

wide, and Volte Avenue 60.00 feet wide, which point is the N.E. corner of Lot 106 of said Ardmore Gardens Subdivision Number 1; thence along the east line of that portion of Keal Avenue vacated in accordance with resolution dated April 13, 1949, recorded in Journal of the Common Council, Pages 1031 and 1032, N. 00° 34' 20" E. 70.01 feet to a point in the S. line of Lot 91 in said Ardmore Gardens Subdivision Number 1 said point being distant N. 89° 30' E., 31.60' from the S.W. corner of said Lot 91; thence N. 89° 30' E., 3.47 feet to the S.E. corner of said Lot 91; thence on the extension southerly of the E. line of said Lot 91, S. 00° 46' 15" E., 28.47 feet; thence S. 06° 14' 30" W., 41.82 feet to the point of beginning, containing 194.00 square feet; be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 2, 1959

Honorable Common Council:

Gentlemen — Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated below: Alley Paving—

PW-3595F—St. Louis, Mt. Elliott, Emery, Lantz; A. N. Marando & Son; Award authorized 8-18-59.

PW-3597F — Stansbury, Lesure, Grand River, Schoolcraft; A. N. Marando & Son; Award authorized 8-18-59.

PW-3598F—Lahser, Burgess, Seven Mile, Vassar; A. N. Marando & Son; Award authorized 8-18-59.

PW-3600F — Terry, Lauder, Grand River, Intervale; A. N. Marando & Son; Award authorized 8-18-59.

PW-3601F — Courville, Audubon, Linville, Harper; A. N. Marando & Son; Award authorized 8-18-59.

PW-3603W—Wanda, Oakland, McNichols, Dakota; A. N. Marando & Son; Award authorized 8-18-59.

PW-3599F—Audubon, Whittier, Edsel Ford Expwy., King Richard; Colwell Construction Company; Award authorized 8-18-59.

PW-3602W—Marbud, Gratiot, Eastburn, Bringard; Colwell Construction Company; Award authorized 8-18-59.

PW-3604F—Pennsylvania, Cadillac, Edsel Ford Expwy., Harper; Colwell Construction Company; Award authorized 8-18-59.

PW-2897 — Removal and Replacement of Curbs, Gutters and Sidewalks; Suburban Cement Co.; Award

authorized 8-11-59.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner

By Councilman Connor:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

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

Nays—None.

Reconsideration

Councilman Van Antwerp moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

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

Nays—None.

Councilman Rogell then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

August 31, 1959

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Cecil J. Gielegem, No. 4524, requesting the vacation of the 6-foot easement located on the south side of Lot 26 west of Rowe Avenue north of Geitzen Avenue.

The vacation of said easement 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.

All City Departments and privately owned utility companies reported that they will be unaffected by the vacation of said easement.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner

By Councilman Connor:

Resolved, That all that part of the 6-foot easement west of Rowe Avenue north of Geitzen Avenue as platted in the Grotto Subdivision, a subdivision of a part of London Park Subdivision of part of S.W. ¼ of Fractional Section 11, T. 1, S. R. 12 E. Gratiot Township, Wayne County, Michigan as recorded in Liber 45, Page 19, of Plats Wayne County Records, being the southerly 6 feet of the easterly 125.93 feet of Lot 26 of the above-mentioned subdivision, be and the same is hereby vacated as an easement to become a part and parcel of the adjoining property.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 2, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Louis E. Neuder, et al, No. 10759, requesting the vacation of the east-west public alley in the block bounded by St. Anne, 18th, Jefferson and Fort Street. 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 \$207.33, Receipt No. B-2781, credited to the Public Works Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the east one-half of St. Anne Street and the west one-half of 18th Street at the intersections of the alley to be vacated.

The petitioner requested that the paved alley returns at the entrances to the alley to be vacated remain in their 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 returns 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.

The Michigan Bell Telephone Company requested that an easement be retained for the full width of the alley to be vacated and that the petitioner provide a key for the Michigan Bell Telephone Company if a gate is put up across the entrances of said alley.

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 Connor:

Resolved, That all that part of the east-west public alley, 20 feet wide, east of St Anne Avenue between Fort Street and Jefferson Avenue as platted in the Plat of Loranger's Subdivision of part of the Loranger Farm south of

Fort Street being part of P.C.'s 338 and 474 as recorded in Liber 1, Page 130 of Plats Wayne County Records lying south of and adjoining the south line of Lots 5 to 8 both inclusive, south of and adjoining the 20 foot vacated alley lying east of said lot 8, north of and adjoining the north line of Lots 13 to 16 both inclusive, and north of and adjoining the north line of the 20 foot vacated alley lying east of said Lot 16 all of the above mentioned subdivision.

Also all that part of the east-west public alley, 20 feet wide, west of 18th Street between Fort Street and Jefferson Avenue as platted in the Plat of Subdivision of Part of Private Claim 473 known as the Stanton Farm, as recorded in Liber 47, Pages 558 and 559 of Deeds Wayne County Records lying north of and adjoining the north line of Lots 8 to 12, both inclusive, and south of and adjoining the south line of Lots 13 to 17, both inclusive of the last 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 incidental to the repair of said broken sewer; and further