

sion of that part of the Brush Farm lying between the south line of Alexandrine Avenue and the north line of Brady Street as recorded in Liber 9, Page 62 of Plats Wayne County Records, lying between the northerly and southerly lines extended easterly of the 10.00 foot alley, south of Alexandrine, east of John R. of the Subdivision of Park Lot 26, as recorded in Liber 1, Page 268 of Deeds, Wayne County Records.

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 reservations:

1) Underground public easements are hereby reserved within the right-of-way of said streets and alleys hereinabove described for public utility purposes.

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 and the Michigan Bell Telephone Company are hereby directed to remove all their overhead poles and wires from the vacated streets and alleys without expense to the City within thirty (30) days after receipt of a copy of this resolution; and further

RESOLVED, That the City Clerk is hereby directed to mail to the Detroit Edison Company, and the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company, a certified copy of this resolution; and be it further

RESOLVED, That all of the east-west public alley, 15.00 feet wide, west of John R. Street, south of Martin Place, the northerly 10.00 feet as platted in Harper Hospital's Subdivision of the West part of Park Lots 24 and 25, as recorded in Liber 8, Page 53 of Plats, Wayne County Records lying south of and adjoining the southerly line of Lots 14 to 20, both inclusive, south of and adjoining the southerly line of Lot 13, except the portion taken for the widening of John R. Street, 84 feet wide, all of the above-mentioned subdivision; the southerly 5.00 feet of said alley as platted in Woodward Avenue Terrace Subdivision of Part of Park Lot 23, as recorded in Liber 19, Page 27 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 1 to 9, both inclusive, north of and adjoining the northerly line of Lot 10, except the portion taken for the widening of John R. Street, 84 feet wide, all of the last mentioned subdivision;

Also all of the north-south public

alley, 20 feet wide, east of Woodward Avenue, south of Martin Place, as platted in Harper Hospital's Subdivision of the West Part of Park Lots 24 and 25, as recorded in Liber 8, Page 53 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 21 to 24, both inclusive, west of and adjoining the westerly line of Lots 20, west of and adjoining the westerly line of the northerly 10.00 feet of the 15.00 foot alley adjoining Lot 20, all of the above-mentioned subdivision, and further

RESOLVED, That all of the above described alleys 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, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company permits to re-locate their pipes, poles and lines from the vacated alleys to public streets 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, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and wires from the vacated alleys without expense to the City within thirty (30) 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, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company, a certified copy of this resolution.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

#### Department of Public Works

June 27, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of George E. Argo, et al, No. 2811, requesting the vacation of a portion of the north-south public alley in the block bounded by Warren, Anatole, Mack and Opal Avenues. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Mack 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 deposited with the City Treasurer,

the sum of \$715.00, Receipt No. C-33142, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of removing and relocating P.L.C. facilities located in the alley to be vacated.

The petitioner also deposited with the City Treasurer, the sum of \$425.00, Receipt No. C-33144, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of rerouting Police and Fire communication circuits located in the alley to be vacated.

The petitioner also paid into the City Treasury the sum of \$192.22, Receipt No. C-33-143, credited to the Department of Public Works Fund Code No. 143-6241, said amount being the original cost of paving the south one-half of Anatole Avenue at the intersection of the alley to be vacated.

The petitioner has requested that the paved alley return remain in its present status as the petitioner plans to utilize same and has agreed by letter to pay all costs incidental to the removal of the return at such time in the future as the removal becomes necessary.

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 Warranty Deed from Roberta Ann Kern, owner of record of property to be deeded to the City of Detroit for alley purposes in accordance with the City Plan Commissions recommendation. 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 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 that part of the north-south public alley, 18 feet wide, in the block bounded by Warren, Anatole, Mack and Opal Avenues as platted in Sunny Side Sites Subdivision of a part of P.C. 122 and 404, Townships of Grosse Pointe and Gratiot (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 57 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lot 70, west of and adjoining the westerly line of Lots 64 to 69 both inclusive, 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 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 pipes of the same size, rerouted or enclosed 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 at any time in the future the removal of the paved alley return, at the entrance of the alley to be vacated becomes necessary, the entire cost of such removal shall be paid for by the owners of Lots 69 and 70 of Sunny Side Sites Subdivision as recorded in Liber 42, Page 57 of Plats Wayne County Records; and further

