

reconsider, which motion prevailed as follows:

Yeas—Councilmen Beck, Garlick, Kronk, Oakman, Rogell, and the President—6.

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

The regular order was resumed.

Department of Public Works

December 3, 1951.

Honorable Common Council:

Gentlemen—The petitions of Frank J. Toton, et al (No. 3834), Chester A. Tomchick, et al (No. 6085), Joseph Bernstein, et al (No. 6402), James T. Assemany, Jr., et al (No. 6479), John J. Rath, et al (No. 6485), D. G. Paterson, et al (No. 7112), John Yates, et al (No. 7223), William A. Knight, et al (No. 7392), and James E. Guinat, et al (No. 7987), 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 Planning 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. WARNER,

Commissioner.

By Councilman Rogell:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Oakfield, Lindsay, Vassar and St. Martins Avenues, as platted in College Heights Subdivision, as recorded in Liber 49 of plats, Page 80, Wayne County Records, and in Homelands Subdivision, as recorded in Liber 35, of plats, Page 12, Wayne County Records, lying west of and adjoining the west line of lots 434 to 452, both inclusive, of last mentioned subdivision, and east of and adjoining the east line of lots 290 to 305, both inclusive, of said College Heights Subdivision (petition No. 3834);

Also, all of north-south public alley, 20 feet wide, in block bounded by Southfield, Fenmore, Pickford and Margareta Avenues, as platted in Redford Southfield Court Subdivision as recorded in Liber 54 of plats, Page 13,

Wayne County Records, lying east of and adjoining the east line of lots 1 to 24, both inclusive, and west of and adjoining the west line of lots 406 to 417, both inclusive, of last mentioned subdivision, (petition No. 6085);

Also, all of north-south public alley, 18 feet wide, in block bounded by Mendota, Birwood, Margareta and Clarita Avenues, as platted in Palmyra Woods Subdivision, as recorded in Liber 45 of plats, Page 85, Wayne County Records, lying east of and adjoining the east line of lots 141 to 155, both inclusive, and west of and adjoining the west line of lots 156 to 172, both inclusive, of last mentioned subdivision, (petition No. 6402);

Also, all of east-west public alley, 16 feet wide, south of Pembroke Avenue, between Ward and Sorrento Avenues, as platted in Greenwich Park Subdivision, as recorded in Liber 41 of plats, Page 28, Wayne County Records, lying south of and adjoining the north line of lots 668 to 673, both inclusive, north of and adjoining the north line of lots 667 and 674 and north of and adjoining the north line of the easement lying between lots 667 and 674, (petition No. 6479);

Also, all of east-west public alley, 18 feet wide, north of Belton Avenue and east of Bramell Avenue, as platted in Rouge Park Subdivision No. 1 as recorded in Liber 60 of plats, Page 40, Wayne County Records, lying west of and adjoining the west line of lots 889 to 894, both inclusive, and east of and adjoining the east line of lots 895 and 896 of last mentioned subdivision, (petition No. 6485);

Also, all of north-south public alley, 18 feet wide, in block bounded by Westbrook, Blackstone, Vassar and St. Martins Avenues, 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 448 to 462, both inclusive, and west of and adjoining the west line of lots 463 to 477, both inclusive, of last mentioned subdivision, (petition No. 7112);

Also, all of east-west public alley, 20 feet wide, south of Pembroke Avenue and west of Greystone Avenue, as platted in Palmeadow Subdivision No. 1 as recorded in Liber 62 of plats, Page 53, Wayne County Records, lying north of and adjoining the north line of lot 2 and south of and adjoining the south line of lots 162 and 163 of last mentioned subdivision, (petition No. 7223);

Also, all of east-west public alley, 20 feet wide, north of Pembroke Avenue, between Houghton and Cooley Avenues, as platted in Herbert J. Wilson's Lahser Homes Subdivision, as recorded in Liber 54 of plats, Page 17, Wayne County Records, lying

north of and adjoining the north line of lots 32 to 37, both inclusive, and south of and adjoining the south line of lots 31 and 38, all lots mentioned being the same as platted in said Herbert J. Wilson's Lahser Homes Subdivision, (petition No. 7392);

Also, all of east-west public alley, 20 feet wide, north of Pembroke Avenue, between Northrup and Houghton Avenues, as platted in Herbert J. Wilson's Lahser Homes Subdivision, as recorded in Liber 54 of plats, page 17, Wayne County Records, lying north of and adjoining the north line of lots 56 to 60, both inclusive, and south of and adjoining the south line of lots 55 and 61, all lots mentioned being the same as platted in said Herbert J. Wilson's Lahser Homes Subdivision, (petition No. 7987);

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 purpose 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 therefore 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, Garlick, Kronk, Oakman, Rogell, and the President—6.

Nays—None.

Department of Public Works

December 7, 1951.

Honorable Common Council:

Gentlemen—We return herewith letter, petitions and general order, requesting the forced construction of sidewalks at the following described pieces of property:

Letter—Community Home Owners' Association.

N. 250 ft. on E. line bg. N. 201.84 ft. on W. line of pt. of O. L. 12 of Sub. of S. W. 1/2 of P. C. 564, L. 46, P. 99, Deeds, lvg. S. & adj. Harper Ave. betw. Cadieux Ave. and Harvard Rd., S. S. Harper betw. Harvard and Cadieux Rd., Sides on Cadieux and Harvard only. 451.84 lineal feet.

S. 553.02 ft. on E. line bg. S. 554.58 ft. on W. line of that pt. O. L. 12 of Sub. of S.W. 1/2 of P. C. 564, L. 49, P. 99, Deeds, lvg. N. & adj. Berden Ave. betw. Cadieux Ave. and Harvard Rd., W. S. Cadieux between Harper and Berden, Sides on Cadieux and Harvard and rear on Berden. 1318.60 lineal feet.

B. I. C. No. 10684 A. Agosta.

Lot 3, W. S. Virgil bet. Schoolcraft and Davison. 32.88 lineal feet.

Douglas E. Kurth (8760) G. O. 40919.

Lot 12, E. S. Oakman Blvd. bet. Wyoming and Stawell, Side on Stawell only. 140 lineal feet.

Lot 13, E. S. Oakman Blvd. bet. Stawell and Westfield, Side on Stawell only. 140 lineal feet.

Lot 31 & Rear of Lot 120, E. S. Dawes bet. Stawell and Ohio, Side on Stawell only. 121 lineal feet.

Lot 25, W. S. Dawes bet. Ohio and Stawell, Side on Stawell only. 116 lineal feet.

Lot 26, W. S. Dawes bet. Stawell and Wyoming, Side on Stawell only. 116 lineal feet.

Lot 53, S. S. Esper Blvd. bet. Otto and Stawell, Side on Stawell only. 120 lineal feet.

There is approximately 2,556.32 lineal feet of concrete sidewalks to be constructed; the approximate cost of this new local improvement would be \$5,521.65, 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 Rogell:

The Common Council of the City of Detroit deems it necessary to con-