

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 their 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 sewers.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Department of Public Works

July 12, 1955.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Huntington Gardens Corp., et al, (No. 4999), requesting the vacation of Lumpkin Avenue, south of Eight Mile Road. The vacation of said street was approved by the City Plan Commission in its communication to your Honorable Body of June 9, 1955.

We wish to advise that our investigations are completed.

As per our directive on July 12, 1955, the petitioners deposited into the City Treasury the sum of \$8,500.00, Receipt No. C-890, credited to the Department of Water Supply Fund Code No. 601-9300-0-6290-908, said amount being the estimated cost of abandoning the existing 6-inch water main in Lumpkin Avenue to be vacated and to construct a new 8-inch water main necessitated by the vacation of said street.

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

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Resolved, That all that part of Lumpkin Avenue 75 feet wide, south of Eight Mile Road as platted in Fox and O'Connor's Subdivision of the North 32.50 Acres of the N. W. $\frac{1}{4}$ of Section 6, lying East of Conant Road, Hamtramck Township, Wayne County, Michigan, as recorded in Liber 35, Page 47 of Plats, Wayne County Records, lying west of and adjoining the

west line of lots 251 to 260 both inclusive, west of and adjoining the west line of the south 15.91 feet of lot 250, west of and adjoining the west line of the north 9.98 feet of lot 261, east of and adjoining the east line of lots 265 to 274 both inclusive, east of and adjoining the east line of the south 16.14 feet of lot 275, and east of and adjoining the east line of the north 9.98 feet of lot 264, all of the above mentioned subdivision, be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

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, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

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

July 11, 1955.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Snyder Tool and Engineering Company (No. 4653), requesting the vacation of a portion of east-west public alley west of Leib Street, between Fort and Lafayette Avenues. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that the petitioner deed sufficient land for a new alley outlet into Fort Street and Lafayette Avenue, 26 feet in width, to serve the remaining portion of the public alley. 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.

As per our directive on July 11, 1955, the petitioner paid into the City Treasury the sum of \$196.36, Receipt No. C-605, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the west one-half of Leib Street at the intersection of the alley to be vacated.

The petitioner also deposited with the Permit Division of the Department of Public Works, the sum of

\$13,745.00, Receipt No. 65782, said amount being the estimated cost of constructing paved returns at the north and south entrances to the newly deeded alley and paving the new alley. The petitioner requested that the paved return at the entrance to the vacated alley 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.

We are in receipt of a Quit Claim Deed 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 alley, or that they have reached satisfactory agreements with the petitioners 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 east-west public alley 20 feet wide, west of Leib Street, between Fort and Lafayette Avenues, lying south of and adjoining the south line of Lots 15 to 19, both inclusive, north of and adjoining the north line of Lot 41 of plat of the West ½ of Lots 5 and 7 of the Subdivision of the Leib Farm as recorded in Liber 1, Page 161 of plats, Wayne County Records, south of and adjoining the south line of Lots 28 to 32 both inclusive, south of and adjoining the south line of the East 7.13 feet of Lot 27 of Trowbridge Subdivision of Lot 11 of the Subdivision of the George Hunt Farm as recorded in Liber 2, Page 14 of Plats, Wayne County Records, north of and adjoining the north line of Lots 29 to 32, both inclusive, and north of and adjoining the north line of the east 26 feet of Lot 28 of Hallock's Subdivision of part of Lots 10 and 11, Geo. Hunt Farm, as recorded in Liber 2, Page 16 of plats, Wayne County Records, 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 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 sewers located in said alley, 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 claim for damages to such construction and agree to pay all costs incident to the repair of such broken sewer; and further

Resolved, That Quit Claim Deed of Synder Tool and Engineering Company, a Michigan Corporation, to the City of Detroit, a Municipal Corporation, deeding land for alley purposes, said alley being described as, "Parcel One: A strip of land 26 feet in width and 138 feet in depth consisting of the west 22.87 feet of Lot 27 and the east 3.13 feet of Lot 26, Trowbridge Subdivision of Lot 11 of the Subdivision of the George Hunt Farm, as recorded in Liber 2, Page 14 of plats, Wayne County Records. Parcel Two: A strip of land 26 feet in width and 138 feet in depth, bounded on the east by an extension in a southerly direction, of the easterly boundary of Parcel One as described above, bounded on the west by an extension in a southerly direction of the westerly boundary of Parcel One as described above, and bounded on the north and south by the north and south lot lines of Lots 27 and 28, Hallock's Subdivision of part of Lots 10 and 11, George Hunt Farm, as recorded in Liber 2, Page 16 of plats, Wayne County Records; said Parcel Two consisting of the west 4 feet (more or less) of Lot 28 and the east 22 feet (more or less) of Lot