such time in the future as it may become necessary to remove the returns, either at the City's or the petitioners request.

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

All other City departments and privately owned utility companies re-

ported that they will be unaffected by the vacation of the street 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 Rogell:

Resolved, That all of Pulford Avenue, 60 feet wide, between Beaufait and Bellevue Avenues, as platted in Fischer & Bernart's Subdivision of the south  $\frac{1}{2}$  of lot 1, Beaufait Farm, P. C. 19, as recorded in Liber 9 of plats, Page 73, Wayne County Records, and in Alex T. Fisher's Subdivision of lots 1 and 2 of the subdivision of lots 2 and 3 back concession of the Beaufait Farm, as recorded in Liber 11 of plats, Page 8, Wayne County Records, lying between the north line of lot 13 and the south line of lot 14 of last mentioned subdivision, and between the north line of lot 17 and the south line of lot 16 of above mentioned Fischer & Bernart's Subdivision.

Be and the same is hereby vacated as a public street 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 street 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.

4. Provided, That an easement or right of way is hereby reserved over said vacated street above described for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light or other poles, wires or things usually placed or installed in a public street in the City

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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.