

Department of Public Works

December 9, 1952.

Honorable Common Council:

Gentlemen — The petition of Superior Products Company (No. 1550), requesting the vacation of Pinehurst Avenue from Lyndon Avenue to the Pennsylvania Railroad right-of-way, was referred to this office by your Committee of the Whole for investigation and report. The vacation of said street was approved by the City Plan Commission in their communication to your Honorable Body of October 17, 1952.

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 vacation of said street.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Smith:

Resolved, That all of Pinehurst Avenue 70 foot wide, between Lyndon Avenue and the Pennsylvania-Detroit Railroad right-of-way, as platted in Granver Park Subdivision, as recorded in Liber 33, Page 60 of plats, Wayne County Records, lying east of and adjoining the east line of vacated lots 56 to 66, of said subdivision, be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property.

Adopted as follows:

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

Nays—None.

Department of Public Works

December 8, 1952.

Honorable Common Council:

Gentlemen—The petitions of Joseph DiBella, et al (No. 389), William G. Duncan, et al (No. 2008), Fred A. Zinn (No. 2015), Walter M. Lemanske, et al (No. 2942), Mary J. Rea, et al (No. 3219), and J. Singer and Sons, (No. 3628), 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 protect-

ing 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, 20 feet wide, in the block bounded by Ashton, Southfield, Curtis, and Pickford Avenues, as platted in Emerson Manor Subdivision as recorded in Liber 51, Page 40 of plats, Wayne County Records, lying west of and adjoining the west line of lots 274 to 304, both inclusive, and east of and adjoining the east line of lots 218 to 234, both inclusive, and east of and adjoining the east line of the 20 foot east-west alley hereinafter described; also, all that part of east-west public alley, 20 foot wide, east of Ashton Avenue and north of Curtis Avenue, as platted in Emerson Manor Subdivision, heretofore mentioned, lying south of and adjoining the south line of the east 70 feet of lot 218 of last mentioned subdivision, (petition of Joseph DiBella, No. 389);

Also, all of east-west public alley, 20 feet wide, in the block south of Curtis Avenue between Biltmore and Ferguson Avenues, as platted in Rutland Outer Drive Subdivision No. 2 as recorded in Liber 50, Page 83 of Plats, and in B. E. Taylor's Edgemoor Subdivision as recorded in Liber 52, Page 5 of plats, Wayne County Records, lying south of and adjoining the south line of lots 30 to 34, both inclusive, and north of and adjoining the north line of lot 29, of last mentioned subdivision, and south of and adjoining the south line of lots 184, 185, and 186, and north of and adjoining the north line of lot 183, of Rutland Outer Drive Subdivision No. 2, (petition of William G. Duncan, No. 2008);

Also, all of north-south public alley, 18 feet wide, in block bounded by Rosemont, Ashton, Pembroke, and Fargo Avenues, as platted in George W. Renchard's Collegedale Subdivision as recorded in Liber 53, Page 3 of plats, Wayne County Records, lying west of and adjoining the west line of lots 105 to 114, both inclusive, and east of and adjoining the east line of lots 128 to 137, both inclusive, of last mentioned subdivision; also, all that part of east-west public alley, 20 feet wide, north of Pembroke Avenue, and east of Rosemont Avenue, as platted in said George W. Renchard's Subdivision, lying south of and adjoining the south line of lot 128, south of and adjoining the south line of the 18 foot north-south alley, hereinabove described, and north of and adjoining the north line of lots 121 to 127, both inclusive, of last mentioned subdivision, (petition of Fred A. Zinn, No. 2015);

Also, all of east-west public alley, 18 foot wide, in the block bounded by Reno, Hoyt, Fairmount, and Eastburn Avenues, as platted in Drennan and Seldon's Regent Park Subdivision No. 2 as recorded in Liber 59, Page 20 of plats, Wayne County Records, lying north of and adjoining the north line of lots 1177 to 1191, both inclusive, and south of and adjoining the south line of lots 1192 to 1206, both inclusive, of last mentioned subdivision, (petition of Walter M. Lemanske, et al, No. 2942);

Also, all of north-south public alley, 18 feet wide, in the block bounded by Riverdale, Grayfield, Fullerton, and Glendale Avenues, as platted in Castleford Subdivision No. 2 as recorded in Liber 63, Page 70 of plats, Wayne County Records, lying east of and adjoining the east line of lots 1552 to 1569, both inclusive, and west of and adjoining the west line of lots 1570 to 1587, both inclusive, of last mentioned subdivision, (petition of Mary J. Rea, No. 3219);

Also, all of north-south public alley, 18 feet wide, in block bounded by Audrey, Oxley, Norfolk, and Eight Mile Road, as platted in Division Heights Subdivision, as recorded in Liber 50, Page 36 of plats, Wayne County Records, lying east of and adjoining the east line of lots 92 to 105, both inclusive, and west of and adjoining the west line of lots 119 to 132, both inclusive, of last mentioned subdivision, (petition of J. Singer and Sons, No. 3628);

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alley, 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, Garlick, Kronk, Oakman, Rogell, Smith, and Van Antwerp—7.

Nays—None.

Department of Public Works

November 26, 1952.

Honorable Common Council:

Gentlemen—Contract PW-1914P is for the paving of the alley in the block bounded by Stoepel, Livernois, Clarita and Seven Mile Road. A. N. Marando and Son is the contractor. The total amount of the accepted proposal was \$1,055.40 of which all was in the Assessment Portion.

The Assessment Roll was based on the amount stated in this Assessment Portion or \$1,055.40. This roll was confirmed by your Honorable Body.

Under the provisions of the resolution authorizing the contract, any deductions or additions in the Assessment Portion exceeding one percent must be approved by the Common Council before the adjustment of the difference was applied to the City Intersection. When the final measurements based on actual construction were made, a deduction of \$23.80 resulted because of a slight reduction in the amount of excavation and paving from the estimated quantities contained in the original proposal. This amount is slightly less than three percent of the original assessment. While there was no City Portion on this particular contract, it is recommended that the adjustment be made by deducting the \$23.80 from the City Intersection Fund and that the Assessment Portion remain the same.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Van Antwerp:

Resolved, That the adjustment in the constructed quantities in the Assessment Portion amounting to \$23.80 in connection with the paving of the alley in the block bounded by Stoepel, Livernois, Clarita and Seven Mile Road, Contract PW-1914P, be applied to the City Intersection Fund and that the final assessment cost for the construction remain at \$1,055.40, the same as was in the original accepted proposal.

Adopted as follows:

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

Nays—None.