

the two lots cited above, and the City acquired title to these two lots.

Since it is apparent that the owners of these vacant properties will continue to request building permits from time to time, we feel that it is advisable to condemn the entire series of lots between Nevada Avenue and 8 Mile Road, excepting those lots now being acquired by the State Highway Department, in order that the ultimate cost of the land will be kept to an absolute minimum.

In view of these facts, may we recommend that your Honorable Body request that the Corporation Counsel's office start condemnation proceedings immediately to acquire all the vacant lots lying between Oakland Avenue and the old D.U.R. right-of-way, from 8 Mile Road to Nevada Avenue, excepting those now being acquired by the State Highway Department, and those which are now owned by the City of Detroit.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner and
Expressway Coordinator.

By Councilman Connor:

Resolved, That the Corporation Counsel be and he is hereby authorized and directed to prepare the necessary resolution and start condemnation proceedings immediately to acquire all of the vacant property lying between Oakland Ave. and the old D.U.R. right-of-way, from Eight Mile Road to Nevada Ave., except the lots now being acquired by the State Highway Department and those now owned by the City of Detroit.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—8.

Nays—None.

Reconsideration

Councilman Connor moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—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
December 5, 1955.

Honorable Common Council:

Gentlemen—We are returning here-

with the petition of the Kirby Terminal Corporation, Petition No. 2746 (Year 1952), requesting the vacation of a portion of east-west public alley, east of Lawton Avenue, between Merrick and Putnam Avenues. The vacation of said alley was approved by the City Plan Commission and the petition was referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said 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,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Resolved, That all that part of the east-west public alley 19 feet wide, east of Lawton Avenue, between Merrick and Putnam Avenues, the north 9 feet of said alley being platted in George H. Paines Subdivision of Lots 4, 5, 6 and 7 of the Subdivision, by Commissioner of the Albert Burrell's Estate of Outlots 15, 16, 19, and 20, of P.C. 729, as recorded in Liber 19, Page 23 of Plats, Wayne County Records, lying south of and adjoining the south line of lots 102 to 105 both inclusive, and south of and adjoining the south line of the east 22.1 feet of lot 101, of the above mentioned subdivision, the south 10 feet of said alley being platted in Clinton's Subdivision of Outlot 18 of Rear Concession of P.C. 729, City of Detroit, Wayne County, Michigan, as recorded in Liber 19, Page 58 of Plats, Wayne County Records, lying north of and adjoining the north line of lots 18 to 21 both inclusive, and north of and adjoining the north line of the east 22.1 feet of lot 17 of the 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 sewers located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewers 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 en-

cased 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 sewers located in said alleys, 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 sewers, 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 Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—8.

Nays—None.

Department of Public Works

November 29, 1955.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Cooper Supply Company, (No. 4625), requesting the vacation of Freeland Avenue, north of Joy Road and the east half of the east-west alley first north of Joy Road and west of Freeland Avenue. The vacation of said street and alley was approved by the City Plan Commission with the recommendation that the petitioner deed sufficient land for a new alley outlet into Mark Twain Avenue. The petition was then referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

The petitioner deposited with the Permit Division of the Department of Public Works the sum of \$317.56 Receipt No. 69650, said amount being the estimated cost of stoning the north-south alley north of Joy Road, between Mark Twain and Freeland Avenues.

The petitioner also deposited with the Permit Division of the Department of Public Works the sum of \$1,685.00 Receipt No. 69651, said amount being the estimated cost of removing seven posts, removing 40 feet of fence, stoning newly deeded alley, and to install return, apron and curb to the newly deeded alley north of Joy Road and east of Mark Twain Avenue.

The petitioner requested that the

paved return at the entrance to the vacated street remain in its present status as the petitioner plans to utilize same, and has agreed, by letter filed with the original petition, to pay all costs incidental to the removal of the return at such time in the future as the removal becomes necessary.

On November 28, 1955, the petitioner paid into the City Treasury the sum of \$914.25, Receipt No. C-15995, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the north ½ of Joy Road at the intersection of Freeland Avenue.

We are in receipt of a Deed With Covenant whereby petitioner dedicates land to be used for alley purposes in accordance with the 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.

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

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street and 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,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Resolved, That all that part of Freeland Avenue 60 feet wide, north of Joy Road, as platted in Karnatz Bonaparte Subdivision of Lot 4 of Beahmers Subdivision of Section 31, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 55, Page 29 of Plats, Wayne County Records, lying east of and adjoining the east line of lot 44 and east of and adjoining the east line of the 20 feet east-west public alley lying between lots 44 and 45 of the above mentioned subdivision.

Also, all that part of east-west public alley 20 feet wide north of Joy Road and west of Freeland Avenue, as platted in the above mentioned Karnatz Bonaparte Subdivision as recorded in Liber 55, Page 29 of Plats, Wayne County Records, lying north of and adjoining the north line of lots 40 to 44 both inclusive, north of and adjoining the north line of the east 11 feet of lot 39, and south of and adjoining the south line of lot 45 of the last mentioned subdivision.

Be and the same are hereby vacated