

November 6

and accepted by the Contractor under the terms of final payment.

FLOYD C. MORSE,  
Engr. of Tests and Insp.  
G. R. THOMPSON,  
City Engineer.  
CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Whereas, It appears from foregoing communication that contracts listed have been duly completed; and

Whereas, The completion of said work has been found to be in accordance with the contracts and specifications for same and have been accepted by the Commissioner of Public Works; therefore be it

Resolved, That the contracts listed in the foregoing communication be and the same are hereby accepted.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Smith, Van Antwerp, and the President—8.  
Nays—None.

#### Reconsideration

Councilman Oakman 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 Beck, Connor, Garlick, Kronk, Oakman, Smith, Van Antwerp, and the President—8.  
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

November 1, 1951.

Honorable Common Council:

Gentlemen—The petitions of Maurice DeRoo, et al (No. 4201), Mary F. Cooper, et al (No. 5813 and 6558), William H. Ehmer, et al (No. 6230), Peter Serafino, et al (No. 7010), and Edward S. Niedziela, et al (No. 8042), requesting the conversion 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 pro-

tecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That all of the public alleys in block bounded by Moross Road, Kingsville Avenue, Cheshire Avenue and Tyrone Avenue, as platted in Tyrone Manor Subdivision as recorded in Liber 59 of plats, Page 84, Wayne County Records, and in Yorkshire Woods Subn. No. 5 as recorded in Liber 48 of plats, Page 79, Wayne County Records, adjoining lots 15 to 30, both inclusive, of said Tyrone Manor Subdivision, and adjoining lots 870 to 884, both inclusive, of said Yorkshire Woods Subn. No. 5, (Petition No. 4201);

Also, all that part of east-west public alley, 18 feet wide, west of Twenty-Eighth Street between Warren and McGraw Avenues, as platted in plat of Crosman and Cushing's Subdivision as recorded in Liber 14 of plats, Page 19, Wayne County Records, lying south of and adjoining the south line of lots 89, 90, 91 and 92, and north of and adjoining the north line of lot 93, said alley lying between the south line, extended easterly, and the east line, extended northerly, of said lot 93, (Petitions 5813 and 6558);

Also, all of the public alleys, 20 feet wide, in block west of Farmbrook Avenue, between Chester and Rockcastle Avenues, as platted in Green Oaks Subdivision as recorded in Liber 49 of Plats, Page 19, Wayne County Records, lying west of and adjoining the west line of lots 82 to 86, both inclusive, south of and adjoining the south line of lot 86, and north of and adjoining the north line of lots 87 to 98, both inclusive, of last mentioned subdivision (Petition No. 6230);

Also, that part of the east-west public alley, 18 ft. wide, south of Moross Rd., west of Rockcastle Avenue, as platted in Yorkshire Woods Subdivision No. 4 as recorded in Liber 48 of plats, Page 78, Wayne County Records, lying north of and adjoining the north line of lot 843 of last mentioned subdivision (Petition No. 7010).

Also, all of north-south public alley, 18 feet wide, in block bounded by Bentler, Westbrook, Pembroke and Fargo Avenues, as platted in Palmeadow Subdivision No. 1 as recorded in Liber 62 of plats, Page 53, Wayne County Records, lying west of and adjoining the west line of lots 67 to 76, both inclusive, and east of and adjoining the east line of lots 85 to 94, both inclusive, of last mentioned subdivision; Also, all of east-west public alley, 20 feet wide, north

of Pembroke Avenue between Bentler and Westbrook Avenues, as platted in said Palmeadow Subn. No. 1, lying south of and adjoining the south line of lots 67 and 94, south of and adjoining the south line of the alley between lots 67 and 94, and north of and adjoining the south line of the alley between lots 67 and 94, and north of and adjoining the north line of lots 95 to 107, both inclusive, all lots mentioned being the same as platted in said Palmeadow Subn. No. 1, (Petition No. 8042);

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 easement, unless permission therefor is obtained from the City Engineer.

Third, 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 property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Smith, Van Antwerp, and the President—8.

Nays—None.

Department of Public Works

November 1, 1951.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the request of the Department of Parks and Recreation for the vacation of Strathmoor Avenue, north of Belton Avenue, and

the vacation of the alley east of Strathmoor Avenue and north of Belton Avenue, both within the limits of a recreational site. The vacation of said portion of street and alley was approved by the City Plan Commission with the recommendation that certain land be allocated for street and alley purposes.

