

construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, and Smith—7.
Nays—None.

Department of Public Works

May 12, 1952

Honorable Common Council:

Gentlemen—The petitions of Ben Nosanchuk, et al (No. 754), Jack I. Myers, et al (No. 5596), Donald J. Failor, et al (No. 8154), John H. Welsh, et al (No. 8155), Jack Garber, et al (No. 8814), and Josephine M. Sartor, et al (No. 8956), 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. WARNER,
Commissioner.

By Councilman Smith:

Resolved, That all of north-south public alley, 18 ft. wide, in block bounded by Sussex, Coyle, Pembroke Aves. and James Couzens Hwy., as platted in San Bernardo Park Subn. No. 3 as recorded in Liber 55 of plats, Page 23, Wayne County Records, lying east of and adjoining the east line of lots 1264 to 1268, both inclusive, and west of and adjoining the west line of lot 1269, of last mentioned subn., (petn. No. 754);

Also, all of north-south public alley, 20 ft. wide, in block bounded by Lahser, Greydale, Trojan and Hessel Aves., as platted in Lahser Ave. Super Subn. as recorded in Liber 53 of plats, Page 53, Wayne County Records, lying east of and adjoining the east line of lots 1 to 30, both inclusive, and west of and adjoining the west line of lots 117 to 131, both inclusive, of last mentioned subn., (petn. No. 5596);

Also, all of north-south public alley, 18 ft. wide, in block bounded by

Pierson, Braille, W. Chicago, and Orangelawn Aves., as platted in Western Rouge Park Subn. as recorded in Liber 55 of plats, Page 93, Wayne County Records, lying east of and adjoining the east line of lots 102 to 113, both inclusive, and west of and adjoining the west line of lots 123 to 139, both inclusive, of last mentioned subn.;

Also, all of east-west public alley, 18 ft. wide, south of Orangelawn Ave. between Pierson and Braille Aves., as platted in Western Rouge Park Subn., heretofore mentioned, lying south of and adjoining the south-line of lots 99, 100, 101, 140, 141 and 142, north of and adjoining the north line of lots 102 and 139, and north of and adjoining the north line of the alley lying between said lots 102 and 139, of last mentioned subn., (petn. No. 8154);

Also, all of north-south public alley, 20 ft. wide, in block bounded by Hazelton, West Parkway, Orangelawn, and Elmira Aves., as platted in Snell's Orchard Park Subn. as recorded in Liber 57 of plats, Page 56, Wayne County Records, lying west of and adjoining the west line of lots 11 to 50, both inclusive, and east of and adjoining the east line of lots 112 to 131, both inclusive, of last mentioned subn. (petn. No. 8155);

Also, all of east-west public alley, 20 ft. wide, north of Pembroke Ave., east of Winthrop Ave., as platted in Lalondes Greenfield Ave. Subn. as recorded in Liber 58 of plats, Page 52, Wayne County Records, lying north of and adjoining the north line of lots 30 to 38, both inclusive, and south of and adjoining the south line of lot 39, of last mentioned subn., (petn. No. 8814);

Also, all of north-south public alley, 20 ft. wide, north of Lyndon Ave., between Evergreen and Plainview Aves., as platted in B. E. Taylor's Brightmoor-Morel Subn. as recorded in Liber 50 of plats, Page 50, Wayne County Records, lying east of and adjoining the east line of lots 1 to 13, both inclusive, and west of and adjoining the west line of lots 14 to 21, both inclusive, of last mentioned subn. (petn. No. 8956);

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 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, Rogell, and Smith—7.

Nays—None.

Department of Public Works

May 8, 1952.

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 the alley north of Diversey Avenue, between Mansfield and Rutherford Avenues, within the limits of a playground site. The vacation of said alley was approved by the City Plan Commission with the recommendation that a turn-around be provided at the north end of the vacated area to prevent the dead ending of the remaining portion of the alley.

Our investigations are completed and they disclose that two City departments are affected by the changes. The City Engineer requests that a right-of-way be reserved for the maintenance of the sewer located in the alley to be vacated. A proper provision therefore is incorporated into the vacating resolution. The Street Maintenance Division of this department will stone the alley turn-arounds and charge the costs of the work to its street betterment funds. This is in accordance with a recent directive from your Honorable Body.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Smith:

Resolved, That all that part of

north-south public alley, 18 feet wide, north of Diversey Avenue, between Mansfield and Rutherford Avenues, Avenue Gardens Subdivision's Warren recorded in Liber 39 of plats, Page 100, Wayne County Records, lying east of and adjoining the east line of lots 158 to 164., both inclusive, east of and adjoining the east line of the south 15 feet of lot 157, west of and adjoining the west line of lots 257 to 263, both inclusive, and west of and adjoining the west line of the south 15 feet of lot 264, 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 further.

2) Provided, that no buildings shall be constructed over said sewer without the prior approval of such construction by the City Engineer.

Resolved, That the north 20 feet of the east 25 feet of lot 157 and the north 20 feet of the west 25 feet of lot 264 of Frischkorn's Warren Avenue Gardens Subdivision as recorded in Liber 39 of plats, Page 100, Wayne County Records be and the same is hereby allocated and dedicated for alley turn-around purposes.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, and Smith—7.

Nays—None.

Department of Public Works

May 9, 1952.

Honorable Common Council:

Gentlemen—Contract PW-998-1001 is for the Livernois Relief Sewer. S. A. Healy Company and Gargaro Company are the Contractors as a joint venture. The Proposal was arranged so that separate sheets could be submitted on the four sections. The Proposal also provided that a lump sum could be submitted for the entire work and the Contract was awarded on this basis.

On two previous occasions, in October and December of 1951, your Honorable Body authorized a reduction on the retained percentage of the sections of the sewer which had been completed by the Contractors and put into use by the City. These sections that had been completed and put into use are known as PW-998, PW-999, and PW-1001. On PW-1001 there was some minor work to be done in the amount of \$12,000.00