

pany for the repair of Concrete Sidewalks and Driveways as listed above; and be it further

Resolved, That the Controller be and is hereby authorized and directed to set up the necessary accounts to cover the construction costs, and the cost of advertising, inspection, and minor changes in connection with these contracts; and

Whereas, In accordance with the Charter and Ordinances of the City, property immediately adjacent to said improvements is subject to special assessment to provide for the cost of said improvement or improvements; now, therefore, be it

Resolved, That all benefited real estate fronting upon the improvements authorized to be provided for under said above designated contracts shall constitute a special assessment district against which the cost of said improvements should be levied unless otherwise paid in advance by owners of the respective properties.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

May 4, 1959.

Honorable Common Council:
Gentlemen—On February 10, 1959, Your Honorable Body confirmed Sidewalk Repair Assessment Roll No. 22-D. Since that time, we have discovered that incorrect measurements were billed and assessed to one of the items applied to that roll; this item will be rebilled.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved: That the City Treasurer be and is hereby authorized to make the following cancellation:

Roll 22-D-21, Lot 19, Exc. W. 200 Ft. of S. 75.32 Ft., E.S. Linwood bet. D.T.R.R. and Fenkell, Cancel \$132.80, Complaint No. 10408, Invoice No. 14632, Item No. 10714.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

April 24, 1959.

Honorable Common Council:
Gentlemen — Your Committee of the Whole referred to this office for investigation and report the petition of Bennie Hartman, (Dolan Corp., Byron Trerice) No. 3580, requesting the vacation of the alleys in the block bounded by Plymouth, Weaver and Greenview Avenues. The vacation of

said alleys was approved by the City Plan Commission.

We wish to advise that our investigations are completed.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

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

Resolved, That all of the east-west public alley, 20 feet wide, in the block bounded by Plymouth, Weaver and Greenview Avenues, as platted in Emerson Park Subdivision of part of the N.E. ¼ of Section 35, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 45 of Plats, Wayne County Records, lying south of and adjoining the south line of Lots 15 to 26, both inclusive, north of and adjoining the north line of Lots 465, 471, and 472, and north of and adjoining the north line of the 18-foot public alley lying between Lots 471 and 465, all of the above-mentioned subdivision. Also all of the north-south public alley, 18 feet wide, in the block bounded by Plymouth, Weaver and Greenview Avenues, lying north of and adjoining the northeasterly line of Lots 466 to 471, both inclusive, and south of and adjoining the southeasterly line of Lot 465 all of the above-mentioned subdivision; be and the same are hereby vacated as public alleys 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 alleys, 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

2) 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

3) Provided, That no buildings shall be constructed over said sewers with-

pany for the repair of Concrete Sidewalks and Driveways as listed above; and be it further

Resolved, That the Controller be and is hereby authorized and directed to set up the necessary accounts to cover the construction costs, and the cost of advertising, inspection, and minor changes in connection with these contracts; and

Whereas, In accordance with the Charter and Ordinances of the City, property immediately adjacent to said improvements is subject to special assessment to provide for the cost of said improvement or improvements; now, therefore, be it

Resolved, That all benefited real estate fronting upon the improvements authorized to be provided for under said above designated contracts shall constitute a special assessment district against which the cost of said improvements should be levied unless otherwise paid in advance by owners of the respective properties.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

May 4, 1959.

Honorable Common Council:

Gentlemen—On February 10, 1959, Your Honorable Body confirmed Sidewalk Repair Assessment Roll No. 22-D. Since that time, we have discovered that incorrect measurements were billed and assessed to one of the items applied to that roll; this item will be rebilled.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved: That the City Treasurer be and is hereby authorized to make the following cancellation:

Roll 22-D-21, Lot 19, Exc. W. 200 Ft. of S. 75.32 Ft., E.S. Linwood bet. D.T.R.R. and Fenkell, Cancel \$132.80, Complaint No. 10408, Invoice No. 14632, Item No. 10714.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

April 24, 1959.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Bennie Hartman, (Dolan Corp., By-vacation of the alleys in the block bounded by Plymouth, Weaver and Greenview Avenues. The vacation of

said alleys was approved by the City Plan Commission.

We wish to advise that our investigations are completed.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

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

Resolved, That all of the east-west public alley, 20 feet wide, in the block bounded by Plymouth, Weaver and Greenview Avenues, as platted in Emerson Park Subdivision of part of the N.E. ¼ of Section 35, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 45 of Plats, Wayne County Records, lying south of and adjoining the south line of Lots 15 to 26, both inclusive, north of and adjoining the north line of Lots 465, 471, and 472, and north of and adjoining the north line of the 18-foot public alley lying between Lots 471 and 465, all of the above-mentioned subdivision. Also all of the north-south public alley, 18 feet wide, in the block bounded by Plymouth, Weaver and Greenview Avenues, lying north of and adjoining the northeasterly line of Lots 466 to 471, both inclusive, and south of and adjoining the southeasterly line of Lot 465 all of the above-mentioned subdivision; be and the same are hereby vacated as public alleys 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 alleys, 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

2) 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

3) Provided, That no buildings shall be constructed over said sewers with-

out 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 sewers located in said alleys, 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 costs incident to the repair of said broken sewers.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

May 12, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of L. R. Rose Realty Company, No. 3733, requesting the vacation of the north-south public alley north of Amsterdam Avenue and east of Second Boulevard. The vacation of said alley was approved by the City Plan Commission, and 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 paid into the City Treasury the sum of \$111.68, Receipt No. B-39673, credited to the Public Works Maintenance Fund Code 143-6241, said amount being the original cost of paving the north one-half of Amsterdam Avenue at the intersection of the alley to be vacated.

The petitioner requested that the paved alley return at the entrance to the alley to be vacated 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 alley return at such time in the future as the removal becomes necessary.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers 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 said 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 Smith:

Resolved, That all of the north-south public alley, 20 feet wide, north

of Amsterdam Avenue and east of Second Boulevard as platted in Mandelbaum's Subdivision of Out Lots 117 of the Cass Farm, City of Detroit, Wayne County Michigan, as recorded in Liber 2, Page 8 of Plats, Wayne County Records, lying west of and adjoining the west line of Lot 50, west of and adjoining the west line of the 20-foot vacated alley lying north of Lot 50, east of and adjoining the east line of Lots 51 to 54, both inclusive, and east of and adjoining the east line of the south 10 feet of Lot 55, 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, 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; and further

Resolved, That at any time in the future the removal of the paved alley return becomes necessary, the entire cost of such removal shall be paid by Caille Land and Investment Company, their heirs, executors, administrators and assigns.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.