

side of Hubbell Avenue between Santa Maria Avenue and McNichols Road.

Earle G. Rutherford and Gladys W. Rutherford, (13789), to construct a garage encroaching 6 feet into the 10-foot easement in the rear of lots 91 and 92 of Marygrove Outer Drive Park Subdivision located on the east side of Hubbell Avenue between Santa Maria Avenue and McNichols Road.

Joseph E. Murphy and Celeste M. Murphy, (13789), to construct a garage encroaching 6 feet into the 10-foot easement in the rear of lots 93 to 99 both inclusive of Marygrove Outer Drive Park Subdivision located on the east side of Hubbell Avenue between Santa Maria Avenue and McNichols Road.

Jerry F. Parent and Helen M. Parent, (13612), to construct a garage encroaching 6 feet into the 10-foot easement in the rear of lots 100 and 101 of Marygrove Outer Drive Park Subdivision located on the east side of Hubbell Avenue north of McNichols Road.

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 Lincoln, Rogell,

Smith, Van Antwerp, Wise, Youngblood and President Beck—7.
Nays—None.

Department of Public Works
October 30, 1957

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Eonic Incorporated, No. 13062, requesting the vacation of a portion of Hollywood Avenue west of Omira Avenue and converting a portion of east-west alley north of Hollywood Avenue west of Omira Avenue into a public easement. The petition was approved by the City Plan Commission and 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.

As per our directive, the petitioner on October 25, 1957, deposited with the City Treasury the sum of \$600.00, Receipt No. C-14701, credited to the Department of Water Supply Fund Code No. 600-0000(6232)001, said amount being the estimated cost of removing and resetting this department's installations located in the portion of street to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the installations of the City and privately owned utility companies in the portion of alley to be converted into an easement.

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

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That all that part of Hollywood Avenue, 50 feet wide, west of Omira Avenue as platted in Seven-Oakland Subdivision of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 12, T. 1S., R. 11E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 34, Page 62 of Plats Wayne County Records' lying south of and adjoining the south line of lot 110 and north of and adjoining the north line of lot 163 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, and further

Resolved, That all that part of the east-west public alley, 16 feet wide, north of Hollywood Avenue and west of Omira Avenue as platted in said Seven-Oakland Subdivision, as recorded in Liber 34, Page 62 of Plats Wayne County Records, lying south of and adjoining the south line of lot 109 and north of and adjoining the north

line of lot 110 of the above mentioned subdivision, be and the same is hereby 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 lots abutting on said 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 building or structures of any nature whatsoever, except necessary line fences) shall be built or placed upon said easement.

Third, that if at any time in the future the owners of any lots abutting said vacated alley shall request the removal and or relocation of any existing poles or other utilities in said easement, 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 Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—7.

Nays—None.

Department of Public Works

November 1, 1957.

Honorable Common Council:

Gentlemen—On October 22, 1957, Your Honorable Body confirmed Sidewalk Assessment Roll, No. 430-C. Since that time, we have discovered that payment was accepted by the City Treasurer for two (2) of the items applied to that roll on October 29, 1957.

To remove these items from said roll, we offer the following resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved, That the City Treasurer be and he is hereby authorized to make the following cancellations:

Roll 430-C-4, Lot 296, W.S. Keat-

ing bet. State Fair and Lantz, Cancel \$13.40, Receipt No. 3910, Item No. 24025.

Roll 430-C-4, Lot 297, W.S. Keating bet. State Fair and Lantz, Cancel \$25.40. Receipt No. 3911, Item No. 24026.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 4, 1957.

Honorable Common Council:

Gentlemen — Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated October 1, 1957:

PR-144—Demolition of Buildings 3600-3742 Fourth Street. Reeds Wrecking Contractors.

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

Nays—None.

Department of Public Works

November 1, 1957

Honorable Common Council:

Re: Contract PW-2984F

Paving Alley Bounded by Ward, Sorrento, Grand River, and Buena Vista.

Amount in Assessment Portion, \$2,081.60.

Amount in City Intersection Portion, \$624.25.

Total Amount Accepted Proposal, \$2,705.85.

The Assessment Roll was based on the above Assessment Portion.

Under the provisions of the resolution authorizing the award of the Contract, any deductions from or additions to the Assessment Portion exceeding one percent must be approved by the Common Council before the adjustment of such difference is applied to the City Intersection Portion.

Based on final field measurements, the following difference resulted between the estimated cost of the work in Assessment Portion of the accepted Proposal and that actually constructed:

Deduction of \$51.35, or 2.46 percent of Assessment Portion of the Construction cost.

It is recommended that the Assessment Portion of the construction costs remain unchanged from the