

ment of Public Works, Street Maintenance Division, to cover the costs of removing a paved alley return, constructing concrete curb and walk, adjusting the asphalt pavement, installing a paved alley return, back-filling where necessary, and paving the newly dedicated alley.

The petitioner also issued a purchase order, No. 95313, in the amount of \$261.39, in favor of the Department of Public Works, Street Design Bureau, said amount being the original cost of paving the north one-half of Kercheval Avenue at the intersection of the alley to be vacated.

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

We are in receipt of a Quit Claim Deed from the petitioner to the City of Detroit deeding land for a new alley outlet into Hurlbut Avenue. 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 said vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Wierzbicki:

Resolved, That all that part of the north-south public alley, 19.54 feet wide north of Kercheval Avenue between Hurlbut Avenue and Bewick Avenue, the westerly 10 feet of said alley lying east of and adjoining the east line of Lots 213 to 222, both inclusive, east of and adjoining the east line of the south 30 feet of Lot 223, and east of and adjoining the east line of the north 11.65 feet of Lot 212, all of Water Works Subdivision of all that part of P. C. 257, east of Cadillac Boulevard and between Mack Street and Jefferson Avenue, as recorded in Liber 9, Page 91 of Plats of Wayne County Records, the easterly 9.54 feet of the said alley lying west of and adjoining the westerly line of Lots 100 to Lots 116, both inclusive, and west of and adjoining the west line of the south 18.7 feet of Lot 117 all of Bewick's Subdivision of the west $\frac{1}{2}$ of P. C. 725 between Kercheval and Mack Avenue, as recorded in Liber 23, Page 14 of Plats of Wayne County Records.

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

1) Provided, That the reason of the vacation of the above-described alley,

the City of Detroit does not waive any right 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, and further

Resolved, That the Quit Claim Deed of the Board of Education deeding land to the City of Detroit for alley purposes, said land being the north 20 feet of lot 223 of Water Works Subdivision of all that part of P. C. 257, east of Cadillac Boulevard and between Mack Street and Jefferson Avenue as recorded in Liber 9, Page 91 of Plats of 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.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department Of Public Works

October 3, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 12274, requesting the vacation of the north-south public alley between Canfield and Garfield first west of Mt. Elliott, also the east-west public alley and part of the north-south public alley east of Ellery first north of Canfield within the limits of the Williams School

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Site. The vacation of said 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. 84484, in the amount of \$6,550,000, in favor of the Public Lighting Commission to cover the costs of rerouting electric services and removing one pole necessitated by the vacation of said alleys.

The petitioner also issued a purchase order, No. 84485, in the amount of \$843.63, 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 alleys to be vacated.

The petitioner also issued a purchase order, No. 84486, in the amount of \$2,200.00, in favor of the Department of Public Works, Street Maintenance Division, to cover the costs of removing the paved alley returns, constructing new curb and walk, and backfilling where necessary at the entrances to the alley to be vacated.

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

We recommend the adoption of the attached resolution.

Respectfully submitted.

GLENN C. RICHARDS,
Commissioner.

By Councilman Wierzbicki:

Resolved, That all of the east-west public alley, 18 feet wide, east of Ellery Street, first north of Canfield Avenue, as platted in Schwartz's Subdivision of the northerly 236.20 feet of Outlot 19, Leib Farm, north of Gratiot Avenue, as recorded in Liber 16, Page 64 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 5 to 9, both inclusive, south of and adjoining the southerly line of Lot 4, and south of and adjoining the southerly line of the 20 foot alley adjoining Lot 4, all of the above mentioned subdivision.

Also, all that part of the north-south public alley, 20 feet wide east of Ellery Street, north of Canfield Avenue, as platted in Schwartz's Subdivision as recorded in Liber 16, Page 64 of Plats Wayne County Records lying east of and adjoining the easterly line of Lot 4, east of and adjoining the easterly line of the southerly 23.90 feet of Lot 3, all of the above mentioned subdivision.

Also, all of the north-south public alley, 20 feet wide, west of Mt Elliott Avenue between Canfield Avenue and Garfield Avenue, which was deeded

to the City of Detroit on January 24, 1893, being described as lying west of and adjoining the westerly line of Lots 12 to 23 both inclusive of Traugott Schmidt's Subdivision of a portion of the Leib Farm as recorded in Liber 19, Page 43 of Plats Wayne County Records, lying east of and adjoining the easterly line of Lot 1, east of and adjoining the easterly line of the 10.00 foot vacated alley adjoining Lot 1, both of Lambert's Subdivision of a portion of Outlots 21 and 22, Leib Farm as recorded in Liber 19, Page 65 of Plats, Wayne County Records, and lying east of and adjoining the easterly line of the southerly 181.90 feet of the northerly 236.20 feet of Outlot 21 of the Subdivision of the Leib Farm as recorded in Liber 45, Pages 664, 665, 666, 667 of Deeds, Wayne County Records.

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 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, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works
October 2, 1962.

Honorable Common Council:
Gentlemen—On April 12, 1960,
J.C.C. Page 611, your Honorable Body