

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 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) Provided, That no building 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, 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 damage 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, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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, Smith, Van Antwerp, Youngblood, and President Miriani—8.

Nays—None.

Councilman Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works
November 3, 1953.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of

Trumbull Chevrolet Sales Company, Incorporated (No. 7547), requesting the vacation of a portion of the dead-end alley south of Leverette Avenue, between Eighth Street and Brooklyn Avenue. The vacation of said portion of alley was approved by the City Plan Commission in their communication to your Honorable Body of October 14, 1953.

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 portion of alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Beck:

Resolved, That all that part of east-west public alley first south of Leverette Avenue, between Eighth Street and Brooklyn Avenue, as platted in plat of the Farm of Col. D. Baker as divided into City lots as recorded in Liber 17, Page 272 and in Liber 25, Page 424 of Deeds, Wayne County Records, described as follows: Beginning at a point in the northeast corner of Lot 9 of last mentioned subdivision; thence along the extended east line of said Lot 9, N. 30 d W., 16.08 ft. to a point; thence along a line N. 8d 45m W., 4.89 ft. to a point in the north line of said alley; thence along the north line of said alley, S. 80d 03m 40s W., 11.26 ft. to a point; thence along a line S. 22d 48m E., 20.51 ft. to a point in the south line of said east-west alley; thence along the south line of said alley, N. 80 d 03m 40s E., 11.26 ft. to the place of beginning, be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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, Smith, Van Antwerp, Youngblood, and President Miriani—8.

Nays—None.

Councilman Van Antwerp then