

Department of Public Works

October 23, 1952.

Honorable Common Council:

Gentlemen—The petitions of John Nelson, et al (No. 1819), David Hopkins, et al (No. 2009), Mildred Spira, et al (No. 2013), M. H. Thorson, et al (No. 2072), Charles H. Krause, et al (No. 2375), Dolores Kralowski, et al (No. 2623), Charles L. Strickland, et al, and Charles H. Felt, et al (Nos. 8490 and 3217), 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 Van Antwerp:

Resolved, That all that part of north-south public alley, 18 feet wide, in the block south of Moross Road, between Lanark and Sanilac Avenues, as platted in Park Drive Subdivision No. 4 as recorded in Liber 54, Page 11 of plats, Wayne County Records, and in S. C. Hadley's Subdivision as recorded in Liber 68, Page 63 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 1679 to 1687, both inclusive, and west of and adjoining the west line of Lots 1699 to 1707, both inclusive, of said Park Drive Subdivision No. 4, and east of and adjoining the east line of Lot 98 and the north 18 feet of Lot 97, and west of and adjoining the west line of Lot 71 and the north 18 feet of Lot 72 of said S. C. Hadley's Subdivision; Also, all of east-west public alley, 18 feet wide, west of Sanilac Avenue and south of Moross Road, as established by Common Council resolution of July 24, 1951, J.C.C. Page 1744, which alley is in fact the north 18 feet of Lot 72 of S. C. Hadley's Subdivision as recorded in Liber 68, Page 63 of plats, Wayne County Records (Petition of John Nelson, et al, No. 1819);

Also, all of east-west public alley, 20 feet wide, in the block south of Curtis Avenue, between Gilchrist and Biltmore Avenues, as platted in Rutland Outer Drive Subdivision No. 1

as recorded in Liber 45, Page 93 of plats, Wayne County Records, and in Rutland Outer Drive Subdivision No. 2 as recorded in Liber 50, Page 83 of plats, Wayne County Records, lying between the north line of Lot 122 and the south line of Lots 123 to 128, both inclusive, of Rutland Outer Drive Subdivision No. 1 and between the north line of Lot 132 and the south line of Lots 129, 130 and 131 of said Rutland Outer Drive Subdivision No. 2 (Petition of David Hopkins, et al, No. 2009);

Also, all of north-south public alley, 20 feet wide, in the block north of Seven Mile Road between Cooley and Lahser Avenues, as platted in Seven Mile Lahser Subdivision as recorded in Liber 57, Page 78 of plats, Wayne County Records, lying west of and adjoining the west line of Lots 1 to 16, both inclusive, and east of and adjoining the east line of Lots 17 to 24, both inclusive, and the north 16.7 feet of Lot 25 of last mentioned subdivision (Petition of Mildred Spira, et al, No. 2013);

Also, all of north-south public alley, 18 feet wide, west of Ashton Avenue, between Dover and Cathedral Avenues, as platted in Dana Park Subdivision as recorded in Liber 57, Page 91 of plats, Wayne County Records, lying west of and adjoining the west line of Lots 91 to 102, both inclusive, and east of and adjoining the east line of Lots 140 to 151, both inclusive, of last mentioned subdivision; Also, all that part of east-west public alley, 18 feet wide, south of Cathedral Avenue and west of Ashton Avenue, as platted in said Dana Park Subdivision, lying north of and adjoining the north line of Lot 91, north of and adjoining the north line of the 18-foot north-south alley, hereinabove described, south of and adjoining the south line of Lots 38, 89, 90 and the east 9 feet of Lot 152 of last mentioned subdivision (Petition of M. H. Thorson et al, No. 2072);

Also, all that part of east-west public alley, 20 feet wide, south of Moross Road, between Pavton and Riad Avenues, as platted in Park Drive Subdivision No. 4 as recorded in Liber 54 of plats, Page 11, Wayne County Records, lying north of and adjoining the north line of Lot 1084 and south of and adjoining the south line of Lots 1085 to 1090, both inclusive, and south of and adjoining the south line of the west 1 foot of Lot 1091, of last mentioned subdivision (Petition of Charles J. Krause et al, No. 2375);

Also, all that part of north-south public alley, 18 feet wide, in the block bounded by Bradford, Dresden, Greiner and Park Grove Avenues, as platted in Grotto Road Manor Subdivision No. 1 as recorded in Liber 55, Page 46 of plats, Wayne County Records, lying west of and adjoining the west line

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of Lots 57 to 61, both inclusive, and east of and adjoining the east line of Lots 75 to 79, both inclusive, of last mentioned subdivision (Petition of Dolores Kralowski et al, No. 2623);

Also, all of east-west public alley, 20 feet wide, north of Pembroke Avenue, between Greydale and Burgess Avenues as platted in Lahser Avenue Super Subdivision as recorded in Liber 53, Page 53 of plats, Wayne County Records, lying north of and adjoining the north line of Lots 172 to 184, both inclusive, south of and adjoining the south line of Lots 171 and 185, and south of and adjoining the south line of the 18-foot easement between Lots 171 and 185, of last mentioned subdivision (Petition of Charles L. Strickland et al, No. 8490 and Charles H. Felt, et al, No. 3217);

Be and the same are vacated as a public alley and are hereby converted into a public easement of the full width of the alley, which easement 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 easements 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 easements, 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, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

By Councilman Van Antwerp:

Resolved, That resolution adopted

Sept. 23, 1952 (JCC p. 2179), vacating a portion of Bentler Ave. and turn-around on petition of John L. Brown, et al (1998), be and the same is hereby amended by deleting the words "the north 20 ft. of the west 258 ft. of lot 44 and" in lines 9, 10 and 11 of the second paragraph.

Adopted as follows:

Yeas—Councilmen Beck, Garlick, Kronk, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

Department of Public Works

October 24, 1952.

Honorable Common Council:

Re: Julius Vermuelen (3637), G.O. 44980; Mildred Townsend (3565) G.O. 44931.

Gentlemen—We return herewith petitions and general orders requesting the forced construction of sidewalks at the following described locations:

Lot 995, N.S. Mallina bet. Moross Rd. and Canyon, 140 lineal feet.

Lot 12, W.S. Lumley bet. Jennie and St. Stephens, Side on St. Stephens only, 112.5 lineal feet.

Lot 2 & S. 10 ft. of Lot 1, W.S. Lumley bet. St. Stephens and S. line of Sub., Side on St. Stephens only, 112.5 lineal feet.

Lot 145, E.S. Ternes bet. S. line of sub. and St. Stephens, Side on St. Stephens only, 117.37 lineal feet.

Lot 144, E.S. Ternes bet. St. Stephens and Cypress, Side on St. Stephens only, 117.08 lineal feet.

There is approximately 599.45 lineal feet of concrete sidewalks to be constructed; the approximate cost of this new local improvement would be \$1,294.81, the cost and expense to be assessed against the lots or parcels of real estate to be benefited 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 following resolution.

Respectfully submitted,

NEAL OUTLIFF,
Secretary.

By Councilman Van Antwerp:

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 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 here-