

In each of the above cases, the petitioners' lots have 6-foot easements in the rear of the lots. The depth of the lots varies from 100 feet to 125 feet, which dimension includes the 6-foot easement. There are other garage encroachments in each of the blocks affected by these petitions and of the majority of the petitions your Honorable Body has granted such permission to other petitioners in the same block.

Under the provisions of your Honorable Body's resolution establishing a policy on garage encroachments, it becomes necessary for this office to recommend a denial of the petitioners' requests. In the event that the above-described conditions warrant the allowance of the encroachments, a resolution granting the petitions is attached.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Youngblood:

Resolved, That subject to the provisions below, the Department of Public Works be and it is hereby authorized and directed to issue permit to:

Eugene E. Platten and Loretta F. Platten (13077), to construct a garage encroaching two feet into the 6-foot easement in the rear of lot 686 of Henry Russel's Three Mile Drive Subdivision No. 1, located on the east side of Courville Avenue south of Linville Avenue, commonly known as 5766 Courville Avenue.

Leslie W. Joy and Martha Joy (13248), to maintain a garage encroaching five feet into the 6-foot easement in the rear of lot 810 of B. E. Taylor's Rainbow Subdivision, located in the west side of Biltmore Avenue south of Verne Avenue, commonly known as 16577 Biltmore Avenue.

Arthur L. Shaw (13249), to construct a frame shed encroaching 4.5 feet into the 9-foot easement in the rear of lot 137 of Palymyra Woods Subdivision, located on the east side of Mendota Avenue north of Clarita Avenue, commonly known as 18932 Mendota Avenue.

John J. Williams (13338), to maintain a garage encroaching 3 feet into the 6-foot easement in the rear of the south 47 feet of lot 42 of Rutland Outer Drive Subdivision, located on the northeast corner of Oakfield and Thatcher Avenues, commonly known as 18000 Oakfield Avenue.

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded by and at the permittee's expense in the Office of the Register of Deeds for Wayne County, and further

Provided, That no right in the public easement shall be considered

waived by this permission which is granted expressly on the condition that the garage, driveway, building and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement, by the acceptance of this permission, the owners for themselves, their heirs and assigns waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owners' expense, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and the grantees by the acceptance of this permission, waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges, not expressly stated herein.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Miriani—9.

Nays—None.

Department of Public Works

August 29, 1957.

Honorable Common Council:

Gentlemen—This is in reference to your Honorable Body's communication of July 22, 1957, requesting this office to prepare the proper resolution converting a portion of the north-south public alley bounded by Bishop, Grayton, Rosewood and Wallingford Avenues into an easement.

All City departments and privately owned utility companies reported that they will be unaffected by the changes or that they have no objections to the conversion of the alley into an easement provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Youngblood:

Resolved, That all that part of the north-south public alley 18 feet wide in the block bounded by Bishop, Grayton, Rosewood and Wallingford Avenues, the west 9 feet lying east

of and adjoining the east line of lots 23 to 38, both inclusive, and east of and adjoining the east line of the south 31 feet of lot 39 of Charles L. Poupard Estate Subdivision as recorded in Liber 61, Page 55 of Plats, Wayne County Records, the east 9 feet lying west of and adjoining the west line of lots 30 to 51, both inclusive, and west of and adjoining the west line of the north 10.98 feet of lot 29 of Volkening, Overfield and Lyons Subdivision as recorded in Liber 16, Page 35 of Plats, Wayne County Records.

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 and agreements, uses, reservations and regulations which shall be observed by the owners of the lots abutting on the 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 easement 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, 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, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works

August 30, 1957.

Honorable Common Council:
Gentlemen—Submitted herewith for confirmation are street paving contracts entered into with Kutchins Paving Co. as authorized and directed by your formal proceedings dated 7-30-57:

PW-3210W — Buhr, Sherwood to School;

PW-3211W — Varjo, Carrie to Cliff;

PW-3212W — New York, Cadieux to 653 ft. E. of Cadieux;

PW-3213W — Dresden, Manning to State Fair;

PW-3214W—Iowa, Sherwood to Cliff;

PW-3215W—Minneapolis, 10 ft. W. of Cadieux to 653 ft. E. of Cadieux;

PW-3216F—Pembroke (S. Half), 109 ft. W. of Telegraph to 2 ft. E. of Telegraph.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Youngblood:

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, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works

August 29, 1957.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are alley paving contracts entered into as authorized and directed by your formal proceedings dated 7-30-57:

PW-2995W, Group 57-4A, J. C. Sachs Contractor.

PW-3201F, Group 57-5A, J. C. Sachs Contractor.

PW-3204F, Group 57-5A, Ft. Wayne Coal and Construction Company.

PW-3208F, Group 57-5A, Ft. Wayne Coal and Construction Company.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Youngblood:

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, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works

August 27, 1957.

Honorable Common Council:

Gentlemen—On August 25, 1942, your Honorable Body authorized the Commissioner of Public Works to enter into a contractual agreement with the Government through its authorized agency, the Corps of Engineers, District Engineer (JCC-2371, 1942).

The agreement permitted the construction within Detroit of an 8-inch sanitary sewer from a war plant in Melvindale and a connection into the City sewer system as an emergency war measure. The sanitary flow from this plant was limited to 0.92 cubic feet per second.