RESOLVED, That the Warranty Deed of Roberta Ann Kern, deeding land to the City of Detroit for alley purposes being described as: Lot 63 of Sunny Side Sites Subdivision of a part of Private Claims 122 and 404, Townships of Grosse Pointe and Gratiot, Wayne County, Michigan, as recorded in Liber 42, Page 57 of Plats Wayne County Records, (except that part taken for Mack Avenue widening), be and the same is hereby accepted and the City Controller is hereby directed to records said deed in the Office of the Register of Deeds for Wayne County; and further

Resolved, That the owner, heirs, successors or assigns of Lot 64 of Sunny Side Sites Subdivision as recorded in Liber 42, Page 57 of Plats Wayne County Records shall make all necessary physical improvements to the newly deeded alley by private

contract under City specifications and inspection and to pay all costs for said improvements; and further

**RESOLVED**, That when it becomes necessary to pave the above-mentioned newly deeded alley, all costs for paving said alley shall be assessed to the owner, heirs, successors, or assigns of Lot 64 of Sunny Side Sites Subdivision.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

**Department of Public Works**

July 1, 1963.

Honorable Common Council:

Gentlemen — On June 18, 1963, J.C.C. Pages 1595-1596, your Honorable Body approved Petition No. 4542 of Beecher Peck & Lewis Papers, Inc., resolving that refund be made to the petitioner in accordance with the above resolution.

Upon further checking out the permits listed, we find that Items 1 and 5 of the resolution are duplicated. It is, therefore, requested that your Honorable Body amend the resolution deleting Item 5. This will result in a reduction in the total refund from \$399.00 to \$357.00.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Beck:

Resolved, That resolution adopted June 18, 1963, (JCC p. 1595-96), authorizing a total refund of \$399.00 to Beecher Peck & Lewis Papers, Inc., on curb reset deposits, be and the same is hereby amended for the purpose of deleting duplicate Items No. 5 in amount of \$42.00, to reduce the total refund to \$357.00 in accordance with the foregoing communication.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

**Department of Public Works**

July 1, 1963.

Honorable Common Council:

Gentlemen—On April 2, 1963, J.C.C. Pages 747-49, your Honorable Body approved the vacation of Elizabeth Street east of Hastings.

The Stroh Brewing Company has two encroachment bonds on file as follows:

(1) Tunnel under Elizabeth Street, J.C.C. Page 513, dated March 20, 1956.

(2) Pneumatic tube line across Elizabeth Street, J.C.C. Page 570, dated March 27, 1956.

Inasmuch as this street has been vacated, it is recommended that the above resolution be rescinded, and that your Honorable Body direct the Office of the City Controller to cancel bonds presently on file, in accordance

with established procedure.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Beck:

Resolved, That in accordance with the foregoing communication, resolution adopted March 20, 1956, (JCC p. 513), granting petition of the Stroh Brewery Co. (8302), for tunnel encroachment under Elizabeth St., and resolution adopted March 27, 1956, (JCC p. 570), granting petition of the Stroh Brewery Co. (8373), to install a pneumatic tube system line across E. Elizabeth St., be and the same are hereby rescinded, and the City Controller is hereby authorized and directed, in accordance with established procedure, to cancel the bonds filed pursuant to said resolutions.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

**Department of Public Works**

May 29, 1963.

Honorable Common Council:

Gentlemen — The Department of Public Works has recently reorganized the supervisory structure involved in waste disposal operations. In this connection, the Civil Service Commission conducted a survey of the various positions and took action on May 14, 1963, allocating them to classifications commensurate with their responsibilities.

Upon the retirement of the Engineer of Waste Disposal, Mr. Joseph Presti, General Foreman of Street Sanitation, was placed in full charge of the operation and maintenance of the four city incinerator plants under the general direction of the Superintendent of Street Sanitation. This position has been allocated to a newly adopted class of Senior Incinerator General Foreman, for which an annual rate of \$9,671 is recommended.

The operation of brush burner plants, dump sites, and relay and transfer stations has been placed under the control of Mr. William Berger, Supervisor of Rubbish Disposal, who also functions under the general direction of the Superintendent of Street Sanitation. Mr. Berger's duties and responsibilities have been allocated to the class of General Foreman of Street Sanitation.

Mr. Berger's immediate assistant in supervising disposal operations is Mr. William Herling, Street Sanitation Foreman, whose position has been allocated to the class of Senior Street Sanitation Foreman.

In order to allow for the changes in titles for the personnel involved to be effective July 1, 1963, it is respectfully requested that your Honor-