

County Records, 131.34 feet to a point, said point being the extreme southerly point of Lot 35 of Elfbrinks Subdivision, thence S. 36d 31m E. 12.68 feet to a point on the westerly line of Hooker Avenue as now established, thence S. 49d 11m W. 90.45 feet to the point of beginning.

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 the 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 easement, 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, and further

Resolved, That the Quit Claim Deed of Olympia Stadium Division of Norris - Fair Oaks - Olympia Corporation, deeding land to the City of Detroit for alley purposes described as: The easterly 20.00 feet, measured at right angles to Hooker Avenue, of Lot 37 of Elfbrinks Subdivision of Lots 14 and 15 of Hall and Ingersoll's Subdivision of Fractional Section 2, T. 2 S., R. 11 E., according to the plat as recorded in Liber 11, Page 98 of Plats, Wayne County Records.

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County, and further

Resolved, That the petitioner make all necessary physical improvements to the newly deeded alley by private contract under City specifications and inspection and that all costs for such improvements be borne by the petitioner, his successor, heirs, or assigns.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

April 10, 1962.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of the Board of Education, No. 11728, requesting the vacation of Rich Street and Monteith Street between Vinewood and McKinley Avenues, and the vacation of the alleys in the blocks bounded by Rich Street, McKinley Avenue, Buchanan Avenue, and Vinewood Avenue. 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 completed.

As per our directive, the petitioner issued a Purchase Order, No. 79724, in the amount of \$8,090.00 in favor of the Department of Public Works, Street Maintenance Division, to cover the cost of removing the paved street and alley returns, constructing new curb and walk, and backfilling where necessary.

The petitioner also issued a Purchase Order, No. 79725, in the amount of \$1,566.16, in favor of the Department of Public Works, Street Design Bureau, said amount being the original cost of paving the streets at the intersection of the streets and alleys to be vacated.

The petitioner also issued a Purchase Order No. 79726, in the amount of \$1,200.00, in favor of the Public Lighting Commission, said amount being the estimated cost of removing ten spans of street lighting wire and other related work.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by said vacations 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 Rogell:

Resolved, That all of Rich Street, 50 feet wide, between Vinewood and McKinley Avenues as platted in C. F. Campau's Subdivision of W. ½ of P.C. 78 as recorded in Liber 4 Page 32 of Plats Wayne County Records, lying north of and adjoining the

northerly line of Lots 14 to 26 both inclusive, and lying south of and adjoining the southerly line of Lots 1 to 13 both inclusive, all of the above mentioned subdivision;

Also, all of Monteith Street, 50 feet wide, between Vinewood and McKinley Avenues, as platted in Austin's Subdivision of Lots 11 to 16 both inclusive, and northerly 15 feet of Lot 10 of Resubdivision of Lots 7 to 20 both inclusive in Block 3 of C. F. Campau's Subdivision of P. C. 78 as recorded in Liber 28, Page 47 of plats Wayne County Records, and as platted in Resubdivision of Lots 7 to 20 inclusive in Block 3 of C.F. Campau's Subdivision of W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 24, Page 92 of plats Wayne County Records, and as platted in C. F. Campau's Subdivision of W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 4, Page 32 of plats Wayne County Records, lying south of and adjoining the southerly line of Lots 1 to 13 both inclusive, and lying north of and adjoining the northerly line of Lots 21 to 26 both inclusive, all of the last mentioned subdivision, north of and adjoining the northerly line of Lots 17, 18, and 19, north of and adjoining the northerly line of the 18-foot public alley adjoining Lot 17, all of the Resubdivision of Lots 7 to 20 both inclusive, in Block 3 of C. F. Campau's Subdivision of W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 24, Page 92 of plats Wayne County Records, and lying north of and adjoining the northerly line of Lot 7 of Austin's Subdivision of Lots 11 to 16 both inclusive and northerly 15 feet of Lot 10 of Resubdivision of Lots 7 to 20 both inclusive in Block 3 of C. F. Campau's Subdivision of P.C. 78 as recorded in Liber 28, Page 47 of plats, Wayne County Records.

Be and the same are hereby vacated as public streets to become a part and parcel of the adjoining property subject to the following provisions.

