

Department of Public Works

February 27, 1957.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Department of Parks and Recreation, requesting the vacation of a portion of Coyle Avenue, north of Ellis Avenue and a portion of north-south alley north of Ellis Avenue between Coyle and Robson Avenues within the limits of a recreational site. The vacation of said street and alley was approved by the City Plan Commission with the recommendation that sufficient land be allocated from the north side of the recreation site to provide a new street 50 feet in width to be known as Cathedral Avenue, which will serve as an outlet for the remaining portion of Coyle Avenue and the alley first easterly thereof. Also, that the new street be ordered paved and sidewalks constructed and that the entire cost of doing the necessary work be borne by the Department of Parks and Recreation. 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.

An easement is reserved in the vacating resolution for the Department of Water Supply for the maintenance of its water mains located in Coyle Avenue to be vacated.

Proper provisos 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 would be unaffected by the vacation of said portion of street and alley.

As the vacation of the street and alley is necessary for the proper utilization of the recreational site, we recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
 Commissioner.

By Councilman Lincoln:

Resolved, That all that part of Coyle Avenue 60 feet wide, north of Ellis Avenue, as platted in Plymouth Gardens Subdivision of part of the S.W. ¼ of Section 31, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 48, Page 39 of Plats, Wayne County Records, lying east of and adjoining the east line of lots 181 to 190 both inclusive and west of and adjoining the west line of lots 191 to 200 both inclusive of the last mentioned subdivision.

Also, all that part of the north-south public alley 16 feet wide, north of Ellis Avenue between Coyle and Robson Avenues, as platted in said Plymouth Gardens Subdivision, as recorded in Liber 48, Page 39 of Plats,

Wayne County Records, lying east of and adjoining the east line of lots 191 to 200 both inclusive, east of and adjoining the east line of the south 20 feet of lot 201, west of and adjoining the west line of lots 259 to 268 both inclusive, and west of and adjoining the west line of the south 20 feet of lot 258 all of the above mentioned subdivision.

Be and the same are hereby vacated as a public street and alley to become a part and parcel of the adjoining property subject to the following provisions:

1) An easement or right-of-way is hereby reserved in and over the entire 60 feet of vacated Coyle Avenue, for the purpose of maintaining, repairing, removing or replacing the water mains located in said street; and further

2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval is obtained from the Department of Water Supply; and further

3) Provided, That by reason of the vacation of the above described alley, The City of Detroit does not waive any rights to the sewer located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter, or service same; and further

4) Provided, That if a building is to be constructed over said sewer, the sewer 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

5) Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

6) Provided, That in the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewer; and further

Resolved, That all of Lots 202 and 257, the north 15 feet of Lot 201, and the north 15 feet of Lot 258 of Plymouth Gardens Subdivision of part of the S.W. ¼ of Section 31, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Li-

ber 48, Page 39 of Plats, Wayne County Records, be and is hereby allocated for street purposes to be known as Cathedral Avenue, and further;

Resolved, That the newly allocated street be and it is hereby ordered paved and sidewalks constructed and that the entire cost of doing the necessary work be borne by the Department of Parks and Recreation.

Adopted as follows:

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

Nays—None.

Department of Public Works

March 1, 1957.

Honorable Common Council:

Gentlemen—On January 8, 1957, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 409-C.

Since that time, we have discovered that a portion of the repair work done was charged to the wrong property, which is on the above-mentioned assessment roll. Therefore, we are cancelling this assessment and billing charges to the correct properties.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Lincoln:

Resolved: That the City Treasurer be and he is hereby authorized to cancel the following assessment:

Roll 409-C-7, Lot 128, N.S. Evanston bet. Park Drive and Annsbury, Cancel \$34.35, Complaint No. 194193, Receipt No. 63026, Item No. 5189.

Adopted as follows:

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

Nays—None.

Department of Public Works

February 28, 1957.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Fairmount Foods Company Petition No. 10692, requesting the vacation of a north-south public alley and a portion of east-west public alley all in the area south of Milwaukee Avenue, between St. Antoine Avenue and Hastings Street. The petition was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Milwaukee 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 on February 28, 1957, deposited with the Permit Divi-

sion of the Department of Public Works the sum of \$550.00, Receipt No. 79771, said amount being the estimated cost of constructing alley return and stoning newly deeded 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.

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.

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 description by the City Engineer, and it is attached hereto for your Honorable Body's acceptance.

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

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Lincoln:

Resolved, That all of the north-south public alley 20 feet wide, south of Milwaukee Avenue, between St. Antoine Avenue and Hastings Street, 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 2, 1926, and which alley is in fact the east 20 feet of Lot 16 of the Subdivision of Lot 143 and part of Lot 144 of the Subdivision of McCunes Subdivision of part of Fractional Section 31, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 28 of Plats, Wayne County Records.

Also all that part of the east-west public alley 10 feet wide, south of Milwaukee Avenue between St. Antoine Avenue and Hastings Street, as platted in said Subdivision of Lot 143 and part of Lot 144 of the Subdivision of McCunes Subdivision of part of Fractional Section 31, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 28 of Plats, Wayne County Records, lying south of and adjoining the south line of the east 20 feet of lot 16, south of and adjoining the south line of lot 17, and south of and adjoining the south line of the west 16 feet of lot 18 of the above mentioned subdivision.