

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

Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.

Nays—None.

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

The regular order was resumed.

Department of Public Works February 19, 1952.

Honorable Common Council:

Gentlemen—The petitions of Jack Silberman, et al (No. 6327), C. T. Keast, et al (No. 7589), Gertrude Kantor, et al (No. 7675), Peter Antonelli, et al (No. 7750), B. D. Lightig, et al (No. 7751), E. H. Christiansen, et al (No. 7839), Harold J. Hubert, et al (No. 8084), Anthony Tata, et al (No. 8088), Harold F. Morteck, et al (No. 8153), and Joseph Holtzman, et al (No. 8487), 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 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 of north-south public alley, 20 feet wide, in block bounded by Tracey Avenue, Schaefer Highway, James Couzens Highway and Margareta Avenue, as platted in Ramm and Co.'s Northwestern Highway Subdivision No. 1, as recorded in Liber 47 of plats, Page 31, Wayne County Records, lying west of and adjoining the west line of Lots 3 to 12, both inclusive, and east of and adjoining the east line of Lots 77 to 82, both inclusive, of last mentioned Subdivision, (Petition No. 6327)

Also, all that part of east-west public alley, 18 feet wide, north of Outer Drive, west of Ardmore Avenue, as platted in Marygrove Outer Drive Park Subdivision as recorded in Liber

55 of plats, Page 58, Wayne County Records, lying south of and adjoining the south line of Lot 468 and north of and adjoining the north line of Lots 465, 466, 467 and the east 11.72 feet of Lot 418 of last mentioned Subdivision, (Petition No. 7589);

Also, all of north-south public alley, 20 feet wide, in block bounded by Winthrop, Greenfield, Vassar and Martins Avenues, as platted in Division Estates Subdivision, as recorded in Liber 53 of plats, Page 68, Wayne County Records, and in Division Estates Subdivision No. 1 as recorded in Liber 55 of plats, Page 40, Wayne County Records, lying west of and adjoining the west line of Lots 1 to 14, both inclusive, of Division Estates Subdivision, west of and adjoining the west line of Lots 71 to 85, both inclusive, of Division Estates Subdivision No. 1, east of and adjoining the east line of Lots 86 to 93, both inclusive, of last mentioned Subdivision and east of and adjoining the east line of Lots 15 to 21, both inclusive, of said Division Estates Subdivision, (Petition No. 7675);

Also, all that part of east-west public alley, 20 feet wide, south of Pembroke Avenue and east of Ashton Avenue, as platted in Southlawn Grove Subdivision as recorded in Liber 53 of plats, Page 41, Wayne County Records, lying south of and adjoining the south line of Lots 41 and 42 and north of and adjoining the north line of Lot 64 of last mentioned Subdivision, (Petition No. 7750);

Also, all that part of east-west public alley, 18 feet wide, south of Outer Drive, west of Woodingham Drive, as platted in Hugo Scherer's Seven Mile Drive Subdivision as recorded in Liber 42 of plats, Page 76, Wayne County Records, lying south of and adjoining the south line of Lots 224, 225 and 226, and north of and adjoining the north line of Lot 227 of last mentioned Subdivision; also, the east 9 feet of that part of the north-south public alley, 18 feet wide, lying west of Woodingham Drive, as platted in said Hugo Scherer's Seven Mile Drive Subdivision, lying west of and adjoining the west line of the north 2 feet of Lot 227, (Petition No. 7751);

Also, all of north-south public alley, 18 feet wide, in block bounded by Chapel, Bentler, Pembroke and Fargo Avenues, as platted in Lahser Avenue Super Subdivision as recorded in Liber 53 of plats, Page 53, Wayne County Records, lying east of and adjoining the east line of Lots 348 to 357, both inclusive, and west of and adjoining the west line of Lots 371 to 380, both inclusive, of last mentioned Subdivision; also, all of east-west public alley, 20 feet wide, north of Pembroke Avenue between Chapel and Bentler Avenues, as platted in said Lahser Avenue Super Subdivision, lying north of and adjoining the north line of Lots 358

to 370, both inclusive, south of and adjoining the south line of lots 357 and 371, and south of and adjoining the south line of the 18 foot north-south alley lying between Lots 357 and 371, (Petition No. 7839);

Also, all of east-west public alley, 14 feet wide, in the block east of Cadieux Avenue between Munich and Sioux Avenues, as platted in Block 8, "Columbia" Freund's Subdivision as recorded in Liber 17 of plats, Page 93, Wayne County Records, lying south of and adjoining the south line of Lots 8 to 25, both inclusive, and north of and adjoining the north line of Lots 26 to 43, both inclusive, of last mentioned Subdivision; also, all that part of north-south public alley, 14 feet wide, east of Cadieux Avenue and north of Munich Avenue as platted in Said "Columbia" Freund's Subdivision lying between the north line of Munich Avenue and the north line of the east-west alley, hereinabove described, said north-south alley lying west of Lot 43 of last mentioned Subdivision, (Petition No. 8084);

Also, all of north-south public alley, 20 feet wide, in block bounded by Meyers Road, Manor Avenue, Civic Place and Belton Avenue, as platted in Robert Oakman Land Company's Aviation Field Subdivision No. 4 as recorded in Liber 58 of plats, Page 48, Wayne County Records, lying west of and adjoining the west line of Lots 2529 to 2553, both inclusive, and east of and adjoining the east line of Lots 2554 to 2565, both inclusive, of last mentioned Subdivision, (Petition No. 8088);

Also, all of north-south public alley, 8 feet wide, west of Appleton Avenue, between Verdun and Frisbee Avenues, as platted in Ewer's Subdivision as recorded in Liber 40 of plats, Page 25, Wayne County Records lying west of and adjoining the west line of Lots 12 to 23, both inclusive, and west of and adjoining the west line of the south 15 feet of vacated Frisbee Avenue, (Petition No. 8153);

Also, all of the north-south public alleys, 18 feet wide, in blocks bounded by Stout, Evergreen, Trojan Avenues and Eight Mile Road, as platted in Evergreen Woods Subdivision as recorded in Liber 60 of plats, Page 21, Wayne County Records, lying east of and adjoining the east line of Lots 23 to 46, both inclusive, Lots 71 to 94, both inclusive, Lots 119 to 142, both inclusive, Lots 167 to 190, both inclusive, and west of and adjoining the west line of Lots 47 to 70, both inclusive, and Lots 95 to 118, both inclusive, and Lots 143 to 166, both inclusive, and Lots 191 to 211, both inclusive, of last mentioned Subdivision, (Petition No. 8487);

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which ease-

ments 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 Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.

Nays—None.

Department of Public Works

February 15, 1952.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Samit Building Company (6321), requesting the vacation of the east-west alley north of Paul Avenue between Woodmont and Asbury Park Avenues. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioners deed sufficient land for the continuation of the north-south alley into Paul Avenue.

We wish to advise that our investigations are completed.

We are in receipt of a Quit claim deed to land to be used for alley purposes in accordance with the City Plan Commission's recommendation. 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.