1) Provided, an easement or right-of-way is hereby reserved for the Department of Water Supply over the entire width of vacated Rich and Monteith Streets for the purpose of maintaining, repairing, removing, or replacing the water mains located in said streets; and further

2) Provided, That no buildings or structures shall be constructed over said vacated streets without prior approval of the Department of Water Supply; and further

Resolved, That all of the east-west public alley, 20 feet wide, in the block bounded by Vinewood Avenue, Rich Street, McKinley Avenue and Monteith Street, as platted in Block 4 of C. F. Campau's Subdivision of W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 4, Page 32 of Plats Wayne County Records, lying north of and adjoining the northerly line of Lots 1 to

13 both inclusive, and lying south of and adjoining the southerly line of Lots 14 to 26, both inclusive, all of the above mentioned subdivision;

Also, All that part of the east-west public alley, 20 feet wide, between McKinley Avenue between Monteith Street and Buchanan Avenue, as platted in Block 3 of C. F. Campau's Subdivision of W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 4, Page 32 of Plats, Wayne County, lying north of and adjoining the northerly line of Lots 1 to 6 both inclusive, and south of and adjoining the southerly line of Lots 21 to 26 both inclusive, all of the above mentioned subdivision;

Also, All of the east-west public alley, 20 feet wide, east of Vinewood Avenue between Monteith Street and Buchanan Avenue, as platted in the Resubdivision of Lots 7 to 20 both inclusive, Block 3 of C. F. Campau's Subdivision of W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 24, Page 92 of Plats Wayne County Records, lying north of and adjoining the northerly line of Lots 7, 8, and 9 and lying south of and adjoining the southerly line of Lots 17, 18, and 19, all of the above mentioned subdivision;

Also, All of the north-south public alley, 18 feet wide, east of Vinewood Avenue between Monteith Street and Buchanan Avenue, as platted in Austin's Subdivision of Lots 11 to 16 both inclusive, and the northerly 15 feet of Lot 10 of Resubdivision of Lots 7 to 20 both inclusive, in Block 3 of C. F. Campau's Subdivision of P.C. 78 as recorded in Liber 28, Page 47 of Plats, Wayne County Records and as platted in the Resubdivision of Lots 7 to 20 both inclusive, in Block 3 of C. F. Campau's Subdivision of the W. $\frac{1}{2}$ of P.C. 78 as recorded in Liber 24, Page 92 of Plats Wayne County Records, lying west of and adjoining the westerly line of Lots 9 and 17, west of and adjoining the westerly line of the 20-foot alley lying between Lots 9 and 17, and lying east of and adjoining the easterly line of the southerly 28.00 feet of Lot 10, all of the last mentioned subdivision, and lying east of and adjoining the easterly line of Lots 1 to 7 both inclusive of Austin's Subdivision as recorded in Liber 28, Page 47 of Plats.

Be and the same are hereby vacated as public alleys 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 Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

April 16, 1962.

Honorable Common Council:

Gentlemen — Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated below:

Contract No. PW-4220, Description Demolition of Building—8966 Mt. Elliott, Contractor's Name C. & D. Richardson Co., Award Authorized 3-27-62.

Contract No. PW-4230, Demolition of Buildings—567-69 S. Post, Contractor's Name C. & D. Richardson Co., Award Authorized 3-27-62.

Contract No. PW-4235, Demolition of Building—13938-40 Turner, Contractor's Name C. & D. Richardson Co., Award Authorized 3-27-62.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Van Antwerp:

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

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Reconsideration

Councilman Wierzbicki 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 Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van

Antwerp, Wierzbicki and President Carey—9.

Nays—None.

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

The regular order was resumed.

Department of Public Works

April 6, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 10882, requesting the vacation of a portion of Lysander Avenue east and west of Brooklyn Avenue, Brooklyn Avenue north of Lysander Avenue, and the alleys east of Brooklyn Avenue north of Lysander Avenue. The vacation of said streets and alleys was approved by the City Plan Commission with the recommendation that sufficient land be dedicated to the City of Detroit for an alley outlet into Forest 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 issued a Purchase Order, No. 80725, in the amount of \$1,250.00, in favor of the Detroit Fire Department, to cover the costs of removing and re-routing three fire hydrants located in the streets to be vacated.

The petitioner also issued a Purchase Order No. 80726, in the amount of \$250.00, in favor of the Department of Public Works, Street Design Bureau, said amount being the original cost of paving the streets at the intersection of the streets and alleys to be vacated.

The petitioner also issued a Purchase Order No. 80727, in the amount of \$6,630.00, in favor of the Department of Public Works, Street Maintenance Division, to cover the costs of removing the paved street and alley returns, construct new curb and walk, backfill when necessary, remove two trees, construct a new paved alley return and improve the newly deeded alley.

The petitioner also issued a Purchase Order No. 80729, in the amount of \$2,000.00, in favor of the Public Lighting Commission to cover the costs of removing street lighting facilities located in the streets and alleys to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the change provided or that they have no objection to the conversion of the streets into easements, provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in said streets, and that they have no objection to the vacation of the aforementioned alleys.