

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 streets, 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 incident to the repair of said broken sewer, and further

Resolved, That at any time in the future the removal of the street returns at both entrances of Tuxedo Avenue becomes necessary, the entire cost of such removal shall be paid by Metropolitan Hospital, its heirs, executors, administrators and assigns.

Adopted as follows:

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

Nays—None.

Department of Public Works

August 18, 1961.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of John A. Thomas, et al., No. 10261, requesting the conversion into an easement of the alley located west of Forrer Avenue, north of Curtis Avenue.

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 provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installation 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, 18 feet wide, west of Forrer Avenue and north of Curtis Avenue as platted in Laurelhurst Subdivision of S. E. ¼ of N. E. ¼ of Section 12, T. 1 S., R. 10 E., Redford Township (now City of Detroit) Wayne County, Michigan, as recorded in Liber 47, Page 16 of Plats Wayne County Records, lying south of and adjoining the south line of Lot 74, north of and adjoining the north line of Lots 68 to 73 both inclusive, north of and adjoining the north line of the easterly 14.00 feet of Lot 67

all of the above mentioned subdivision.

Be and the same is 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 grantees and assigns, and their heirs, executors, administrators, and assigns forever, to wit:

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

Third, that if at any time in the future the owners of any lots abutting on said vacated alley 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, Wise, Youngblood and President Beck—8.

Nays—None.

Department of Public Works

August 17, 1961.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Evening News Association, No. 5852 (1959), requesting the vacation of the streets and alleys in the area bounded by Brush, Atwater, St. Antoine, and Jefferson Avenues. The vacation of said streets and alleys 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 complete, and they disclose the following City departments to be affected by the vacation of said streets and alleys:

Department of Water Supply—The petitioner deposited with the City Treasurer the sum of \$77,125.00, Receipt No. C-7526, credited to the Department of Water Supply Fund Code No. 600-0000-6232-001, said amount being the estimated cost of removing