

Kronk, Oakman, Rogell, Smith, Van Antwerp, and the President—8.
Nays—None.

Reconsideration

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

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

Yeas — Councilmen Beck, Connor, Kronk, Oakman, Rogell, 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

July 3, 1951.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of St. Joseph's Church (Petition No. 5729) requesting the vacation of a portion of the north-south alley in block bounded by Raymond, Culver, Georgia and Marcus Avenues. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioners dedicate a new alley outlet in lieu of the portion of alley to be vacated. The petition was then referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

As per our directive on July 3, 1951, the petitioners paid into the City Treasury, the sum of \$204.54, Receipt No. 350, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City of Detroit for the original cost of paving Georgia Avenue at the intersection of the alley to be vacated.

On July 3, 1951, the petitioners deposited with the Permit Division of the Department of Public Works, the sum of \$900.00, Receipt No. 25595, said amount being the estimated cost of removing the paved return at the entrance to the alley to be vacated, constructing a new return at the entrance to the newly deeded alley, and the cost of stoning the new alley.

We are in receipt of a Quit Claim deed whereby land is dedicated for alley purposes in accordance with the City Plan Commission's recommendation. Said deed was approved by the Corporation Counsel as to form and execution and by the City Engineer as to description, and it is attached hereto for your Honorable Body's acceptance.

Proper provisions are incorporated into the vacating resolution protect-

ing the City's interests in the sewer located in the alley to be vacated.

In reply to our inquiries all other City departments and privately owned utility companies reported that they will be unaffected by the vacation of the alley or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,
CARL D. WARNER,

Commissioner.

By Councilman Beck:

Resolved, That all that part of north-south public alley, 15 feet wide, in block bounded by Raymond, Culver, Georgia and Marcus Avenues, as platted in Burton & Dalby's Gratiot Avenue Subdivision of part of Sections 22 and 23 known as Private Claim 12, T. 1 S., R. 12 E., as recorded in Liber 29 of plats, Page 96, Wayne County Records, lying west of and adjoining the west line of lots 150, 151, 152, 153 and west of and adjoining the west line of the south 6 feet of lot 149, all lots mentioned being the same as platted in last mentioned subdivision, 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 be it 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 and such sewer manholes shall be constructed 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 be it further

3) Provided, That no building or structure shall be constructed over said sewer without the prior approval of such building construction by the City Engineer; and be it further

Resolved, That Quit Claim deed of Edward Mooney, Roman Catholic Archbishop of the Archdiocese of Detroit to the City of Detroit, deeding land for alley purposes, said land being described as "the south 18 feet of the north 24 feet of lot 149 of Burton & Dalby's Gratiot Avenue Subdivision of part of Sections 22

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and 23 known as Private Claim 12, T. 1 S., R. 12 E., Hamtramck and Gratiot Townships (now City of Detroit), according to the plat thereof as recorded in Liber 29 of plats, Page 88, Wayne County Records", be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:
Yeas—Councilmen Beck, Connor, Kronk, Oakman, Rogell, Smith, Van Antwerp, and the President—8.
Nays—None.

Department of Public Works June 26, 1951.

Honorable Common Council:
Gentlemen—We are returning herewith the petition of Joe Martin Company (No. 5235) requesting the vacation of a portion of the east-west alley south of Emery Avenue between John R and Coventry Avenue. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioner dedicate certain property for alley turn-around purposes; the City also to allocate a portion of Coventry Park for an alley turn-around.

We wish to advise that our investigations are completed. We are in receipt of a deed whereby land for alley turn-around purposes is deeded as per City Plan Commission's recommendations. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and it is attached hereto for your Honorable Body's acceptance.

In reply to our inquiries, all City departments and privately-owned utility companies reported that they will be unaffected by the vacation of the alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The City Plan Commission's recommendation that the City allocate a portion of Coventry Park for alley turn-around purposes was conditioned on the petitioner's purchase of the City property which would be made useless by such allocation. Since the petitioner is still negotiating for this purchase, the allocation of City property for alley purposes is deferred until the purchase of the land is consummated.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Beck:

Resolved, That the westerly 54.24 feet of the 18-foot east-west public alley south of Emery Avenue and east of and adjoining the east line of John R. Street as now established, said alley being the same as that

platted in Lindale Gardens Subdivision of W. $\frac{1}{2}$ of S.W. $\frac{1}{4}$ of Section 1, T. 1 S., R. 11 E., as recorded in Liber 33, Page 87, of plats, Wayne County Records, said alley herein vacated lying between the south line of lot 51 and the north line of the park known as "Coventry Park," be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property; and further

Resolved, That deed of Joseph E. Martin and Harriet E. Martin, his wife, to the City of Detroit deeding for alley purposes land described as "The east 27 feet of lot 51, Lindale Gardens Subdivision of the W. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of Section 1, T. 1 S., R. 11 E., Greenfield Township, according to the plat thereof as recorded in Liber 33 of plats, Page 87, Wayne County Records" be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County; and further

Resolved, That the northerly 17 ft. of Coventry Park adjoining the portion of the alley herein vacated be and the same is hereby released for sale.

Adopted as follows:

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

Department of Public Works

July 6, 1951.

Honorable Common Council:

Gentlemen—We return herewith Petitions and General Orders, requesting the forced construction of sidewalks adjacent to the following described properties:

G. O. 39184—Kenwood Land Co.
(6643)

Lots 156, 157, 158, E.S. Anglin bet. Winchester Ave. and Eight Mile Rd., 90 lineal feet.

Lots 159 and 160, W.S. Anglin bet. Eight Mile Rd. and Winchester Ave., 54 lineal feet.

G. O. 2709—N. Fwor

Lot 39, W.S. Evergreen bet. Davison and Glendale, Side on Glendale only, 98 lineal feet.

There is approximately 242 lineal feet of sidewalk to be constructed; the approximate cost of this new local improvement would be \$522.72, the cost and expense to be equitably assessed against the lots or parcels of real estate to be benefitted by such local improvements, 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 Com-