

Department of Public Works
September 1, 1950.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Schaefer Development Corporation, et al (No. 973), requesting the vacation of the east-west alley on the east side of Schaefer between Chipewa Avenue and Eight Mile Road. The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of April 13, 1950.

All of our investigations are completed. In reply to our inquiries several departments requested that the east 20 feet of said alley be converted into an easement so that their installations need not be moved. This meets the approval of the City Plan Commission and the petitioners.

Proper provisions are incorporated in the resolution protecting the City's and the privately owned utility companies interests in the alley to be vacated.

We recommend the adoption of the attached resolution.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Garlick:

Resolved. That all that part of 20 foot east-west public alley which was deeded to the City of Detroit, deed thereto being accepted by Common Council on July 8, 1947, J.C.C. pages 1812, 1813 and 1814 and which alley is a part of the N.W. $\frac{1}{4}$ of Sec. 5, T. 1 S., R. 11 E., lying north of and adjoining the north line of lot 3136 of Blackstone Park Subdivision, No. 6 as recorded in Liber 52 Pages 91 and 92 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:

Provided, That an easement is hereby reserved over said vacated alley for the purpose of maintaining, repairing, or replacing existing poles, lines, transformers, service drops and other overhead and underground utility equipment, with the right of ingress and egress at any time to and over said vacated alley for the purpose above set forth. If and when the removal of any of the aforementioned installations is requested by the petitioners or their assigns, the costs of such removal shall be borne by the requesting parties, and further.

Resolved, That the east 20 feet of the east-west public alley which was deeded to the City of Detroit deed thereto being accepted by the Common Council on July 8, 1947, J.C.C. pages 1812, 1813 and 1814, which alley is part of the N.W. $\frac{1}{4}$ of Sec. 5,

T. 1 S., R. 11 E., and which east 20 feet is bounded by the east and west lines of the 20 ft. north-south alley, east of Schaefer Avenue, between the north line of Blackstone Park Subdivision No. 6 and a line 20 feet northerly of said 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, Garlick, Kronk, Oakman, Rogell, Smith, and the President—7.

Nays—None.

Department of Public Works

August 30, 1950.

To the Honorable, the Common Council:

Gentlemen — The petition of the Michigan Bell Telephone Company (No. 2313) requesting the vacation of a part of Towar Court was referred to this office by your Committee of the Whole for investigation and report, and is returned herewith. The vacation of said portion of Towar Court was approved by the City Plan Commission, with the recommendation that a triangular parcel of land be deeded by the petitioners to provide a minimum alley width of 20 feet for the alley north of Michigan Avenue, between Cass Ave. and First Street.

Pleased be advised that our investigations are completed.