

August 7

accepted by the Commissioner of Public Works, therefore be it Resolved, That the contracts listed in the foregoing communications be and the same are hereby accepted. Adopted as follows:  
Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.  
Nays—None.

#### Reconsideration

Councilman Smith moved to reconsider the vote by which the resolution was adopted.

Councilman Garlick moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.  
Nays—None.

Councilman Kronk then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

#### Department of Public Works

August 2, 1951

Honorable Common Council:

Gentlemen—The petitions of Robert Picard, et al (No. 1622), Kenneth Waller, et al (No. 3980), George H. Tuttle, et al (No. 4603), M. F. Drukensbrod, et al (No. 5916), John F. Curtis, et al (No. 5982), Julius A. Verbeke, et al (No. 5985), and Dr. Richard W. Keller, et al (No. 6080), requesting the conversions into easements of the alleys at the various locations described in the attached resolution, were referred to this office by your Committee of the Whole for investigation and report and are returned herewith.

The conversion of said alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are completed. In reply to our inquiries, all City departments and privately owned utility companies reported that they will be unaffected by the changes or that they have no objection to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WATSON, Commissioner.

Councilman Garlick:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Bentler, Westbrook, Vassar and St. Martins Avenues, as platted in Palmeadow Subdivision No.

2, recorded in Liber 62 of plats, Page 54, Wayne County Records, lying east of and adjoining the east line of lots 400 to 414, both inclusive, and west of and adjoining the west line of lots 415 to 429, both inclusive, of last mentioned subdivision, (Petition No. 1622);

Also, all that part of north-south public alley, 18 feet wide, in block bounded by Hoover, Rowe, Manning and State Fair Avenues, as platted in Twin Pines Subdivision, as recorded in Liber 43 of plats, Page 58, Wayne County Records, lying east of and adjoining the east line of lots 1 to 12, both inclusive, and west of and adjoining the west line of lots 116 to 127, both inclusive, of last mentioned subdivision, (Petition No. 3980);

Also, all of north-south public alley, 16 feet wide, in block bounded by Kentfield, Heyden, Verne and Grove Avenues, as platted in Evergreen Manor Subdivision No. 1, as recorded in Liber 52 of plats, Page 82, Wayne County Records, and in Mayfair Park Subdivision, as recorded in Liber 41 of plats, Page 78, Wayne County Records, lying east of and adjoining the east line of lots 1 to 13, both inclusive, of last mentioned subdivision, and west of and adjoining the west line of lots 172 to 186, both inclusive, of said Evergreen Manor Subdivision No. 1, (Petition No. 4603);

Also, all that part of east-west public alley, 16 feet wide, south of Curtis Avenue and east of Pennington Avenue, as platted in Palmer Boulevard Estates Subdivision, as recorded in Liber 35 of plats, Page 42, Wayne County Records, lying north of and adjoining the north line of lot 235 and south of and adjoining the south line of lots 577 to 582, both inclusive, and south of and adjoining the south line of the west 2 feet of lot 583, all lots mentioned being the same as platted in last mentioned subdivision, (Petition No. 5916);

Also, all of north-south public alley, 18 feet wide, in block bounded by Burgess, Chapel, Vassar and St. Martins Avenue, as platted in Palmeadow Subdivision No. 2, as recorded in Liber 62 of plats, Page 54, Wayne County Records, lying east of and adjoining the east line of lots 304 to 318, both inclusive, and west of and adjoining the west line of lots 319 to 333, both inclusive, of last mentioned subdivision, (Petition No. 5982);

Also, all that part of east-west public alley, 16 feet wide, south of Grayson Avenue and west of Lansdowne Avenue, as platted in Obenauer Barber Laing Company's DuNaur Park Subdivision, as recorded in Liber 50 of plats, Page 98, Wayne County Records, lying north of and adjoining the north line of lot 341 and south of and adjoining the south line of lots



272, 273 and the east 31 feet of lot 271 of last mentioned subdivision, (Petition No. 5985);

Also, all of north-south public alley, 18 feet wide, in block bounded by Glastonbury, Rosemont, Trojan and Hessel Avenues, as platted in Southfield Gate Subdivision, as recorded in Liber 63 of plats, Page 60, Wayne County Records, lying east of and adjoining the east line of lots 106 to 120, both inclusive, and west of and adjoining the west line of lots 121 to 135, both inclusive, of last mentioned subdivision, (Petition No. 6080);

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants, agreements, uses, reservations and regulations which shall be observed by the owners of the lots abutting on said alleys, 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 alleys, 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 and 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 easements, unless permission therefor is obtained from the City Engineer;

Third, that said easements shall be used for the same purpose for which public alleys are generally used in the City of Detroit, excepting that the owners of such easement may prohibit the passage of vehicles therein;

Fourth, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners upon whose lots are located such poles or other utilities shall be liable for all costs incidental to such removal and relocation, unless such charges are waived by the utility owners.

Adopted as follows:  
Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.  
Nays—None.

Department of Public Works

August 3, 1951.

Honorable Common Council:  
Gentlemen — We return herewith petition, general order and letter, requesting the forced construction of sidewalks at the following described properties:

Richard A. Green (7127), G. O. 39533, Lot 15, W. S. Chapel bet. Verne and Florence, Side on Florence only, 130.08 lineal feet.

Letter—Mr. and Mrs. John Vaal, Lot 1951 and N. 9 ft. of vac. alley, S.S. Curtis bet. Avon and Greenview, Side on Greenview only, 109 lineal feet.

There is approximately 239.08 lineal feet of concrete sidewalks to be constructed; the approximate cost of this new local improvement would be \$516.41, the cost and expense to be assessed against the lots or parcels of real estate to be benefitted by such local improvement, in proportion to the probable benefit to be derived therefrom.

As these are original sidewalks and can only be ordered constructed by a formal resolution as a forced account under the provisions of Chapter 264, as amended May 3, 1949, of the Compiled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,  
NEAL CUTLIFF,  
Secretary.

By Councilman Garlick:  
The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the description of property heretofore described in the above set forth communications, therefore;

Resolved, That the Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them the Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:  
Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.  
Nays—None.

Department of Public Works

July 26, 1951.

Honorable Common Council:  
for recapping contract PW-1455 issued to Harpers, from Jefferson to Harper. The contractor is the Cooke Contracting Company and the contract was awarded on the unit price basis in the amount of \$151,114.50.