

Plymouth Avenue right-of-way, 135 feet wide as now established, between Evergreen Road and Plainview Avenue as plotted in Frishkorn's Evergreen Village Subdivision of part of the N.W. ¼ of Section 35, T 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 68, Page 23 of Plats Wayne County Records, lying north of and adjoining the north line of lots 1 to 12 both inclusive 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, Lincoln, Rogell, Smith, Youngblood, and the President Pro Tem Van Antwerp—6.

Nays—None.

Department of Public Works

March 20, 1957.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Green Land Company, Petition No. 10143, requesting the vacation of certain alleys and alley turn-around west of Vinewood Avenue and north of West Grand Boulevard. The petition was approved by the City Plan Commission with the recommendation that the petitioner dedicate land to provide a new alley turn-around. 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.

Sewer Design Division of the Department of Public Works requested that the petitioner construct a new manhole immediately south of the portion of north-south alley to be vacated. This department has agreed to waive the construction of said manhole provided the Department of Public Works will not be held responsible for the maintenance of the sewer located in the portion of the alley to be vacated.

We are in receipt of a Quit Claim Deed whereby petitioner dedicates land to be used for alley turn-around 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 Connor:

Resolved, That all of the east-west public alley 12 feet wide, west of Vinewood Avenue, and north of West Grand

Boulevard, which alley was deeded to the City of Detroit, said deed having been recorded on December 23, 1891, and which alley is in fact the north 12 feet of lot 16 of Block 3 of B. Hubbard's Subdivision of part of P.C. 77, north of Michigan Avenue, Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 4, Page 94 of Plats, Wayne County Records.

Also all of the 10-foot alley turn-around, west of Vinewood Avenue, and north of West Grand Boulevard, which alley turn-around was deeded to the City of Detroit, said deed having been recorded on February 6, 1946, and which alley turn-around is in fact the west 10 feet of lot 15 of Block 3 of B. Hubbard's Subdivision of part of P.C. 77, north of Michigan Avenue, Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 4, Page 94 of Plats, Wayne County Records.

Also all that part of the north-south public alley 18 feet wide, west of Vinewood Avenue, and north of West Grand Boulevard, as platted in Block 3, of B. Hubbard's Subdivision of part of P.C. 77, north of Michigan Avenue, Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 4, Page 94 of Plats, Wayne County Records, lying west of and adjoining the west line of lots 15 and 16, and east of and adjoining the northerly portion of the east line of Lot 29 said northerly portion lying north of the extended south line of lot 15 of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property, subject to the following provision:

1) Provided, That the City of Detroit will not be held responsible for the maintenance of the sewer located in the portion of north-south 18-foot alley hereinabove described, and further

Resolved, That Quit Claim Deed of Green Land Company, formerly Bullock Green Operating Company, Inc., a Michigan Corporation, to the City of Detroit, a Municipal Corporation, deeding land for alley purposes, said land being described as "The west 10 feet of Lot 14 of Block 3 of B. Hubbard's Subdivision of part of Private Claim 77, North of Michigan Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 94 of Plats, Wayne County Records", be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County, subject to the following provision:

1) That the above mentioned deed be approved as to form and execution by the Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Youngblood, and the President Pro Tem Van Antwerp—6.
Nays—None.

Department of Public Works
March 21, 1957.

Honorable Common Council:

Gentlemen—Contract PW-2180 is for Lateral Sewer 6935 in Redford Golf Course, east of Grayfield, north of Grand River, and Oak Park Excavating Company is the Contractor.

The Contract does not provide for partial payment and, as the balance of the work remaining consists of consolidation of backfill and replacement of grass on the Redford Golf Course when weather conditions permit, the Contractor has requested partial payment.

The total value of the work fully completed and found acceptable under the terms and conditions of the Contract is \$6,762.00, and it is recommended that authority be granted to pay this amount less a retained amount of \$1,762.00, making a net payment at this time of \$5,000.00.

The Contractor has submitted an affidavit that all payrolls, material bills and other indebtedness in connection with the completed work have been paid. The \$1,762.00 to be retained is in excess of the estimated value of the uncompleted work.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to process a progress payment in accordance with the foregoing communication; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented and charge them to the proper accounts.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Youngblood, and the President Pro Tem Van Antwerp—6.
Nays—None.

Department of Public Works
March 21, 1957.

Honorable Common Council:

Gentlemen—We have again checked the petitions of John Panozzo of 15373 Kentfield Avenue, Petition No. 8066, and Bernard E. Bergnaski of 18703 Gilchrist Avenue, Petition No. 8738, requesting permission to maintain garage encroachments of 4 feet into the 6-foot easement at the rear of 15373 Kentfield Avenue and 1.5 feet into the 6-foot easement at the rear of 18703 Gilchrist Avenue.

Investigation of Mr. Panozzo's property indicates the existence of a total 12-foot easement, 6 feet there-

of being in the rear of petitioner's lot. Mr. Panozzo's house is located on the west side of Kentfield Avenue the second house south of Keeler Avenue. There is a utility pole located 25 feet to the north of petitioner's lot. There are many other similar garage encroachments in the same block.

Investigation of Mr. Bergnaski's property indicates the existence of a total 12-foot easement, 6 feet thereof being in the rear of petitioner's lot. Mr. Bergnaski's house is located on the west side of Gilchrist Avenue the third house south of Clarita Avenue. There is a utility pole located in the easement of the lot south of the petitioner's lot. There are many other encroachments 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 petitioner's requests. In the event your Honorable Body determines that the above-described conditions warrant the allowance of the encroachments, a resolution granting the petitions follows.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

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

a) John Panozzo, Petition No. 8066, to maintain a garage encroachment of 4 feet into the six-foot easement in the rear of lot 197 of Morningside Subdivision located on the west side of Kentfield Avenue between Fenkell and Keeler Avenues, commonly known as 15373 Kentfield Avenue.

b) Bernard Bergnaski, Petition No. 8738, to maintain a garage encroachment of 1.5 feet into the six-foot easement in the rear of the north 20 feet of lot 73 and the south 20 feet of lot 74 of Reimway Manor Subdivision located on the west side of Gilchrist Avenue south of Clarita Avenue, commonly known as 18703 Gilchrist Avenue.

The above grants shall be subject to the following provisions:

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 garages, driveways, building and all obstructions in connection