

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 buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easements;

Third, that if at any time in the future the owners of any lots abutting on said vacated alleys 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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

May 18, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Harold Godwin, et al, No. 2451, requesting the vacation of Grove Avenue east of Sunderland Avenue. The vacation of said street was approved by the City Plan Commission with the recommendation that the easterly 5 feet of the vacated street be retained as an easement for public utilities. 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.

As per our directive the petitioner, on May 14, 1959, paid into the City Treasury the sum of \$519.01, Receipt No. 40222, credited to the Public Works Maintenance Fund Code No. 143-0000(6241), said amount being the original cost of paving the east one-half of Sunderland Avenue at the intersection of Grove 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 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 Van Antwerp:

Resolved, That all that part of Grove Avenue, 50 feet wide, east of Sunderland Avenue as platted in Rosedale Park No. 5, a subdivision of a part of the N.W. ¼ of the N.E. ¼ of Section 14, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 49, Page 81 of plats, Wayne County Records, lying north of and adjoining the north line of the westerly 125 feet of Lot 2796 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 Grove Avenue, 50 feet wide, east of Sunderland Avenue as platted in the above-mentioned Rosedale Park Subdivision No. 5, lying north of and adjoining the north line of the easterly 5 feet of Lot 2796 of the above-mentioned subdivision, be and the same is hereby vacated as a public street and is converted into a public easement which easement shall be subject to the same conditions as provided for alleys being converted into easements, as set forth hereinbelow:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public street hereinabove described for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light, gas main 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 purpose above set forth;

Second, said owners for their heirs and assigns further agree that no buildings 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 on said easement 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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

May 18, 1959.

Honorable Common Council:

Gentlemen—Due to a duplication, we request that the resolution of May 5, 1959, J.C.C., Page 805, relative to sidewalk cancellations on Sidewalk As-