

CCs-25 — 3719 East Fort, A.A.A. Wrecking Co., 12-29-59.

PW-3064 — 1954 Clinton Avenue, Moon Wrecking Company, 1-19-60.

PW-3065 — 1958 Clinton Avenue, Moon Wrecking Company, 1-19-60.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

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

Adopted as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.

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, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.

Nays—None.

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

The regular order was resumed.

Department of Public Works

February 11, 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 objection 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 Smith:

Resolved, That all of the east-west public alley, 9 feet wide, south of Rochelle Avenue between Hayes and Kelly Avenues, as platted in John Kelly Estate Subdivision of part of Rear Concession Private Claim 231, City of Detroit, Wayne County, Michi-

gan, as recorded in Liber 59, Page 1 of Plats, Wayne County Records, lying south of and adjoining the south line of Lots 86 to 97, both inclusive. Also, all of the east-west and north-south public alley west of Kelly Road between Rochelle and Mayfield Avenues, being part of Rear Concession of Private Claim 231, City of Detroit, Wayne County, Michigan, which was deeded to the City of Detroit for alley purposes, said deed having been accepted on May 3, 1949, J.C.C. Page 1296 and more particularly described as follows: Beginning at the southwesterly corner of Lot 85 of said John Kelly Estate Subdivision, as recorded in Liber 59, Page 1 of Plats, Wayne County Records, thence along the westerly line of said Lot 85 extended southerly S. 30°00'23" E., 38.89 feet to a point; thence along a line N. 89°44'21" W., 477.94 feet to a point in the east line of a 20-foot north-south public alley first east of and parallel to Hayes Avenue; thence along a line N. 0°34'32" W., 9.00 feet to the south line of said John Kelly Estate Subdivision; thence along the south line of said John Kelly Estate Subdivision S. 89°44'21" E., 472.28 feet to a point; thence along a line N. 30°00'23" E., 34.43 feet to a point; thence along a line south 59°53'36" E., 10.00 feet to the place of beginning. Also, all of the north-south public alley south of Rochelle Avenue west of Kelly Road as platted in said John Kelly Estate Subdivision, as recorded in Liber 59, Page 1 of Plats, Wayne County Records, lying west of and adjoining the west line of Lots 81 to 85, both inclusive, east of and adjoining the east line of Lot 86 and east of and adjoining the east line of the 9-foot alley lying south of said Lot 86 of the last-mentioned subdivision. (Archdiocese of Detroit, et al, Petition No. 4265)

Also, all that part of the north-south public alley, 18 feet wide, north of Casino Avenue between Marne and Duprey Avenues, the westerly 9 feet being platted in Seven Mile Road-Cadieux Subdivision of Lots 9 to 12, both inclusive, of George H. Prentis Subdivision of part of the Rear Concession of Private Claim 122, City of Detroit, Wayne County, Michigan, as recorded in Liber 54, Page 12 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 44 to 47, both inclusive, of the last-mentioned subdivision, the easterly 9 feet of the above-mentioned alley being platted in Adolf Rossel Subdivision of Lots 13 and 14 of George H. Prentis Subdivision of part of Rear Concession of Private Claim 122, City of Detroit, Wayne County, Michigan, as recorded in Liber 68, Page 77 of Plats, Wayne County Records, lying west of and adjoining the westerly line of Lots 17 to 20, both inclusive, of the last-

mentioned subdivision. (Dorothea Gellash, Petition No. 13136)

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 in said alley 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 phone, 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 and 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, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

February 16, 1960

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Clinton Street Greater Bethlehem Temple No. 5764, requesting the vacation of a portion of the east-west public alley south of Clinton Avenue between Dubois and Chene Streets. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioner dedicate to the City a new alley outlet into Clinton 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 deposited with the Permit Division of the Department of Public Works the

sum of \$3,720.00, Receipt No. GR-3813, said amount being the estimated cost of removing the paved alley return to the entrance of the alley to be vacated, constructing straight curb and sidewalk incident to such removal and constructing new alley return at the entrance of the newly deeded alley and to stone and grade the newly deeded alley.

The petitioner deposited with the City Treasurer the sum of \$775.00, Receipt No. B-33486, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of rerouting P.L.C. installations necessitated by the vacation of said alley.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the above mentioned alley to be vacated.

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 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 Van Antwerp:

Resolved, That all that part of the east-west public alley, 20 feet wide, west of Chene Street and south of Clinton Avenue as platted in Block 12 of Plat of the Subdivision of Part of N.E. Half of P.C. 91, James Campau Farm between Larned Street and Clinton Avenue as recorded in Liber 1, Page 116 of Plats, Wayne County Records, lying south of and adjoining the south line of Lots 10 to 14 both inclusive, and north of and adjoining the north line of Lots 4 to 7 both inclusive, all of the above mentioned subdivision, and lying south of and adjoining the south lines of Lots 8 and 9 and north of and adjoining the north line of Lots 1, 2, and 3 of Subdivision of part of James Campau Farm East 1/4 of P.C. 91, as recorded in Liber 2, Pages 17 and 18 of Plats, Wayne County Records.

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