

10 E., as recorded in Liber 39, Page 1 of Plats, Wayne County Records, thence along the westerly line of said subdivision S. 00 degrees 10m 10s W., 250 feet to the southwesterly corner of lot 72; thence S. 89 degrees 36m 50s W., 20 feet to a point; thence N. 00 degrees 10m 10s E., 250 feet to a point in the southerly line of Bennett Avenue 50 feet wide; thence along the south line of Bennett Avenue N. 89 degrees 36m 50s E., 20 feet to the place of beginning." (John A. Cappo, et al, Petition No. 4798)

Also, all that part of east-west public alley 20 feet wide, south of Moross Road, east of Duchess Avenue, as platted in Park Drive Subdivision No. 4 as recorded in Liber 54, Page 11 of Plats, Wayne County Records, lying south of and adjoining the south line of lots 1147 to 1151 both inclusive, south of and adjoining the south line of the west 11 feet of lot 1152, and north of and adjoining the north line of lot 1146 of the above mentioned subdivision. (Valerio Macioce, et al, Petition No. 3516)

Also, all of the north-south public alley 9 feet wide north of Vassar Avenue, between Archer and Beaverland Avenues, as platted in Progresso Subdivision as recorded in Liber 60, Page 39 of Plats, Wayne County Records, lying west of and adjoining the west line of lots 21 to 30, both inclusive of the above mentioned subdivision. (Robert S. Marks, et al, Petition No. 4930)

Also, all of the north-south public alley 18 feet wide, south of Kirkwood Avenue, between Minock and Westwood Avenues, as platted in Florence Park Subdivision as recorded in Liber 48, Page 82 of Plats, Wayne County Records, lying west of and adjoining the west line of lots 138 to 142 both inclusive, and east of and adjoining the east line of lots 143 to 149 both inclusive of the above mentioned subdivision. (Earl T. Hanson, et al, Petition 5962)

Also, all of the north-south public alley 18 feet wide in block bounded by Worden Avenue, Peerless Avenue, Moross Road, and Casino Avenue, lying west of and adjoining the west line of lots 97 to 105 both inclusive of Seven Mile Cadieux Subdivision, as recorded in Liber 54, Page 12 of Plats, Wayne County Records, west of and adjoining the west line of lots 183 to 196 both inclusive, of S. C. Hadley's Subdivision as recorded in Liber 68, Page 63 of Plats, Wayne County Records, west of and adjoining the west line of lots 1574 to 1582 both inclusive of Park Drive Subdivision No. 4 as recorded in Liber 54, Page 11 of Plats, Wayne County Records, east of and adjoining the east line of lots 132 to 140 both inclusive, of Seven Mile Cadieux Subdivision heretofore mentioned, east

of and adjoining the east line of lots 197 to 210 both inclusive of S. C. Hadley's Subdivision heretofore mentioned, and east of and adjoining the east line of lots 1553 to 1561 both inclusive of Park Drive Subdivision No. 4 heretofore mentioned. (Harry Z. Buchanan and Francis Katin, et al, Petition No. 4859), be and the same are vacated as public alleys and are hereby converted into public easements of the full-width of the alleys, which easements 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 alleys, 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 alleys 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 easements;

Third, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners upon whose property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 1, 1955.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Church of Precious Blood (5708), requesting the vacation of portions of Verne Avenue, east of Hartwell Avenue, and west of Littlefield Avenue. The vacation of said portions of street 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.

In reply to our inquiries all City departments and privately owned utility companies reported that they will be unaffected by the vacation of said portions of Verne Avenue.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all of Verne Avenue 35 feet wide, between the east line of Hartwell Avenue, 60 feet wide as now established and the west line of the north-south public alley, 18 feet wide, first east of Hartwell Avenue, which Verne Avenue is a part of a street deeded to the City of Detroit, said deed having been accepted by the Common Council of the City of Detroit on July 2, 1941, J. C. C. Pages 2014 and 2015, and which portion of Verne Avenue herein vacated is more particularly described as the west 107 feet of the south 35 feet of all that part of the N. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Section 17, T. 1 S., R. 11 E., lying east of the east line of Hartwell Avenue, and north of and adjoining the north line of Daniel Keidan Subdivision being part of the N. W. $\frac{1}{4}$ of Section 17, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 63, Page 62 of plats, Wayne County Records;

Also, all of Verne Avenue 35 feet wide between the west line of Littlefield Avenue, 60 feet wide as now established and the east line of the north-south public alley 18 feet wide, first west of Littlefield Avenue, which Verne Avenue is a part of a street deeded to the City of Detroit, said deed having been accepted by the Common Council of the City of Detroit on July 2, 1941, J. C. C. Pages 2014 and 2015, and which portion of Verne Avenue herein vacated is more particularly described as the east 107 feet of the south 35 feet of all that part of the N. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Section 17, T. 1 S., R. 11 E., lying west of the west line of Littlefield Avenue, and north of and adjoining the north line of Daniel Keidan Subdivision being part of the N. W. $\frac{1}{4}$ of Section 17, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 63, Page 62 of plats, Wayne County Records;

Be and the same are hereby vacated as public streets to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Beck, Connor, 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 Youngblood moved to suspend Rule 23 for the purpose of

indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Beck, Connor, 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
September 1, 1955.

Honorable Common Council:

Gentlemen—Contract PW-2539W is for the paving of Mohican from S. of N. P. L. of Gratiot to N. of S. P. L. of Eight Mile Road. The Cooke Contracting Company is the Contractor. The total amount of the accepted proposal was \$25,440.65, of which \$15,808.95 was in the Assessment Portion, and \$9,633.70 was in the City Intersection Portion.

Subsequent to the award of the Contract, a Contract Change was issued deleting certain sand gravel fill and reducing the width of the pavement. This decreased the Contract by \$482.85. The Assessment Roll was also corrected, reducing the Assessment Portion of the Contract to \$15,531.95 and the City Portion of the Contract to \$9,425.85.

Under the provisions of the resolution authorizing the Contract, any deductions or additions in the Assessment Portion exceeding 1 per cent must be approved by the Common Council before the adjustment of the difference is applied to the City Intersection Portion.

When the final measurements, based on actual construction, were made a deduction of \$200.00 in the Assessment Roll resulted. This amounts to approximately 1.3 per cent of the revised Assessment Portion. It is recommended that the adjustment be made by deducting the \$200.00 from the City Intersection Portion, and that the Assessment Portion remain the same.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That the adjustment in the constructed quantities in the Assessment Portion, amounting to \$200.00 in connection with the Paving of Mohican from Gratiot to Eight Mile Road, Contract PW-2539W, be applied to the City Intersection Portion, and that the final Assessment cost for the construction remain at \$15,531.95, the same as in the revised Assessment Roll.

Adopted as follows:

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

Nays—None.