

the 6-foot easement at the side of lot 99 of Harry Slatkin's Subdivision No. 1, located on the north side of Ray Avenue, east of Kane Avenue, commonly known as 22522 Ray Avenue.

Nicholas J. Blum (14335), to maintain a garage encroaching 1.5 feet into the 6-foot easement in the rear of lot 3109 of Robert Oakman Land Company's Aviation Field Subdivision No. 4, located on the east side of Cheyenne Avenue between Littlefield and Belton Avenues, commonly known as 8256 Cheyenne Avenue.

Albert Carpenter (14549), to maintain a garage encroaching 3 feet into the 6-foot easement in the rear of lot 37 of Fortune Heights Subdivision, located on the east side of Vaughan Avenue north of Clarita Avenue, commonly known as 18952 Vaughan Avenue.

Leo P. Steva (14617), to construct a garage encroaching 5 feet into the 9-foot easement in the rear of lot 809 of Yorkshire Woods Subdivision No. 4, located on the east side of Alstead Avenue south of Kingsville Avenue, commonly known as 19180 Alstead Avenue.

Joseph B. Andrejewski (14391), to maintain a garage encroaching 2.5 feet into the 6-foot easement in the rear of lot 4 of Holtzman and Silverman Subdivision, located on the west side of Sunderland Avenue north of Cambridge Avenue, commonly known as 19323 Sunderland Avenue.

Joseph A. Mase (13927), to maintain a garage encroaching 5 feet into the 6-foot easement in the rear of lot 861 of B. E. Taylor's Rainbow Subdivision, located on the west side of Ferguson Avenue south of Florence Avenue, commonly known as 16207 Ferguson 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 Depart-

ment 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 Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

Department of Public Works

January 6, 1958

Honorable Common Council:

Gentlemen — We are returning herewith the petitions of Joseph Chodacki, et al, Nos. 13133 and 13134, requesting the vacation of Gable Avenue between Hamlet Avenue and Eight Mile Road and the north-south public alley in the block bounded by Gable, Dwyer, Hamlet and Eight Mile Road. The vacation of said street and alley was approved by the City Plan Commission and 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 deposited with the City Treasurer the sum of \$750.00, Receipt No. C-24172, credited to the Detroit Fire Department Fund Code No. 990-9406, said amount being the estimated cost of removing one fire hydrant necessitated by the vacation of said street.

The Fire Department agreed to the retention of signal wires located on Detroit Edison poles in the alley to be vacated on the condition that free and unobstructed use thereof may be had at all times. An easement is reserved for this purpose.

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

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

Resolved, That all that part of Gable Avenue, 60 feet wide, north of Hamlet Avenue, as platted in Bell Realty Company's Log Cabin Park

Sudbivision of part of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 4, T. 1 S., R. 12 E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 41, Page 93 of Plats, Wayne County Records and in the Assessors Base Line Superhighway Subdivision, a Resubdivision of Lots 1 to 13 inclusive, 44 to 64 inclusive, and 85 to 104 inclusive, and vacated alleys of Bell Realty Company's Log Cabin Park Subdivision of part of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 4, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 63, Page 5 of Plats, Wayne County Records, lying east of and adjoining the east line of Lot 14, west of and adjoining the west line of Lot 28 of the last-mentioned subdivision, east of and adjoining the east line of Lots 36 to 43 both inclusive, and west of and adjoining the west line of Lots 65 to 72 both inclusive, of Bell Realty Company's Log Cabin Park Subdivision heretofore mentioned, be and the same is hereby vacated as a public street 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 for the Department of Water Supply in and over the easterly 30 feet of that portion of vacated Gable Avenue for the purpose of maintaining, repairing, removing or replacing the water main located in said street.

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

Resolved, That all of the north-south public alley, 16 feet wide, in the block bounded by Gable, Dwyer, Hamlet and Eight Mile Road, as platted in said Bell Realty Company's Log Cabin Park Subdivision, as recorded in Liber 41, Page 93 of Plats, Wayne County Records, and said Assessors Base Line Superhighway Subdivision, as recorded in Liber 63, Page 5 of Plats, Wayne County Records, lying west of and adjoining the west line of Lot 28, east of and adjoining the east line of Lot 29 of the last-mentioned subdivision, east of and adjoining the east line of Lots 65 to 72 both inclusive, and west of and adjoining the west line of Lots 77 to 84 both inclusive, of said Bell Realty Company's Log Cabin Park Subdivision heretofore mentioned, 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) An easement or right-of-way is hereby reserved for the Detroit Fire Department in and over the entire vacated alley for the purpose of main-

taining, repairing, removing or replacing this Department's signal lines located in said alley.

2) No buildings or structures of any nature whatsoever shall be constructed over said easement unless prior approval is obtained from the Detroit Fire Department.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Patrick, Rogall, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

Department of Public Works

January 7, 1958.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of Auto City Sheet Metal Company, et al No. 13061, requesting the vacation of the alleys north of Nancy Avenue between Dean and Sunset Avenues. The vacation of said alleys 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 January 6, 1958, deposited with the City Treasurer the sum of \$125.00, Receipt No. C-24182, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of removing P.L.C. installations necessitated by the vacation of said alleys.

The petitioner on January 6, 1958, paid into the City Treasury the sum of \$314.12, Receipt No. C-24181, credited to the Public Works Maintenance Fund Code No. 143-0000 (6241), said amount being the original cost of paving the west $\frac{1}{2}$ of Sunset Avenue and the north $\frac{1}{2}$ of Nancy Avenue at the intersections of the alleys to be vacated.

The petitioner also deposited with the Permit Division of the Department of Public Works, the sum of \$500.00, Receipt No. 86863, said amount being the estimated cost of removing the paved alley return and constructing straight curb and sidewalk incidental to such removal at the entrance to the north-south alley to be vacated north of Nancy Avenue between Dean and Sunset Avenues. The petitioner requested that the paved alley return at the entrance to the east-west alley to be vacated west of Sunset Avenue and north of Nancy Avenue 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 protec-