

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 Beck:

Resolved, That all that part of the east-west public alley, 20 feet wide, east of Beechwood Avenue, between Seebaldt and Larchmont Avenues, as plated in Brooks and Kingon's Subdivision of Part of Joseph Tireman's Estate $\frac{1}{4}$ Sections No. 51 and 52, 10,000 Acre Tract and Fractional Section 3, T 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 27 Page 32 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 97 to 105 both inclusive, and south of and adjoining the southerly line of Lots 188 to 196 both inclusive, all of the above-mentioned subdivision.

Also, all that part of the east-west public alley, 20 feet wide, west of Firwood Avenue, between Seebaldt and Larchmont Avenues, as plated in Seebaldt's Subdivision of part of Joseph Tireman's Estate, $\frac{1}{4}$ Sections No. 51 and 52, 10,000 Acre Tract and Fractional Section 3, T 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 34 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 174 to 184 both inclusive, and south of and adjoining the southerly line of Lots 54 to 61 both inclusive, and south of and adjoining the southerly line of the westerly 20.00 feet of Lot 62, all of 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 alleys, 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 buildings 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 alleys, 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, said land being described as: The easterly 20.00 feet of Lot 62 of Seebaldt's Subdivision of Part of Joseph Tireman's Estate, $\frac{1}{4}$ Sections No. 51 and 52, 10,000 Acre Tract, and Fractional Section 3, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 34 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 Beck, Brickley, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works

December 21, 1961.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 9283, requesting the vacation of Illinois Street between Chene Street and Grandy Avenue, St. Joseph Street between Chene Street and Grandy Avenue, and all the alleys in the area bounded by Chene Street, Leland Street, Grandy Avenue, and Mack 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. 72304, in the amount of \$4,200.00 in favor of the Public Lighting Commission to cover the costs of removing and rerouting P.L.C. facilities necessitated by the vacation of said streets and alleys.

The petitioner also issued a purchase order, No. 72305, in the amount of \$2,686.66 in favor of the Department of Public Works, Street Design Bureau, said amount being the original costs of paving the streets at the

intersection of the streets and alleys to be vacated.

The petitioner also issued a purchase order, No. 72306, in the amount of \$13,300.00 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 walks, adjust pavement necessitated by the vacation of said streets and alleys.

The petitioner also issued a purchase order, No. 72307, in the amount of \$2,116.00 in favor of the City of Detroit, Department of Water Supply, said amount being the costs of abandoning the water mains located in the streets to be vacated.

The petitioner also issued a purchase order, No. 72308, in the amount of \$2,000.00 in favor of the Detroit Fire Department, said amount being the costs of removing and relocating three fire hydrants necessitated by the vacation of said streets and alleys.

Proper provisions are incorporated into the vacating resolution, protecting the City's interests in the sewers 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 vacation of said streets and alleys or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

Resolved, That all of the north-south public alley, 20 feet wide, east of Chene Street, between Illinois and Leland Streets, as platted in P. Chene's Subdivision of Lot 8, Chene Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 6, Page 42 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 1 to 7, both inclusive, and lying west of and adjoining the westerly line of Lots 8 and 36, west of and adjoining the westerly line of the 20 foot public alley lying between Lots 8 and 36, all of the above-mentioned subdivision.

Also, all of the north-south public alley, 20 feet wide, west of Grandy Avenue between Illinois and Leland Streets as platted in P. Chene's Subdivision of Lot 8, Chene Farm, as recorded in Liber 6 Page 42 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 18 and 26, east of and adjoining the easterly line of the 20 foot public alley lying between Lots 18 and 26, and lying west of and adjoining the westerly line of Lots 19 to 25 both inclusive, all of the above-mentioned Subdivision.

Also all of the east-west public alley 20 feet wide, in the block bounded by Chene Street, Leland Street, Grandy Avenue, and Illinois Street, as platted in P. Chene's Subdivision of Lots 8, Chene Farm, as recorded in Liber 6, Page 42 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 8 to 18 both inclusive, and south of and adjoining the southerly line of Lots 26 to 36 both inclusive, all of the above-mentioned Subdivision.

Also, all of the north-south public alley, 20 feet wide, east of Chene Street between Mack Avenue and St. Joseph Street, as platted in Felicite and Rosalie Chene's Subdivision of Outlots 12 and 6, Chene Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 50 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 1 to 7 both inclusive, west of and adjoining the westerly line of Lots 8 and 36, and west of and adjoining the westerly line of the 20 foot wide public alley lying between Lots 8 and 36, all of the above mentioned Subdivision.

