

piled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,

NEAL CUTLIFF, Secretary.

By Councilman Youngblood:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the descriptions of property heretofore described in the above set forth communication; therefore,

Resolved, That the Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them the Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

Yeas—Councilmen Connor, Kronk, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.

Nays—None.

#### Department of Public Works

January 25, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the request of the Department of Parks and Recreation for the vacation of a portion of the alley south of Minnesota Avenue between Charest and Gallagher Avenues, within the limits of a playground site. The vacation of said alley was approved by the City Plan Commission with the recommendation that an alley outlet be provided at the south end of the vacated alley to eliminate a dead-end condition.

We wish to advise that our investigations are completed.

As per our request, an interdepartmental purchase order was issued by the Department of Parks and Recreation in favor of the Department of Public Works in the amount of \$700.00 to cover costs of constructing a paved return at the entrance to the dedicated alley on the west side of Gallagher Avenue in connection with said alley vacation.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated. The resolution also provides for the allocation of land for alley outlet purposes as per City Plan Commission's recommendation.

In reply to our inquiries, all other City departments reported that they will be unaffected by the vacation of said alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Youngblood:

Resolved, That all that part of north-south public alley, 15 feet wide, south of Minnesota Avenue between Charest and Gallagher Avenues, as platted in Dodge Woodland's Subdivision of part of S.E. Fractional  $\frac{1}{4}$  of Fractional Section 7, T. 1 S., R. 12 E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 32, Page 81 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 357 to 359, both inclusive, east of and adjoining the east line of the north 10 feet of Lot 360, west of and adjoining the west line of Lots 418 to 420, both inclusive, and west of and adjoining the west line of the north 10 feet of Lot 417, 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 alley, the City of Detroit does not waive any rights to the sewer 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 sewer, the sewer 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 sewer 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 buildings 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; and further

Resolved, That the south 20 feet of Lot 417 of Dodge Woodland's Subdivision as recorded in Liber 32, Page 81 of plats, Wayne County Records, be and the same is hereby allocated and dedicated for alley purposes.

Adopted as follows:

Yeas—Councilmen Connor, Kronk, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.

Nays—None.