

tracts with the Detroit Federation of Musicians, Local No. 5 A. F. M. Incorporated and the Detroit Symphony Orchestra Incorporated for services and on terms outlined in the foregoing communication.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.
Nays—None.

Department of Public Works

May 26, 1960.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting the conversion into easements of the alleys described in the attached resolution.

The conversion of the alleys into easements 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 changes or that they have no objections to the conversion of the alleys into easements provided, that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Patrick:

Resolved, That all of the east-west public alley, 20 feet wide, in the block bounded by Eight Mile Road, Lauder, Norfolk and Marlowe Avenues, as platted in Division Heights Subdivision being part of the N.W. quarter of Section 6, T. 1, S. R. 11, E. City of Detroit, Wayne County, Michigan, as recorded in Liber 50, Page 36 of Plats Wayne County Records, lying south of and adjoining the south line of Lots 263 to 275 both inclusive, north of and adjoining the north line of Lots 262 and 276 and north of and adjoining the north line of the 18 foot easement lying between Lots 262 and 276, all of the above mentioned subdivision, (James T. Russell No. 6539).

Also, all of the north-south public alley, 18 feet wide, in the block bounded by Outer Drive, Cambridge, Pinehurst and Mendota Avenues, as platted in Blenheim Forest Subdivision of part of N. $\frac{1}{2}$ of the S. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Section 5, and the S. $\frac{1}{2}$ of the N. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Section 5, T. 1, S. R. 11, E. City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 39 of Plats Wayne County Records, lying east of and adjoining the east line of Lots

325 to 334 both inclusive, and west of and adjoining the west line of Lots 335 to 344 both inclusive, of said Blenheim Forest Subdivision, (Morris J. Karch No. 6627).

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements 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 alleys and by their grantees and assigns, and 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 Detroit, with the right to ingress and egress at any time to and over said easements 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 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, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

Reconsideration

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

The regular order was resumed.