

April 3

Lincoln, Rogell, Smith, Van Antwerp,
Wise, and Youngblood—8.
Nays—None.

Department of Public Works
March 28, 1956.

Honorable Common Council:
Gentlemen—We are returning herewith the petition of the Aurora Gasoline Company, No. 7663, requesting the temporary closing of Dumfries Avenue, southerly of Toronto Avenue. We are also returning a supplement to the above described petition from the Aurora Gasoline Company, No. 7844, requesting the permanent vacation of said portion of Dumfries Avenue. The vacation of said street was approved by the City Plan Commission. 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 complete.

In reply to our inquiries all City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street 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 Smith:

Resolved, That all of Dumfries Avenue 30 feet wide, south of Toronto Avenue, 50 feet wide as now established, as platted in Oakwood Homes Subdivision of part of Private Claims 119 and 524, Oakwood Village, Wayne County, Michigan, as recorded in Liber 34, page 26 of plats, Wayne County Records, lying west of and adjoining the west line of Lot 214, and west of and adjoining the west line of the 9 foot vacated alley lying south of Lot 214 of the above mentioned Subdivision.

Also, all that part of east-west public alley south of Toronto Avenue and west of Greyfriars Avenue described as the 30 feet of the north 11 feet of that part of Private Claim 524, City of Detroit, Wayne County, Michigan, lying south of and adjacent to the south line of above mentioned Oakwood Homes Subdivision, said portion of alley herein described having been acquired by the City of Detroit through condemnation proceedings, verdict having been confirmed by Court on February 26, 1948.

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

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, and Youngblood—8.
Nays—None.

Department of Public Works
March 28, 1956.

Honorable Common Council:
Gentlemen—Your Committee of the Whole referred to this office for investigation and report, the petition of the Archdiocese of Detroit, No. 7109, requesting the vacation of the remaining alleys in the block bounded by Cameron, Hawthorne, State Fair, and Lantz Avenues. The vacation of said alleys was approved by the City Plan Commission in its communication to your Honorable Body of December 22, 1955.

We wish to advise that our investigations are completed.

As per our directive on March 26, 1956, the petitioner deposited the sum of \$460.00, with the City Treasurer, Receipt No. C-24053, credited to the Public Lighting Commission Fund Code No. 990-9423, to cover the cost of rerouting P.L.C. facilities, necessitated by the vacation of said alleys.

The petitioner requested that the entrance to the east-west alley to be vacated, 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.

A proper provision is incorporated into the vacating resolution protecting the City's interest in the sewer located in the north-south alley to be vacated.

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

Resolved, That all that part of the north-south public alley 16 feet wide, lying north of Lantz Avenue, between Cameron and Hawthorne Avenues, as platted in Lindale Gardens Subdivision No. 1 of part of the N. $\frac{1}{2}$ of the E. $\frac{1}{2}$ of the E. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of Section 1, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 35, Page 3 of Plats, Wayne County Records, lying west of and adjoining the west line of lots 797 to 806 both inclusive, west of and adjoining the west line of the south 20 feet of lot 796, east of and adjoining the east line of lots 835 to 844 both inclusive, and east of and adjoining the east line of the south 20 feet of lot 845, all of the above mentioned subdivision.

Also, all of the east-west public alley 20 feet wide north of Lantz

Avenue and west of Hawthorne Avenue, which alley was deeded to the City of Detroit, said deed having been accepted by the Common Council of the City of Detroit on March 29, 1955, J.C.C. Page 536 and 537, and which alley is in fact the south 20 feet of lot 796 of Lindale Gardens Subdivision No. 1 of part of the N. 1/2 of the E. 1/2 of the S.W. 1/4 of Section 1, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 35, Page 3 of Plats, Wayne County Records.

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property, the north-south public alley however, being vacated 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 right to the sewers located there-in 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, re-routed 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 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 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 Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, and Youngblood—8.

Nays—None.

Department of Public Works

April 2, 1956.

Honorable Common Council:

Gentlemen—On December 21, 1955, the City of Detroit acquired title to 29 parcels of land to be used for the opening and widening of Stimson Avenue, between the John Lodge Expressway and Lincoln Avenue. Five

parcels involved in the taking were appealed to the Supreme Court.

We have now been advised by the Corporation Counsel that the appeal was dismissed on March 29, 1956, (J. C. C. March 20, 1956, Page 493) and we are anxious to proceed with the widening of Stimson Avenue and recommend that the Real Estate Bureau, of the Corporation Counsel's Office, be directed to serve notices on tenants to vacate the premises, 30 days after approval of a resolution to vacate by your Honorable Body.

For your convenience, a suggested form of resolution is attached.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved, That the Corporation Counsel, Bureau of Real Estate, be and is hereby directed to notify the tenants in the Stimson Avenue widening and opening project, between the John Lodge Expressway and Lincoln Avenue, to vacate said premises 30 days after passage of this resolution.

Adopted as follows:

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

Nays—None.

Department of Public Works

April 2, 1956.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated below:

BH-63, Plumbing Fixtures—Children's Unit, Maybury Sanatorium, Joseph P. Kropf, Inc., Authorized 3-6-56.

CCs-5, Demolition of Building, 1948 Jay Street, Union Wrecking Company, Inc., Authorized 3-13-56.

Respectfully submitted,

M. F. WAGNITZ,
City Engineer.

By Councilman Smith:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

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

Nays—None.

Department of Public Works

March 28, 1956.

Honorable Common Council:

Gentlemen — The Hudson-Webber Land Company has requested permission to introduce into the Detroit sewer system sanitary sewage in the amount of 2 cubic feet per second from their proposed Northland Gardens Subdivision, which is located north of Eight Mile Road between Southfield and James Couzens Highway. This flow would enter the north terminus of the Southfield Sewer at Hessel where surplus capacity for sani-