

Lincoln, Patrick, Smith, Van Antwerp, Wise and President Beck.—8.  
Nays—None.

**Department of Public Works**  
November 12, 1959

Honorable Common Council:  
Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Albert Kanfer Builders Company No. 5853, requesting the conversion into an easement of the alley located west of Pinehurst Avenue north of McNichols Road.

The conversion of said alley into an easement 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 change or that they have no objection to the conversion of the alley into an easement provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in said alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Carey:

Resolved, That all that part of the east-west public alley, 20 feet wide, west of Pinehurst Avenue and north of McNichols Road as platted in Murphy Brothers Loyola Estates Subdivision of part of the E. ½ of the W. ½ of the S.E. ¼ of Section 8, T. 1 S., R. 11 E., Greenfield Township and City of Detroit, Wayne County, Michigan as recorded in Liber 52, Page 35 of Plats Wayne County Records, lying south of and adjoining the south line of Lot 172, north of and adjoining the north line of Lots 5 to 9 both inclusive, and north of and adjoining the north line of the east 7.5 feet of Lot 4 all of the above mentioned subdivision

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alleys 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 De-

troit, with the right to ingress and egress at any time to and over said easements 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 fence) 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 easements, 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, Smith, Van Antwerp, Wise and President Beck.—8.  
Nays—None.

**Department of Public Works**  
November 12, 1959.

Honorable Common Council:  
Gentlemen—A recent investigation by personnel of this Department substantiated that the spur tracks covered by our permits No. 9-140 and No. 9-199 were removed and the public property restored to the satisfaction of the Department of Public Works.

The aforementioned permits were renewed for the current spur track year and accordingly, the conditions of your approval of their maintenance, have been complied with.

Therefore, we submit the following resolution for your acceptance.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Carey:

Be It Resolved: That the resolution of July 7, 1959, J.C.C. page 1386 which granted the maintenance of two spur tracks to Letts Drop Forge Division of Letts Industries Incorporated, is hereby amended to read, "Maintain one spur track across West Jefferson at the intersection of Twenty-Third, north of and connecting the P.M.R.R. inasmuch as permit No. 9-140 in the amount of \$25.00 covering the spur track across West Jefferson between Nineteenth and Twenty-First Streets is hereby cancelled.

Be It Further Resolved: The the resolution of May 1, 1956, J.C.C. page 824 which granted the maintenance of one spur track across Nineteenth Street at the intersection of West Jefferson, north of and connecting the P.M.R.R. and the P.R.R. to Louis E. and Edna M. Neuder is hereby rescinded and permit No. 9-199 in the amount of \$25.00 cancelled.

Also, Be It Resolved: That the