

of Canfield Avenue between Montclair and Lemay Avenues the westerly 9.00 feet of which was platted in St. Clair Heights Eugene H. Sloman's Subdivision of that part of P. C. 387 lying north of center of Mack Avenue, Grosse Pointe (now City of Detroit), Wayne County, Michigan as recorded in Liber 18, Page 50 of Plats Wayne County Records, the easterly 10.00 feet of which was platted in Wm. E. Walsh's Walnut Hill Addition to Detroit Being Lots 13, 14, 15, 16, and 17 of Subdivision of Delorme Farm P. C. 724, Grosse Pointe (now City of Detroit) Wayne County, Michigan as recorded in Liber 19, Page 19 of Plats Wayne County Records lying west of and adjoining the westerly line of the northerly 20.00 feet of Lot 175, west of and adjoining the westerly line of Lots 176 to 189 both inclusive, west of and adjoining the westerly line of the southerly 7.57 feet of Lot 190, all of the last mentioned subdivision, and lying east of and adjoining the easterly line of Lots 57 to 71 both inclusive of the above mentioned St. Clair Heights Eugene H. Sloman's Subdivision as recorded in Liber 18, Page 50 of Plats.

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 sewers 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 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 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 re-

pair of said broken sewer.

Adopted as follows:

Yeas — Councilmen Ravitz, Rogell, Van Antwerp, Wierzbicki and President Pro Tem Patrick—5.

Nays—None.

Department of Public Works

June 28, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, Number 202, requesting the vacation of certain alleys in the block bounded by Lillibridge, Vernor, Beniteau and Kercheval Avenues. The vacation of said alleys was approved by the City Plan Commission with the recommendation that sufficient land be deeded for a new alley outlet into Beniteau 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, Number 88272, in the amount of \$4,535.00, in favor of the Department of Public Works, Street Maintenance Division, to cover the costs of removing the stone header, constructing new curb and walk, adjusting asphalt pavement, constructing new concrete alley return and paving the newly deeded alley.

The petitioner also issued a purchase order, Number 88273, in the amount of \$450.00, in favor of the Department of Public Works, Sewer Maintenance Division, to cover the costs of installing an alley catch basin at the west end of the newly deeded alley.

The petitioner also issued a purchase order, Number 89937, in the amount of \$2,450.00, in favor of the Public Lighting Commission, to cover the costs of relocating the existing overhead service to the school during construction, relocating one street light and removing four spans of street lighting wire.

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. 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 adoption.

All other City departments and privately owned utility companies reported that they will be unaffected by said vacation 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 the east-west public alley, 20 feet wide, east of Lillibridge Avenue, north of Kercheval, which was deeded to the City of Detroit on December 5, 1922, being in fact the northerly 20.00 feet of Lot 104 of Charest's Subdivision of Lot 1, Richard Lemay Estate, being Lots 7 to 12, inclusive of O'Flynn's Subdivision of P.C. 688, as recorded in Liber 12, Page 55 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property, and further:

Resolved, That all that part of the north-south public alley, 18 feet wide, north of Kercheval Avenue, east of Lillibridge Avenue, the westerly 8.00 feet of which was platted in Charest's Subdivision of Lot 1, Richard Lemay Estate, being Lots 7 to 12, inclusive, of O'Flynn's Subdivision of P.C. 688, as recorded in Liber 12, Page 55 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 89 to 103, both inclusive, east of and adjoining the easterly line of the northerly 20.00 feet of Lot 104, all of the above-mentioned subdivision; the easterly 10.00 feet of said alley which was platted in Hutton and Nall's Subdivision of Lot 6 of the Subdivision of the St. Jean Farm, being the westerly part of P.C. 26, as recorded in Liber 23, Page 76 of Plats, Wayne County Records, and as platted in Hutton and Nall's Subdivision of Lot 5, except School Lot of the Subdivision of the St. Jean Farm, Part of P.C. 26, as recorded in Liber 23, Page 82 of Plats, Wayne County Records, lying west of and adjoining the westerly line of Lots 25 to 30, both inclusive, all of the last-mentioned subdivision and lying west of and adjoining the westerly line of Lots 32 to 39, both inclusive, and west of and adjoining the westerly line of the southerly 10.00 feet of Lot 31, all of the above-mentioned Hutton and Nall's Subdivision of Lot 6, as recorded in Liber 23, Page 76 of Plats, Wayne County Records; also the easterly 10.00 feet of said public alley lying between the southerly line extended westerly of Lot 30 of Hutton and Nall's Subdivision of Lot 5, as recorded in Liber 23, Page 82 of Plats, and the southerly line of the northerly 20.00 feet of Lot 104, extended easterly, of Charest's Subdivision of Lot 1, as recorded in Liber 12, Page 55 of Plats.

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 petitioners 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 being described as: The north 20.00 feet of Lot 31 of Hutton and Nall's Subdivision of Lot 6 of the Subdivision of the St. Jean Farm, being the westerly part of P.C. 26, Village of Fairview, now City of Detroit, Wayne County, Michigan, as recorded in Liber 23, Page 76 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.

Adopted as follows:

Yeas — Councilmen Ravitz, Rogell, Van Antwerp, Wierzbicki and President Pro Tem Patrick—5.

Nays—None.

Department of Public Works

June 29, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith Petition No. 1084 of Paul Eckerle, also Petition No. 4546 of Harry T. Wood, et al, protesting the paving of Trinity from Karl to Seven Mile Road. This is a three block sector of Trinity.

There is on file Petition No. 1225 of Edward R. Karabees, et al, dated May 15, 1962, requesting the paving of Trinity from Karl to Clarita. This Petition represents a majority of the property involved in the first two blocks.

Inasmuch as several signers of the