

be approved, that your previous order to pave this alley be rescinded, and that the existing paving Contract PW-4063W be cancelled.

Respectfully submitted,  
**GLENN C. RICHARDS,**  
 Commissioner.

By Councilman Beck:

Resolved, That the majority protest Petition No. 4735 be and the same is hereby approved; and be it further

Resolved, That the portion of the communication and resolution adopted March 13, 1962, J.C.C. pages 491 and 492, ordering the paving of the east-west alley bounded by Dequindre, Goddard, McLean, and Meade, be and the same is hereby rescinded; and be it further

Resolved, That Contract PW-4083W for the paving of the aforementioned alley be and the same is hereby cancelled for the reasons set forth in the foregoing communication.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Patrick, Ravitz, Rogell, Van Antwerp and President Pro Tem Connor—7.  
 Nays—None.

**Department of Public Works**  
 June 17, 1963.

Honorable Common Council:

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

Contract No. ZO-42X—Building Alteration, Elephant and Veldt Buildings, Barton-Harborne Co., Award Authorized 5-28-63.

Contract No. ZO-45—Heating Plant, Rehabilitation Lion House, Bruce Wigle Plumbing & Heating Company, Award Authorized 5-28-63.

Respectfully submitted,  
**CLYDE L. PALMER,**  
 City Engineer.

By Councilman Beck:

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

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Patrick, Ravitz, Rogell, Van Antwerp and President Pro Tem Connor—7.  
 Nays—None.

**Department of Public Works**  
 June 5, 1963.

Honorable Common Council:

Gentlemen—We wish to advise that in carrying out the development plan for the blighted area known as the Central Business District Project No. 3, which is being undertaken by the City, pursuant to Act 344 of Public Acts of 1945, as amended, the Detroit Housing Commission (5003), has requested the vacation of the remaining street and alleys within the limits of said project.

The Detroit Edison Company has reported that it has lines and poles in the alleys to be vacated and has

submitted an estimate of \$5,708.00, as its cost of removing and rerouting their installations from the alleys to be vacated within the limits of said project.

Your Honorable Body may make provisions for the relocation of the lines and poles of the Detroit Edison Company in the streets located near the street and alleys to be vacated.

The Corporation Counsel contends that these relocating costs are not chargeable against the City. The case involving the liability of the City for these costs is now pending in the Michigan Supreme Court.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street and alleys.

In view of the foregoing, it will be necessary to adopt a resolution vacating the aforementioned street and alleys and directing the Detroit Edison Company to remove their lines and poles therefrom.

Respectfully submitted,  
**GLENN C. RICHARDS,**  
 Commissioner.

Approved:

**ROBERT REESE,**  
 Corporation Counsel.

By Councilman Brickley:

Whereas, The City is undertaking the rehabilitation of a blighted area known as the Central Business District No. 3, pursuant to Act 344 of Public Acts of 1945, as amended, and

Whereas, in order to carry out the development plan for the project, it is necessary among other things for the City of Detroit to vacate the following street:

All that part of Madison Avenue, 50 feet wide, west of the Walter P. Chrysler Freeway Right-of-Way, as platted in the Plat of the Front of Charles Moran Farm, as recorded in Liber 10, Pages 3 and 5 of City Records, lying north of and adjoining the northerly line of Lots 3 to 7, both inclusive, south of Madison Avenue, and lying south of and adjoining the southerly line of Lots 4 to 7, both inclusive, north of Madison Avenue, and south of and adjoining the southerly line of the westerly 26.50 feet of Lot 3, north of Madison Avenue, all of the above mentioned subdivision;

Also, All that part of Madison Avenue, 50 feet wide, east of Gratiot Avenue, as platted in the Plat of the Antoine Beaubien Farm, as recorded in Liber 27, Page 197 of Deeds Wayne County Records, more particularly described as follows: Beginning at the northeast corner of Lot 1, south of Madison Avenue, of the above mentioned subdivision, thence northerly along the east line of said Lot 1 extended, 72.98 feet to a point in the southerly line of Gratiot Avenue, 120 feet wide; thence southwesterly along the southerly line of Gratiot Avenue

to a point on the south line of Madison Avenue, 50 feet wide, thence easterly along the southerly line of Madison Avenue, 119.87 feet to the place of beginning.

Be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property subject to the following reservations:

1) Underground easements are hereby reserved within the right-of-way of said street hereinabove described for public utilities.

2) The right of ingress and egress to and over said easements for the purpose of installing, maintaining, repairing, removing or replacing public utilities.

3) Public utilities shall not be installed on surface but only underground and no buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easements, and further,

Resolved, That the Detroit Edison Company is hereby directed to remove all their overhead poles and wires from the vacated street without expense to the City within thirty days after receipt of a copy of this resolution; and be it further,

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company, a certified copy of the resolution; and further

Resolved, That all of the north-south public alley, 16 feet wide, north of Madison Avenue, east of Gratiot Avenue which was opened through condemnation proceedings on February 21, 1894, being in fact the westerly 1600 feet of Lot 4, north of Madison Avenue, of the Plat of the Front of the Charles Moran Farm as recorded in Liber 10, Pages 3 and 5 of City Records;

Also, All of the east-west public alley, 16 feet wide, north of Madison Avenue, east of the Walter P. Chrysler Freeway Right-of-Way which was opened through condemnation proceedings on February 21, 1894, being in fact the southerly 8.00 feet of Lot 10, and the northerly 8.00 feet of the easterly 38.30 feet of Lot 4, north of Madison Avenue, all of the Plat of the Front of Charles Moran Farm as recorded in Liber 10, Pages 3 and 5 of City Records;

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property; and be it further,

Resolved, That upon the proper application, the Department of Public Works shall issue to the Detroit Edison Company permits to relocate their poles and lines from the vacated alleys to public streets or alleys most conveniently located in reference to the vacated alleys and consistent with the public health, safety, convenience, and general welfare, and be it further

Resolved, That the Detroit Edison

Company is hereby directed to remove all their poles and lines from the vacated alleys without expense to the City within thirty days after receipt of a copy of this resolution; and be it further

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Patrick, Ravitz, Rogell, Van Antwerp and President Pro Tem Connor—7.  
Nays—None.

#### Department of Public Works

June 6, 1963.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting conversion into easements of the alleys described in the attached resolution.

The conversion of the alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are completed. In reply to our inquiries, all City departments and privately owned utility companies reported that they have no objections to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolution protecting their interest in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Brickley:

Resolved, That all of the north-south public alley, 18 feet wide, west of Ryan Avenue and south of Alpha Avenue as platted in Ryan Park Subdivision of Part of the S.E.  $\frac{1}{4}$  of Fractional Section 7, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan as recorded in Liber 50, Page 30 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lot 128 and west of and adjoining the westerly line of Lots 129 and 131, both inclusive, all of the above mentioned subdivision. (Perfection Pattern and Manufacturing Co., Petition No. 822).

Also, all of the north-south public alley, 16 feet wide, east of Greystone Avenue and south of Schoolcraft Avenue as platted in B. E. Taylor's Brightmoor Gardner Subdivision lying South of Grand River Avenue being a Part of the N.W.  $\frac{1}{4}$  of Section 27, T. 1 S., R. 10 E., Redford Township, (Now City of Detroit), Wayne County, Michigan, as recorded in Liber 47, Page 64 of Plats, Wayne County Records, lying southeast of and adjoining the south-easterly line of Lots 815 to 822, both inclusive, northwest of and adjoining