

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.

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 Rogell:

Resolved, That all that part of the north-south public alley, 20 feet wide, south of Seven Mile Road and east of John R Street, as platted in Blanck and Gargaro Company, Incorporated Subdivision of part of the N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ Section 12 T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 62, Page 71 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 6 to 9 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, 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 sewers, 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 alleys, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by ac-

ceptance 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, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Public Works

July 21, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of J. J. Barney, et al No. 769, requesting the vacation of portions of alleys south of Davison Avenue east of Syracuse Avenue. The vacation of said alleys was approved by the City Plan Commission with the recommendation that the petitioner dedicate to the City a new alley outlet into Syracuse Avenue. 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 \$75.43, Receipt No. C-939, credited to the Public Works Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the east half of Syracuse Avenue at the intersection of the alley to be vacated south of Davison Avenue.

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

We are in receipt of a Warranty Deed from the petitioner to the City of Detroit deeding land for a new alley outlet in accordance with the City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and is attached for your Honorable Body's acceptance.

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 Rogell:

Resolved, That all of the east-west public alley, 16 feet wide, south of Davison Avenue and east of Syracuse Avenue as platted in Harrah's Davison Boulevard Subdivision, a part of that part of S.E. $\frac{1}{4}$ of Section 8, T. 1 S., R. 12 E., Hamtramck Township, Wayne County, Michigan as recorded in Liber 35, Page 71 of Plats Wayne County Records, lying south of and adjoining the south line of Lots 1 to 7 both inclusive, north of and adjoining the northerly line of Lot 244 and north of and adjoining the northerly line of the 16 foot alley lying east of said Lot 244 all of the above mentioned subdivision.

Also, all that part of the north-south public alley, 16 feet wide, south of Davison Avenue and east of Syracuse Avenue as platted in said Harrah's Davison Boulevard Subdivision as recorded in Liber 35, Page 71 of Plats Wayne County Records lying east of and adjoining the east line of Lot 244 and east of and adjoining the east line of the north 10 feet of Lot 245 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 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 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, and further

Resolved, That at any time in the future the removal of the paved alley return at the entrance of the vacated alley becomes necessary, the entire cost of such removal shall be paid by the petitioners, their heirs, executors, administrators and assigns, and further

Resolved, That Warranty Deed of Joseph J. Barney and Sally T. Barney, his wife, to the City of Detroit deeding land for alley purposes, said land being described as, "The south 20.00 feet of Lot 245 of Harrah's Davison Boulevard Subdivision a part of that part of S.E. $\frac{1}{4}$ of Section 8, T. 1 S., R. 12 E., Hamtramck Township, Wayne County, Michigan as recorded in Liber 35, Page 71 of Plats Wayne County Records," be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Carey, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

July 21, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Chelsea Company, Incorporated, et al, No. 3942, requesting the vacation of the east-west public alley east of Cadieux Avenue between Denver and Neveux Avenues. 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.

All 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 Rogell:

Resolved, That all of the east-west public alley, 14 feet wide, east of Cadieux Avenue between Denver and Neveux Avenues, as platted in Block 2 of Columbia Freund's Subdivision of Lots 26 to 33 inclusive of Michael Cadieux Estate P.C.'s 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 8 to 10 both inclusive and lying north of and adjoining the north line of lots 11 to 13 both inclusive, all of the above mentioned