

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.



As per our directive, on February 18, 1952, the petitioners deposited with the Permit Division of the Department of Public Works the sum of \$287.00, receipt No. 32179, said amount being the estimated cost of stoning the newly deeded alley.

Proper provisions are incorporated in the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by said vacation.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Van Antwerp:

Resolved, That all that part of east-west public alley, 20 feet wide, north of Paul Ave., between Woodmont and Asbury Park Aves., as platted in Gardner Park No 1, a subdivision of part of the E.  $\frac{1}{2}$  of the N.W.  $\frac{1}{4}$  of Section 12, T. 2 S., R. 10 E., as recorded in Liber 54 of plats, Page 24, Wayne County Records, lying south of and adjoining the south line of lots 454 and 593 of 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) An easement or right-of-way is hereby reserved in and over the center 6 feet of the above described 20 foot alley for the purpose of maintaining, repairing, replacing or removing the existing sewer located in said alley, and the City of Detroit shall at all times have the right to enter upon the premises, if found necessary, on account of said sewer.

(2) If a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted, or encased in six inches of class "A" concrete, or, in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors or assigns, and further,

(3) No buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer, and further,

Resolved, That Quit Claim deed of the Samit Building Company, a Michigan Corporation, to the City of Detroit deeding land for alley purposes, said land being described as "the west 8 feet of lot 448 and the east 10 feet of lot 447 of Gardner Park No. 1, a subdivision of part of the E.  $\frac{1}{2}$  of the N.W.  $\frac{1}{4}$  of Section 12, T. 2 S., R. 10 E., as recorded in

Liber 54 of plats, Page 24, Wayne County Records to be used for alley purposes" be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.  
Nays—None.

### Public Works

February 19, 1952

Honorable Common Council:  
Gentlemen—Your Honorable Body, acting on the petition of Froedtert Grain and Malting Company (988, Year 1950), authorized the preparation of plans and a Tentative Assessment Roll for lateral sewer No. 6629 (Common Council Res. of 4-18-50). The Tentative Roll has been transmitted to the City Treasurer for collection of 25 per cent of the cost, as required by ordinance.

The City Treasurer advises us that as of this date, only a partial deposit has been made. The 60 day limit of time required by ordinance has long been expired. We, therefore, recommend that your Honorable Body rescind the resolution above-mentioned.

It is also recommended that your Honorable Body authorize the City Treasurer to refund the deposits which have been made.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Van Antwerp:

Resolved, That the resolution of April 18, 1950, authorizing the Commissioner of Public Works to proceed with the construction of lateral sewer No. 6629 be and hereby is rescinded; and be it further

Resolved, That the City Treasurer is hereby authorized and directed to refund the deposits which have been made by some of the property 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 19, 1952

Honorable Common Council:  
Gentlemen—The paving petitions listed below, which were referred to this office for report, are majority petitions upon which a 25% prepayment has been made.

It is recommended that the petitions be granted, and that one course concrete paving be authorized in accordance with the attached resolution.