

By Councilman Wise:

Resolved, That the City Engineer be and is hereby authorized and directed to prepare necessary plans and specifications for the installation of an assessment lateral sewer in the east side of Filer Avenue from Iowa to a point approximately 250 feet north of Iowa, which plans shall show the property to be benefited by the sewer. He shall further estimate the cost of the sewer and prepare a tentative assessment roll based on the said estimate and transmit said tentative assessment roll to the City Treasurer who shall proceed to collect, in advance, not less than 25 percent of the City's estimated cost of the improvements from the parties benefiting therefrom, within 60 days after receipt of said tentative roll, in accordance with the compiled ordinances of the City of Detroit.

Adopted as follows:

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

Nays—None.

Department of Public Works

January 23, 1961.

Honorable Common Council:

Gentlemen—We are returning herewith the petition (8957) of the Ace Wiping Cloth Company requesting the vacation of a portion of the north/south public alley between Central and Bryden Avenues south of Majestic Avenue.

The vacation of said portion of 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the portion of 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 herein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Wise:

Resolved, That all that part of the north-south public alley, 18 feet wide, south of Majestic Avenue between Central and Bryden Avenues as platted in Fory's Subdivision of Lot 10 of Fox and Quinn Subdivision of west 49 acres of S.E. ¼ Section 4, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 45,

Page 32 of Plats Wayne County Records, lying east of and adjoining the east line of Lot 3 and west of and adjoining the west line of Lot 4 of all 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 sewer, 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 buildings 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 alley 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.

Adopted as follows:

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

Nays—None.

Department of Public Works

January 24, 1961.

Honorable Common Council:

Gentlemen — We return herewith Petition 9392 of St. Philomena Parish at 4281 Marselles requesting permission to build a convent building over the easement sewer between lots 60 and 61 at the northeast corner of Marselles and Munich.

Our investigation shows that the sewer is live, carrying flow from Munich northward into the easement. It is recommended that the petition be granted subject to the conditions given in the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.