

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

Nays—None.

Department of Public Works

August 5, 1953.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Department of Parks and Recreation requesting the vacation of the alley in the block bounded by Manor, Pinehurst, Esper and Belton Avenues, within the limits of a recreational site. The vacation of said alley was previously approved by the City Plan Commission.

We wish to advise that our investigations are completed.

As per our request, interdepartmental purchase orders were issued by the Department of Parks and Recreation in favor of the Detroit Police Department and the Department of Public Works to cover the costs to be borne by said Departments by reason of work to be done in connection with the vacation of the alley.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley 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 said alley or that they would remove their installations from the alley at no cost to the Department of Parks and Recreation.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER, Commissioner.

By Councilman Rogell:

Resolved, That all of north-south public alley, 20 feet wide, in the block bounded by Manor, Pinehurst, Esper and Belton Avenues, as platted in Robert Oakman Land Company's Aviation Field Subdivision No. 3 as recorded in Liber 49, Page 56 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 1789 to 1804, both inclusive, and west of and adjoining the west line of Lots 1860 and 1861 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) Provided, That by reason of the vacation of the above-described alleys, the City of Detroit does not waive any rights to the sewers 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 further

2) Provided, That if a building is to be constructed over said sewers, the sewers shall be replaced with cast iron pipe of the same size, rerouted or encased in 6 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) 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) In the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioner 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, Garlick, Kronk, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works
August 6, 1953.

Honorable Common Council:

Gentlemen—We have on file Petition No. 6203 to pave Tireman Avenue from Heyden to Vaughan. Upon the completion of this pavement there will be left unpaved only one block of 272 feet from Rouge Park to Westwood, a distance of 4,300 feet. This block is between Stout and Heyden Avenue.