

Gentlemen—We are returning herewith the petition of James S. Richards, et al No. 13, requesting the vacation of a portion of alley east of Williams Avenue south of vacated Breckenridge Avenue. The vacation of said alley 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.

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 reported that they will be unaffected by the vacation of said portion of alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Lincoln:

Resolved, That all that part of the north/south public alley, 10 feet wide east of Williams Avenue, south of Breckenridge Avenue, as platted in Roehm's Subdivision on P.C. 20 in T. 1 S., R. 11 E., Detroit, Wayne County, Michigan as recorded in Liber 11, page 91 of plats, Wayne County records, lying east of and adjoining the east line of lots 268 to 270, both inclusive, 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 building 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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Wise and President Pro Tem Van Antwerp—8.

Nays—None.

Department of Public Works

February 25, 1958.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the American Legion Northwest Detroit Post No. 190, Petition 834, requesting the vacation of the east-west public alley east of Greenfield Avenue between Birch and Keibler Avenues. The petition 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.

An easement is reserved in the vacating resolution for the Public Lighting Commission for the maintenance of its installations located in the alley to be vacated.

Proper provisions 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 will be unaffected by the vacation of the 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 Lincoln:

Resolved, That all of the east-west public alley, 18 feet wide, east of Greenfield Avenue between Birch and Keibler Avenues as platted in Keibler's Schoolcraft Subdivision of part of the S.W. ¼ of Section 19, T 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 60, Page 26 of Plats, Wayne County records, lying south of and adjoining the south line of lots 44 to 47, both inclusive, and north of and adjoining the north line of lots 40 to 43, both inclusive, all 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, An easement or right-

of-way is hereby reserved in and over the vacated alley heretofore mentioned for the purpose of maintaining, repairing, removing or replacing the Public Lighting Commission's facilities located in said alley;

2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval therefor is obtained from the Public Lighting Commission;

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

4) Provided, That if a building is to be constructed over said sewers, the sewers 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 sewers 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 sewers 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 sewers waive all claims for damages to such construction and agree to pay all cost incident to the repair of said broken sewers.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Wise and President Pro Tem Van Antwerp—8.

Nays—None.

**Department of Public Works**

February 21, 1958

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting conversion into easements of the alleys described in the attached resolution.

The conversion of the alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are completed.

In reply to our inquiries, all City departments and privately-owned

utility companies reported that they will be unaffected by the changes or that they have no objections to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Lincoln:

Resolved, That all that part of the east-west public alley, 18 feet wide, south of Moross Road and east of Moon Avenue, as platted in Yorkshire Woods Subdivision No. 5 of Lot 31 and part of Lot 30 and that part of Widows Dower lying northerly of said lots, of partition plat of Magloire Moross Estate of part of P.C. 123, Gratiot Township, Wayne County, Michigan, as recorded in Liber 48, Page 79 of Plats, Wayne County Records, lying south of and adjoining the south line of Lot 1007 and north of and adjoining the north line of Lot 1008 of the above-mentioned subdivision. Also, all of the north-south public alley, 20 feet wide, south of Moross Road and east of Moon Avenue, as platted in said Yorkshire Woods Subdivision No. 5, as recorded in Liber 48, Page 79 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 1044 to 1047, both inclusive, east of and adjoining the east line of the south 16.81 feet of Lot 1048, west of and adjoining the west line of Lot 1008, west of and adjoining the west line of the south 54.54 feet measured on the east line of Lot 1007 and west of and adjoining the west line of the 18-foot alley lying between Lots 1007 and 1008, all of the above-mentioned subdivision. (Arthur J. Seymour et al, 14731)

Also, all that part of the east-west public alley, 14 feet wide, east of Cadieux Avenue between Detroit and Minneapolis Avenue, as platted in Columbia Freunds Subdivision of Lots 26 to 33, inclusive, of Michael Cadieux Estate P.C. 506 and 564 Grosse Pointe, Wayne County, Michigan, as recorded in Liber 17, Page 93 of Plats, Wayne County Records, lying south of and adjoining the south line of Lots 11 to 19, both inclusive, and north of and adjoining the north line of lots 32 to 40, both inclusive, of the last-mentioned subdivision. (Harry T. Dewitt et al, 14542)

Be and the same are vacated as public alleys and are hereby converted into public easements of the