

as recorded in liber 44, Pages 74 and 75 of deeds, Wayne County Records, said easterly 10 ft. of said alley having been acquired by the City of Detroit for alley purposes through condemnation proceedings in 1879, File No. 450;

Also, all of the east-west public alley 20 ft. wide, east of Vermont Ave., north of Bagley Ave., as platted in Subdivision of Part of O. L. 1, Lafferty Farm, South of Chicago Road, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 193 of plats, Wayne County Records, lying south of and adjoining the south line of lot 80, north of and adjoining the north line of lots 82 and 83 and north of and adjoining the north line of the west 30 ft. of lot 81 of the above mentioned Subdivision, be and the same are hereby vacated as public alleys 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) Provided, in the event that the sewer located in said alleys, 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, Lincoln, Smith, Van Antwerp, Wise, and President Miriani—7.

Nays—None.

Department of Public Works

December 9, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Detroit Engineering and Machine Co. (No. 10), requesting the vacation of Patricia Ave. between the south line of Stocker Ave. and the north line of the Wabash Railroad Right-of-Way, and certain adjoining public alleys. The vacation of said street and alleys was approved by the City Plan Commission in its communication to your Honorable Body of Oct. 14, 1954.

We wish to advise that all of our investigations are completed.

As per our directive, on December 14, 1954, the petitioner deposited with the Permit Division of the Department of Public Works, the sum of \$240.00, Receipt No. 61126, said amount being the estimated cost of constructing a sidewalk at the intersection of the area to be vacated.

The petitioner also deposited the sum of \$1,050.00 with the City Treasurer, Receipt No. C-17807, credited to the Public Lighting Commission, Fund Code No. 990-9423, to cover the cost of rerouting P.L.C. facilities and to make the necessary changes.

A proper provision is incorporated in the vacating resolution protecting the City's interests in the sewer located in the street to be vacated.

In reply to our inquiries, all other City departments and privately owned utility companies reported that they will be unaffected by said vacation of said street and alleys or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Wise:

Resolved, That all of Patricia Avenue 80 feet wide as platted in Edgarplace Subdivision on P. C. 61 in T. 2 S., R. 11 E., Ecorse, Wayne County, Michigan, South of River Rouge, as recorded in Liber 15, Page 85 of plats, Wayne County Records, lying between the south line of Stocker Ave. 50 feet wide, and the north line of the Wabash Railroad Right-of-Way, 66 feet wide as now established, also described as lying east of and adjoining the east line of Lot 16, east of and adjoining the east line of Cullen Ave., 50 feet wide, east of and adjoining the east line of Lot 22, east of and adjoining the east line of Lots 23 to 35 both inclusive,

east of and adjoining the east line of Lot 40, east of and adjoining the east line of the 16 foot vacated alley between the Wabash Railroad Right-of-Way and Lot 16, east of and adjoining the east line of the 16 foot vacated alley between Lots 22 and 23, east of and adjoining the east line of the 17 foot vacated alley between Lots 35 and 40, west of and adjoining the west line of Lots 46 to 61 both inclusive, west of and adjoining the west line of Lot 41, west of and adjoining the west line of the 17 foot public alley between Lots 41 and 46, and west of and adjoining the west line of the 16 foot public alley lying between Lot 61 and the Wabash Railroad Right-of-Way, all of the last mentioned Edgarplace Subdivision;

Also, all of the north-south public alley 20 feet wide east of Patricia Ave., between Stocker Ave., and the Wabash Railroad Right-of-Way, as platted in said Edgarplace subdivision as recorded in Liber 15, Page 85 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 46 to 58, both inclusive, of the above mentioned Subdivision.

Also, all of the east-west public alley 17 feet wide, east of Patricia Ave., south of Stocker Ave. as platted in said Edgarplace Subdivision as recorded in Liber 15, Page 85 of plats, Wayne County Records, lying south of and adjoining the south line of lots 41 to 45 both inclusive, north of and adjoining the north line of lot 46, and north of and adjoining the north line of the 20 foot public alley lying east of and adjoining the east line of lot 46, all of the above mentioned subdivision.

Also, all of the east-west public alley 16 feet wide, east of Patricia Ave. and north of the Wabash Railroad Right-of-Way, 66 feet wide as now established, as platted in said Edgarplace Subdivision, as recorded in Liber 15, Page 85 of plats, Wayne County Records, lying south of and adjoining the south line of lots 58 to 61 both inclusive, of the above mentioned subdivision and north of and adjoining the north line of the Wabash Railroad Right-of-Way.

Be and the same are hereby vacated as a public street and alleys 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 street, 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 building 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, That in the event that the sewer located in said street, if built upon, shall break causing damage to any construction above, the petitioners and its 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, Lincoln, Smith, Van Antwerp, Wise, and President Miriani—7.

Nays—None.

Department of Public Works

December 10, 1954.

Honorable Common Council:

Gentlemen—This is to certify in accordance with Article 6 of the Contract Agreements for the following Contracts that work provided for in these Contracts has been given final inspection and has been found fully completed and the Contractors have submitted affidavits that all payrolls, material bills and other indebtedness connected with the work has been paid.

Street Paving:

PW-2494—Alstead, Canyon to Moross—Denton Const. Co., \$7,636.30.

PW-2495 — Curtis, Huntington to Grandville—A. J. Smith Contg. Co., \$3,961.85.

PW-2456 — Park Terrace, Manor to Mendota—J. Porath and Sons Co., \$7,598.15.

As the work provided for in these Contracts has been completed, they are accepted by the Commissioner of Public Works under the terms and conditions thereof and he does recommend that they be accepted by your Honorable Body and that full payment of the above stated sums, as indicated in Estimates No. 1 (Final), be made by the City and accepted by