

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 City Buildings and Safety Engineering; and

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

reported that they will be unaffected by the vacation of said alley 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 of the north-south public alley, 20 feet wide, west of and parallel to James Couzens Highway between Prest and Chippewa Avenues, as platted in San Bernardino Park Subdivision No. 3, being a subdivision of the South 1/2 of the Northwest 1/4 of Section 6, T. 1 S., R. 11 E., Greenfield Township, now City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 23 of Plats, Wayne County Records, lying west of and adjoining the westerly line of Lots 1107 to 1120, both inclusive and lying east of and adjoining the easterly line of Lots 1205 and 1206, 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) An easement or right-of-way is hereby reserved in and over the vacated alley heretofore mentioned for the purpose of maintaining, repairing, removing, or replacing the Public Lighting Commission's facilities located in said alley.

2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval therefor is obtained from the Public Lighting Commission.

3) Provided, That by reason of the vacation of the above-described alley the City of Detroit does not waive any rights to the sewers located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewers to repair, alter, or service same; and further

4) Provided, That if a building is to be constructed over said sewers, 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

5) Provided, That no buildings shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of

Buildings and Safety Engineering; and further

6) Provided, That in the event that the sewers 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 sewers waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewers.

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 — The Department of Public Works recommends the cancellation of the following sidewalk assessments, same having been paid on Accounts Receivable Bills:

Roll 11-G-1, Lot 149, E.S. Dequindre bet. Emery and Lantz, Cancel \$55.40, Receipt No. 31682, Item No. 16479, Treas. Receipt No. 13481.

Roll 11-G-2, Lot 150, E.S. Dequindre bet. Emery and Lantz, Cancel \$55.40, Receipt No. 31683, Item No. 16480, Treas. Receipt No. 13480.

Roll 11-G-8, Lot 120, E.S. Dean bet. Nevada and Stockton, Cancel \$452.50, Receipt No. 31684, Item No. 19988, Treas. Receipt No. 19374.

Summary: Roll 11-G—\$563.30.

Roll 12-G-3, Lot 194 & S. 15 Ft. of Lot 193, W.S. Binder bet. Lantz and Emery, Cancel \$57.70, Receipt No. 31986, Item No. 21355, Treas. Receipt No. 19519.

Summary: Roll 12-G—\$57.70.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

Resolved, That on recommendation of the Department of Public Works, the City Treasurer be and he is hereby authorized to cancel sidewalk assessments, as set forth in the communication of the Commissioner.

Adopted as follows:

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

Nays—None.

Department of Public Works

January 3, 1962.

Honorable Common Council:

Gentlemen—May we have the permission of your Honorable Body to enter into a contract with Michael J. Ferrantino for a landfill in Farmington Township, Oakland County, Michigan.

After we receive your permission, we will draw up the contract, submit it to the Controller and Corporation Counsel, then present it to your Hon-