

mentioned to be done under the supervision and inspection of the Department of Public Works and all cost 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, 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, Van Antwerp, Wise, Youngblood, and President Miriani—8.

Nays—None.

Department of Public Works

February 10, 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 Grixdale Avenue, between Anglin and Brinker Avenues, within the limits of a playground site. The vacation of said alley was approved by the City Plan Commission with the recommendation that a turn-around 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 inter-departmental purchase order was issued by the Department of Parks and Recreation in favor of the Fire Department in the amount of \$250.00 to cover the cost of the relocating a telegraph circuit in said 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. The resolution also provides for the allocation of land for turn-around 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 the alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Kronk:

Resolved, That all that part of north-south public alley, 16 feet wide, south of Grixdale Avenue, between Anglin and Brinker Avenues, as plotted in Leland Highlands Subdivision of Part of N. 1/2 of Sec. 7, T. 1 S., R. 12 E., Hamtramck Twp., Wayne County, Michigan, as recorded in Liber 37, Page 44 of Plats, Wayne County Records, lying east of and adjoining the east line of lots 374 to 383 both inclusive, east of and adjoining the east line of the north 15 feet of lot 384, west of and adjoining the west line of lots 420 to 429 both inclusive, and west of and adjoining the west line of the north 15 feet of the west last mentioned subdivision;

Be and the same is vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement 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 alley 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 alley 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 easement, unless permission therefor is obtained from the City Engineer;

Resolved, That the east 29 feet of Lot 385 and east 29 feet of the south 15 feet of Lot 384 of Leland Highlands Subdivision as recorded in Liber 37, Page 44 of Plats, Wayne County Records, be and the same is hereby allocated and dedicated for alley turn-around purposes.

Adopted as follows:

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

Nays—None.

Department of Public Works

February 11, 1954.

Honorable Common Council:

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

Oakwood Blue Jackets Building Club (No. 5466), requesting the vacation of Rouge Avenue, south of the Wabash Railroad's Right-of-Way and certain adjoining public alleys. The vacation of said street and alleys was approved by the City Plan Commission with the recommendation that the petitioner provide land for an alley outlet in lieu of the portion of alley to be vacated.

We wish to advise that our investigations are completed.

As per our directive, on February 11, 1954, the petitioner deposited with the Permit Division of the Department of Public Works the sum of \$400.00, Receipt No. 52820, said amount being the estimated cost of stoning and grading newly deeded alley.

We are in receipt of a Quit Claim Deed to land to be used for alley purposes as per City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and it is attached hereto for your Honorable Body's acceptance.

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 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,

CARL D. WARNER,

Commissioner.

By Councilman Kronk:

Resolved, That all of Rouge Avenue, 60 feet wide, as platted in G. W. Zanger Dix Avenue Subdivision of part of Private Claim Nos. 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 25 of Plats, Wayne County Records, lying between the south line of the Wabash Railroad's Right-of-Way, 50 feet wide as now established, and a line extended from the southeast corner of Lot 101 to the southwest corner of Lot 34 of above-mentioned subdivision, also described as lying west of and adjoining the west line of Lots 34 to 49, both inclusive, east of and adjoining the east line of Lots 84 to 101, both inclusive, and east and west of the alleys lying north of Lots 49 and 84 of said G. W. Zanger Dix Avenue Subdivision;

Also, all that part of north-south public alley, 20 feet wide, south of Wabash Railroad's Right-of-Way, between Fordson and Rouge Avenues, as platted in said G. W. Zanger Dix Avenue Subdivision, lying west of and adjoining the west line of Lots 84 to 101, both inclusive, east of and adjoining the east line of Lots 121 to 147, both inclusive, and east of and adjoining the east line of the

north 10 feet of Lot 120, all of last-mentioned subdivision;

Also, all that part of north-south public alley, 10 feet wide, south of Wabash Railroad's Right-of-Way, and east of Rouge Avenue, as platted in said G. W. Zanger Dix Avenue Subdivision, lying east of and adjoining the east line of Lots 37 to 49, both inclusive, of last-mentioned subdivision;

Also, all that part of east-west public alley, 20 feet wide, south of Wabash Railroad's Right-of-Way, between Fordson and Rouge Avenues, as platted in G. W. Zanger Dix Avenue Subdivision, lying north of and adjoining the north line of Lots 84 and 147, and north of and adjoining the north line of the 20-foot north-south public alley lying between said lots 84 and 147 of last mentioned subdivision;

Also, all that part of east-west public alley, 20 feet wide, south of Wabash Railroad's Right-of-Way, east of Rouge Avenue, as platted in said G. W. Zanger Dix Avenue Subdivision, lying north of and adjoining the north line of Lot 49, and north of and adjoining the north line of the 10-foot north-south public alley lying east of and adjoining the east line of Lot 49 of last mentioned subdivision;

Also, all that part of east-west public alley, 20 feet wide, north of Oakwood Avenue and east of Rouge Avenue, as platted in said G. W. Zanger Dix Avenue Subdivision, lying north of and adjoining the north line of Lot 33, south of and adjoining the south line of Lots 35 and 36, and south of and adjoining the south line of that part of Lot 34 lying east of the west line of Lot 33 extended northerly, of last mentioned subdivision;

Be and the same are hereby vacated as public street and alleys to become a part and parcel of the adjoining property; and further,

Resolved, That Quit Claim Deed of Oakwood Blue Jackets Building Club, a Michigan Corporation to the City of Detroit, deeding the following described property for alley purposes:

"Lot 119 of G. W. Zanger Dix Avenue Subdivision of part of Private Claim Nos. 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 25 of Plats, Wayne County Records,"

be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County.

Referred to the Committee of the Whole.

Department of Public Works

February 4, 1954.

Honorable Common Council:

Gentlemen—The petition of Milson Corporation (No. 7253), requesting the vacation of two parcels of street right-