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 DEC. 9, 1952
 J.C.C. PG. 2712

Department of Public Works
 December 1, 1952.
 Honorable Common Council:
 Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Harry Becker and Co. (No. 1062), requesting the vacation of certain alleys in the block bounded by Harrington Ave., Post Ave., Wabash R. R. and Fort St. The vacation of the alleys was approved by the City Plan Commission in their communication to your Honorable Body of September 5, 1952.

We wish to advise that our investigations are completed.

As per our directive, on December 1, 1952, the petitioners paid into the City treasury the sum of \$1,450.00, Receipt No. 29856, credited to Public Lighting Commission Fund Code No. 123-9400-6190-481, said amount being the estimated cost of relocating P.L.C. facilities necessitated by the vacation of the alley.

The petitioners also paid into the City treasury the sum of \$381.16, Receipt No. 29857, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving Harrington and Post Avenues at the intersection of the alley to be vacated.

Six hundred fifty dollars was deposited with the Permit Division of the Department of Public Works, Receipt No. 41544, said amount being the estimated cost of removing the paved returns at the entrance to the alley and constructing new curbing and sidewalks incident thereto.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys 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 alleys or that they have reached satisfactory agreements with the petitioners regarding their installations hereon.

We recommend the adoption of the attached resolution.

Respectfully submitted,
 CARL D. WARNER,
 Commissioner.

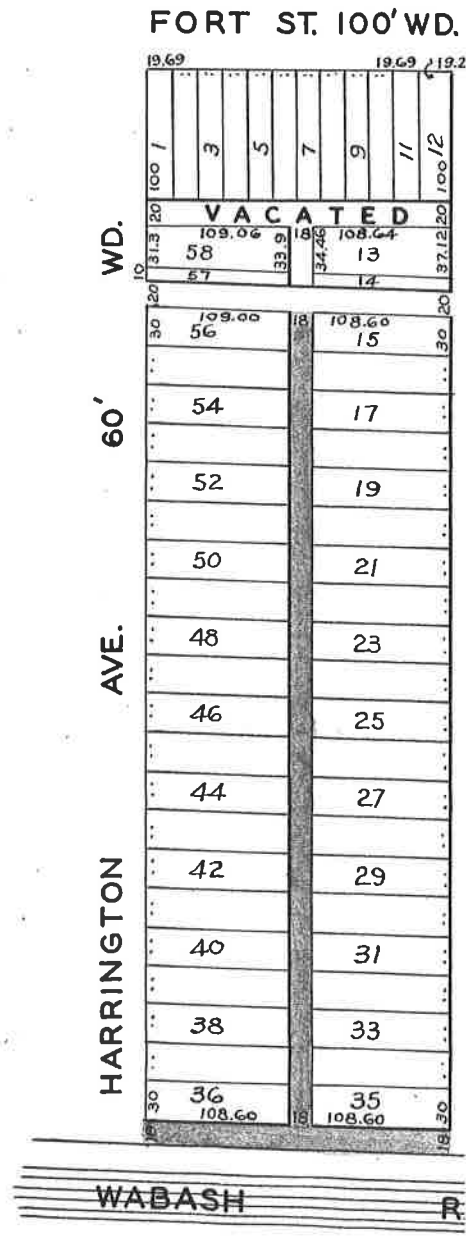
By Councilman Garlick:

Resolved, That all that part of north-south public alley, 18 feet wide, in the block bounded by Harrington Ave., Post Ave., Wabash R. R., and Fort St., as platted in Beard's subdivision of part of lots 18 and 19 of Wesson's Section of P. C. 267 as recorded in Liber 61, Page 83 of plats, Wayne County Records, lying west of and adjoining the west line of lots 15 to 35, both inclusive, and east of and adjoining the east line of lots 36 to 56, both inclusive, of last mentioned subdivision; also, all of east-west public alley, 18 feet wide, north of the Wabash R. R. right-of-way, between Harrington and Post Avenues, as platted in Beards Subdivision, hereinabove mentioned, lying south of and adjoining the south line of lots 35 and 36, and south of and adjoining the south line of the 18 ft. alley between said lots 35 and 36, be and the same are hereby vacated as public alleys 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 no buildings shall be constructed over said sewer without the prior approval of such construction by the City Engineer.

Adopted as follows:
 Yeas—Councilmen Beck, Garlick, Kronk, Oakman, Rogell, Smith, and Van Antwerp—7.
 Nays—None.

Reconsideration
 Councilman Oakman moved to reconsider the vote by which the resolution was adopted.
 Councilman Garlick moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:
 Yeas—Councilmen Beck, Garlick, Kronk, Oakman, Rogell, Smith, and Van Antwerp—7.
 Nays—None.
 Councilman Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.
 The regular order was resumed.



By Councilman Garlick:

Resolved, That all that part of north-south public alley, 18 feet wide, in the block bounded by Harrington Ave., Post Ave., Wabash R. R., and Fort St., as platted in Beard's Subdivision of part of lots 18 and 19 of Wesson's Section of P. C. 267 as recorded in Liber 61, Page 83 of plats, Wayne County Records, lying west of and adjoining the west line of lots 15 to 35, both inclusive, and east of and adjoining the east line of lots 36 to 56, both inclusive, of last mentioned subdivision; also, all of east-west public alley, 18 feet wide, north of the Wabash R. R. right-of-way, between Harrington and Post Avenues, as platted in Beard's Subdivision, hereinabove mentioned, lying south of and adjoining the south line of lots 35 and 36, and south of and adjoining the south line of the 18 ft. alley between said lots 35 and 36, be and the same are hereby vacated as public alleys 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 no buildings shall be constructed over said sewer without the prior approval of such construction by the City Engineer.

Adopted as follows:

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

Nays—None.

Reconsideration

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

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

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

Nays—None.

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

The regular order was resumed.

FORT ST. 100' WD.

