

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) Provided, That no buildings shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4) Provided, that in the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioners and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewer.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

July 13, 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, Commr.

By Councilman Connor:
Resolved, That all of east-west public alley, 20 feet wide, in block bounded by Reno, Hoyt, State Fair Avenues and Rossini Drive, as platted in Drennan and Seldon's Regent Park Subdivision No. 2 as recorded in Liber 59 of plats, Page 20, Wayne County Records, lying north of and adjoining the north line of lots 1103 to 1131, both inclusive, and south of and adjoining the south line of lots 1132 to 1146, both inclusive, of last

mentioned subdivision, (Raymond Osepchuk, et al, No. 3052);

Also, All of north-south public alley, 20 feet wide, in block bounded by Vaughan, Evergreen, Lyndon and Eaton Avenues as platted in B. E. Taylor's Coronado Subdivision as recorded in Liber 54, Page 84 of plats, Wayne County Records, lying west of and adjoining the west line of lots 228 to 259, both inclusive, and east of and adjoining the east line of lots 271 to 286, both inclusive, of last mentioned subdivision, (John H. Carlson, et al No. 1727):

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, 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 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, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

July 3, 1953.

Honorable Common Council:

Gentlemen — We return herewith petitions and general orders, requesting the forced construction of side-