

we ask that you approve the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Whereas, the Department of Public Works is unable to gather the leaves which are falling from trees upon the properties, streets, alleys and public thoroughfares, and

Whereas, such leaves are causing blocking of sewers and other hazardous conditions involving the public peace, health and safety, and

Whereas, it is deemed necessary, essential and expedient that such hazardous conditions may be removed as far as possible, therefore be it

Resolved, That the Commissioner of Buildings and Safety Engineering, who has heretofore been authorized to issue permits for burning of leaves in order to alleviate said conditions, be and he is hereby authorized and directed to waive all requirements of an application for permit, and to authorize the burning of leaves by general permit, and without specific permit until November 15, 1957, provided the householder supervises such burning and uses all precautionary measures as outlined by the ordinances of the City, the same as though a specific permit had been issued.

In order to reduce the smog and haze from leaves burning, householders are requested to burn leaves only between the hours of 9 A.M. and 6 P.M., after they are dry and to ignite the leaves from the top of the pile. Atmospheric conditions during these hours generally permit better dissipation of any smoke.

Adopted as follows:

Yeas—Councilmen Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.

Department of Public Works

September 9, 1957.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Sun Oil Company, No. 12005, requesting the vacation of a portion of north-south alley south of East Grand Boulevard, and east of McDougall Avenue. The petition was approved by the City Plan Commission in their communication to your Honorable Body of July 25, 1957.

We wish to advise that our investigations are completed.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the portion of alley to be vacated.

All other City departments and privately owned utility companies re-

ported that they will be unaffected by the vacation of said portion of alley 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 Wise:

Resolved, That all that part of the north-south public alley, 25 feet wide, south of East Grand Boulevard and east of McDougall Avenue, as platted in B. Campau's Subdivision of Lot 81 of the McDougall Farm and part of the Collins Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 26, Page 47 of Plats, Wayne County Records, lying east of and adjoining the east line of lot 2 and west of and adjoining the west line of the north 30 feet of the south 110 feet of lot 30 of the above mentioned subdivision, be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property, subject to the following provisions:

1) 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

2) 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

3) 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

4) 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.

Adopted as follows:

Yeas—Councilmen Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.