

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works

June 11, 1953.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting the conversion into easements of the alleys described in the attached resolution.

The conversion of the 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 Beck:

Resolved, That all of east-west public alley, 20 ft. wide, in the block north of West Chicago Avenue between Plainview and Auburn Avenues, as platted in J. C. Lashley's West Chicago Boulevard and Evergreen Subdivision as recorded in Liber 52, Page 80 of plats, Wayne County Records, lying north of and adjoining the north line of lots 13 to 25, both inclusive, south of and adjoining the south line of lots 164 and 219, and south of and adjoining the south line the 18 foot easement between lots 164 and 219 of last mentioned subdivision, (Louis Guertin, et al, 4590);

Also, all of east-west public alley, 20 ft. wide, north of Greiner Avenue, between Bradford and Dresden Avenues, as platted in Grotto Road Manor Subdivision No. 1 as recorded in Liber 55, Page 46 of plats, Wayne County Records, lying north of and adjoining the north line of lots 62 to 74, both inclusive, south of and adjoining the south line of lots 61 and 75, and south of and adjoining the south line of the 18 foot easement between lots 61 and 75, of last mentioned subdivision, (Dolores Kralowski, et al, 5231);

Also, all of north-south public alley, 18 ft. wide, in block bounded by Burgess, Chapel, Pembroke and Fargo Avenues, as platted in Lahser Avenue Super Subdivision as recorded in Liber 53, Page 53 of plats, Wayne County Records, lying west of and adjoining the west line of lots 278 to

287, both inclusive, and east of and adjoining the east line of lots 255 to 264, both inclusive, of last mentioned subdivision; Also, all that part of east-west public alley 20 ft. wide, north of Pembroke Avenue and east of Burgess Avenue, as platted in Lahser Avenue Super Subdivision as recorded in Liber 53, Page 53 of plats, Wayne County Records, lying south of and adjoining the south line of lot 264, south of and adjoining the south line of the 18 foot north-south alley hereinabove described, north of and adjoining the north line of lots 265 to 270, both inclusive, and north of and adjoining the north line of the west 19 ft. of lot 271, of last mentioned subdivision, (Everett Jones, et al, 5311);

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

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, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works

June 23, 1953.

Honorable Common Council:

Gentlemen—We are returning herewith the request of the Municipal Parking Authority to vacate Stoepel

Avenue between the alley north of Seven Mile Road and Cambridge Avenue, within the limits of the recently acquired parking lot. The vacation of said portion of street was approved by the City Plan Commission and the petition was referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are complete.

In reply to our inquiries, all City departments, except the Fire Department and the Department of Water Supply, reported that they will be unaffected by said vacation. A right-of-way is reserved for the Department of Water Supply for the maintenance of the water main in Stoepel Avenue. The privately owned utility companies reported that they would remove their installations at no cost to the City of Detroit.

We recommend the adoption of the attached resolution.

Respectfully submitted,
CARL D. WARNER, Commissioner.

By Councilman Connor:

Resolved, That all of Stoepel Avenue, 50 feet wide, between the south line of Cambridge Avenue, 50 feet wide, and the north line of the 18 foot east-west public alley first north of Seven Mile Road, as platted in Ridgefield Subdivision of part of the S.E. ¼ of Section 4, T. 1 S., R. 11 E., as recorded in Liber 48, Page 2 of plats, Wayne County Records, lying east of and adjoining the east line of lots 51 to 62, both inclusive, and west of and adjoining the west line of lots 87 to 98, both inclusive, of last mentioned subdivision, be and the same is hereby vacated as a public street 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 for the Department of Water Supply over the west 15 feet of said vacated Stoepel Avenue for the purpose of maintaining or replacing the existing water main located in said street.

2) No buildings or structures of any nature whatsoever shall be constructed over said water main unless prior approval therefor shall be obtained from the Department of Water Supply.

3) The Municipal Parking Authority shall make suitable arrangements with the Detroit Fire Department for the maintenance or relocation of the fire hydrants located in the portion of Stoepel Avenue herein vacated.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.
Nays—None.

Department of Public Works

June 15, 1953.

Honorable Common Council:

Gentlemen—Contract PW-2200P, is for the Paving of Sussex from Pembroke to James Couzens Highway. G. Toccalino and Sons are the Contractors. The total amount of the accepted proposal was \$7,191.05, of which \$4,981.05 was in the Assessment Portion, and \$2,210.00 was in the City Intersection Portion.

The Assessment Roll was based on the amount stated in the Assessment Portion of the accepted proposal, or \$4,981.05.

Under the provisions of the resolution authorizing the Contract, any deductions or additions in the Assessment Portion exceeding 1 percent must be approved by the Common Council before the adjustment of the difference was applied to the City Intersection Portion.

When the final measurements, based on actual construction, were made an addition of \$80.00 in the Assessment Roll resulted because of the removal of two trees that were not included in the estimated quantities of the original proposal. This amounts to approximately 1.6 percent of the original Assessment Portion. It is recommended that the adjustment be made by adding \$80.00 to the City Intersection Portion, and that the Assessment Portion remain the same.

Respectfully submitted,
CARL D. WARNER, Commissioner.

By Councilman Rogell:

Resolved, That the adjustment in the constructed quantities in the Assessment Portion, amounting to \$80.00 in connection with the Paving of Sussex from Pembroke to James Couzens Highway, Contract PW-2200P, be applied to the City Intersection Portion, and that the final Assessment cost for the construction remain at \$4,981.05, the same as was in the original accepted proposal.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Reconsideration

Councilman Connor 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, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Councilmen Van Antwerp then moved that the motion to reconsider