

Wise, Youngblood and President Beck  
—9.

Nays—None.

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

The regular order was resumed.

**Department of Public Works**

March 20, 1961.

Honorable Common Council:

Gentlemen — Your Committee of the Whole referred to this office for investigation and report the petition of Shaw and Slavsky, Inc., No. 9523, requesting the vacation of Decatur Avenue south of Elmira Avenue. The vacation of said street was approved by the City Plan Commission in its communication to your Honorable Body of February 17, 1961.

We wish to advise that our investigations are completed.

The petitioner on March 20, 1961, deposited with the City Treasurer the sum of \$3,225.25, Receipt No. C26376, credited to the Department of Water Supply Fund Code No. 600-0000(6232)001, said amount being the estimated cost of abandoning an eight inch water main and the remaining equity in the water main to be abandoned.

The petitioner also deposited with the City Treasurer the sum of \$600.00, Receipt No. B34967, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of relocating one street lighting circuit and one street light necessitated by the vacation of said street.

The petitioner paid into the City Treasury the sum of \$537.08, Receipt No. B34968, credited to the Street Maintenance Fund Code No. 143 (6241), said amount being the original cost of paving the south one-half of Elmira Avenue at the intersection of Decatur Avenue to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the existing catch basins located in Decatur Avenue to be vacated.

The petitioner requested that the paved street return at the entrance to the street 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 return at such time in the future as the removal of the return becomes necessary.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street 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 Decatur Avenue, 50 feet wide, south of Elmira Avenue, as platted in Ardmore Gardens Subdivision of Lot 5 of the E. ½ of the N.E. ¼ of Section 31, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 33, Page 15 of Plats, Wayne County Records, lying east of and adjoining the east line of Lot 51 and west of and adjoining the west line of Lot 52 of the above mentioned subdivision.

Be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property, subject to the following provisions:

1) The City of Detroit shall retain all rights to the existing catch basins located in Decatur Avenue at the south property line of Elmira Avenue. Drainage from Elmira Avenue into the catch basins shall not be obstructed or impeded.

2) Necessary rights of ingress and egress for cleaning, repairing or servicing such basins are hereby retained by the City of Detroit.

3) The petitioner at his own expense may have the catch basins heretofore mentioned relocated, to a point within Elmira Avenue; and further

Resolved, That at any time in the future the removal of the paved street return becomes necessary, the entire cost of such removal and the relocation of two catch basins shall be borne by Shaw and Slavsky, Inc., their heirs, executors, administrators and assigns.

Adopted as follows:

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

Nays—None.

**Reconsideration**

Councilman Wise 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, Youngblood and President Beck  
—9.

Nays—None.

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

The regular order was resumed.

**Department of Public Works**

March 20, 1961.

Honorable Common Council:

Gentlemen—We wish to advise that