Our investigations are completed and they disclose that three City departments are affected by said changes, namely, the Fire Department, Department of Water Supply and the Department of Public Works. Proper provisions are incorporated in the vacating resolution protecting the interests of the first two named departments. In accordance with a prior directive of your Honorable Body, the land allocated for street and alley purposes will be graded and stoned and costs thereof will be charged to the street bettermen funds.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That all that part of Strathmoor Ave., 60 feet wide, north of Belton Ave., as platted in Tireman Manor Subn. as recorded in Liber 55 of plats, Page 32, Wayne County Records, lying east of and adjoining the east line of lot 73 and west of and adjoining the west line of lot 74 of last mentioned subn.; Also, all that part of north-south public alley, 18 ft. wide, north of Belton Avenue, between Strathmoor and Mark Twain Avenues, as platted in said Tireman Manor Subn., lying east of and adjoining the east line of lot 74 and west of and adjoining the west line of lot 130, of last mentioned subdivision; be and the same are hereby vacated as a public street and alley to become a part and parcel of the adjoining property subject to the following provisions:

1.) An easement or right-of-way is hereby reserved in and over the west 20 feet of above described Strathmoor Avenue for the purpose of maintaining, repairing, replacing or removing of the presently installed fire hydrant and water main and their appurtenances, and further,

2.) No buildings shall be constructed over said easement, so that it shall be of easy access for the purposes named above, and further,

3.) The park fence shall be so located as not to interfere with easy access to the fire hydrant located in the vacated street, and further,

Resolved, That the east 30 feet of that part of the N. E.  $\frac{1}{4}$  of Sec. 6, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, lying east of and adjoining a line extended from the northeast corner of lot 130 of Tire-

man Manor Subn. as recorded in Liber 55 of Plats, Page 32, Wayne County Records, to the southeast corner of lot 92 of Chase Heights Subn. as recorded in Liber 49 of plats, Page 17, Wayne County Records, be and the same is hereby allocated and dedicated for street purposes, to be known as Mark Twain Avenue, and further,

Resolved, That the west 10 feet of that part of the N. E.  $\frac{1}{4}$  of Sec. 6, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, lying west of and adjoining a line extended from the northwest corner of lot 73 of Tireman Manor Subn., heretofore mentioned, to the southwest corner of lot 44 of Chase Heights Subn., heretofore mentioned, be and the same is hereby allocated and dedicated for alley purposes, and further,

Resolved, That the north 40 feet of the west 100 ft. of that part of the N. E.  $\frac{1}{4}$  of Sec. 6, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, lying south of and adjoining the south line of Chase Heights Subn., heretofore mentioned, and west of and adjoining a line which is 25 ft. easterly of and parallel to the east line, extended, of Strathmoor Avenue, 60 ft. wide as platted in said Chase Heights Subn., be and the same is hereby allocated and dedicated for street turn-around purposes, and further,

Resolved, That the north 20 feet of the east 68 ft. of that part of the N. E.  $\frac{1}{4}$  of Sec. 6, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, lying south of and adjoining the south line of Chase Heights Subn., heretofore mentioned, and west of and adjoining a line which is 25 feet easterly of and parallel to the west line, extended, of lot 92 of Chase Heights subn. be and the same is hereby allocated and dedicated for alley turn-around purposes.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Smith, Van Antwerp, and the President—8.

Nays—None.

#### Department of Public Works

November 2, 1951.

Honorable Common Council:

Re: G. O. No. 8324:

Gentlemen — We return herewith general order of Paul Trout, requesting the forced construction of a sidewalk at Lot 93, W.S. Wisconsin between W. Outer Dr. and Cambridge, Side on Cambridge only. 104 lineal feet.

There is approximately 104 lineal feet of concrete sidewalk to be constructed; the approximate cost of this new local improvement would be \$224.64, the cost and expense to be assessed against the lot or parcel of real estate to be benefitted by such local improvement, in proportion to

the probable benefit to be derived therefrom.

As this would be an original sidewalk, it 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, and we recommend the adoption of the attached resolution.

Respectfully submitted,

NEAL CUTLIFF, Sec'y.

By Councilman Beck:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the descriptions of property heretofore described in the above set forth communication, 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 Beck, Connor, Garlick, Kronk, Oakman, Smith, Van Antwerp, and the President—8.

Nays—None.

#### Department of Public Works

November 2, 1951.

Honorable Common Council:

Gentlemen — The paving petitions listed below, which were referred to this office for report, are majority petitions upon which a 25 per cent prepayment has been made.

It is recommended that the petitions be granted, and that one course concrete paving be authorized in accordance with the attached resolution.

Streets:

Stahelin—Cathedral to W. Chicago, 30 feet.

Casino — Beaconsfield to Rossiter, 30 feet.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That the paving recommended in the foregoing communication be and is hereby declared necessary; that paving be done with the material and to the width recommended; and that the Commissioner of Public Works be and is hereby directed to advertise for proposals.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Smith, Van Antwerp, and the President—8.

Nays—None.