Also, all of the north-south public alley, 20 feet wide, west of Grandy Avenue, between Mack Avenue and St. Joseph Street, as platted in Felicite and Rosalie Chene's Subdivision of Outlots 12 and 6, as recorded in Liber 5, Page 50 of Plats, lying east of and adjoining the easterly line of Lots 18 and 26, east of and adjoining the easterly line of the 20 foot public alley lying between Lots 18 and 26, and lying west of and adjoining the westerly line of Lots 19 to 25 both inclusive, all of the above-mentioned Subdivision.

Also, all of the east-west public alley, 20 feet wide, in the block bounded by Chene Street, St. Joseph Street, Grandy Avenue, and Mack Avenue, as platted in Felicite and Rosalie Chene's Subdivision of Outlots 12 and 6, and recorded in Liber 5, Page 50 of Plats, lying south of and adjoining the southerly line of Lots 26 to 36 both inclusive, and lying north of and adjoining the northerly line of Lots 8 to 18 both inclusive, all of the above-mentioned Subdivision.

Also, all of Illinois Street, 50 feet wide, between Chene Street and Grandy Avenue, the northerly 25 feet of said Illinois Street as platted in P. Chene's Subdivision of Lot 8, Chene Farm, as recorded in Liber 6, Page 42 of Plats lying south of and adjoining the southerly line of Lots 7 to 19 both inclusive, south of and adjoining the southerly line of the 20 foot public alley lying between Lots 7 and 8, and south of and adjoining the southerly line of the 20 foot public alley lying between Lots 18 and 19, all of the above-mentioned Subdivision; the southerly 25 feet of said Illinois

Street as platted in Hopkins and Cowles Subdivision of Block 7, Chene Farm as recorded in Liber 15, Page 77 of Plats lying north of and adjoining the northerly line of Lot 1 north of and adjoining the northerly line of Lots 26 to 36 both inclusive, north of and adjoining the northerly line of Lot 25, north of and adjoining the northerly line of the 20 foot vacated alley lying between Lots 1 and 36, and lying north of and adjoining the northerly line of the 20 foot vacated alley lying between Lots 25 and 26, all of the above-mentioned Hopkins and Cowle's Subdivision.

Also, all of St. Joseph Street, 50 feet wide, between Chene Street and Grandy Avenue, the north 25 feet of said St. Joseph Street as platted in Hopkin's and Cowle's Subdivision of Block 7, Chene Farm as recorded in Liber 15, Page 77 of Plats, lying south of and adjoining the southerly line of Lots 7 to 19 both inclusive, south of and adjoining the southerly line of the 20 foot vacated alley lying between Lots 7 and 8, and south of and adjoining the southerly line of the 20 foot vacated alley lying between Lots 18 and 19, all of the above-mentioned Subdivision; the south 25 feet of St. Joseph Street, as platted in Felicite and Rosalie Chene's Subdivision of Outlots 12 and 6, Chene Farm as recorded in Liber 5 Page 50 of Plats lying north of and adjoining the northerly line of Lot 1, north of and adjoining the northerly line of Lots 25 to 36 both inclusive, north of and adjoining the northerly line of the 20 foot public alley lying between Lots 1 and 36 and north of and adjoining the northerly line of the 20 foot public alley lying between Lots 25 and 26, all of the above-mentioned Felicite and Rosalie Chene's Subdivision.

Be and the same are hereby vacated as public streets and 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 streets and alleys, 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 Department of Engineering;

4. Provided, That in the event that the sewer located in said streets and alleys, 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.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—7.
Nays—None.

Department of Public Works

December 26, 1961.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of Malcolm Z. Leventen, No. 9615, requesting the vacation of the north-south public alley north of Chippewa Avenue, between Prest Avenue and James Couzens Highway. The vacation of said 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.

As per our directive, the petitioner deposited with the City Treasurer the sum of \$431.60, Receipt No. B-24414, credited to the Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the east one-half of Prest Avenue at the intersection of the alley to be vacated.

The petitioner also deposited with the Permit Division of the Department of Public Works the sum of \$1,885.00, Receipt No. GR-7116, said amount being the estimated cost of removing the paved alley return, constructing new curb and walk, adjusting manhole and backfilling where necessary at the entrance of the alley to be vacated and constructing new concrete return and walk and removing tree at entrance to recently dedicated new alley, (October 23, 1961, J.C.C. Page 2247).

An easement is reserved in the vacating resolution for the Public Lighting Commission for the maintenance of its installations located in the alley to be vacated.

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

All other City departments and privately owned utility companies