

three petitions. They are Faust, from Weaver to dead end west of Weaver, and Rosemont, from Weaver to dead end west of Weaver. These streets were originally scheduled for paving during this construction season.

The City Plan Commission, the Department of Public Works, and other interested departments will, of necessity, need several weeks to determine the petitioner's request for rezoning and street closings in the area. Changes in the existing street pattern within this area will materially affect the proposed paving design of Weaver from Plymouth to Ashton.

It is, therefore, the Department's recommendation that the paving of these streets be held in abeyance until a final recommendation has been made and approved regarding the proposed rezoning and street closings in the area.

It is also recommended that any decision on the petitions from Weaver Warehouse Corporation, et al, and John P. Fitzpatrick, et al, be postponed for the same reasons.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Patrick:

Resolved, That Petition No. 4103 from the Dolan Corporation, requesting delay in the proposed paving of Weaver from Plymouth to Ashton until the proposed rezoning and street closings in the area are determined, be and the same is hereby approved, and be it further

Resolved, That Petition No. 3962 and 4036 of Weaver Warehouse Corporation, et al, and John P. Fitzpatrick, et al, protesting the paving of Weaver, Rosemont and Faust be held in abeyance until a final decision is made regarding the proposed rezoning and street closings in the area in question.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Department of Public Works
April 2, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Kirk's Carburetor Co., et al, No. 3902, requesting the vacation of the public easements south of Tireman Avenue west of Central Avenue. The vacation of said easements 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 paid into the City Treasury, the sum of \$205.58, Receipt No. A-38953, credited to the Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the west one half of Central Avenue at the

intersection of the easements to be vacated.

The petitioner requested that the paved alley return at the entrance to the easement to be vacated remain in its present status as the petitioner plans to utilize same and has agreed by letter filed with the original petition 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 easements to be vacated.

All other City departments and privately owned utility companies and reported that they will be unaffected by the vacation of said easements 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 Patrick:

Resolved, That all of the east-west public easement, 18 feet wide, south of Tireman Avenue, west of Central Avenue, lying south of and adjoining the southerly line of Lots 1 to 6 both inclusive, north of and adjoining the northerly line of Lot 7, north of and adjoining the northerly line of the 26.37 foot easement adjoining Lot 7, all of Pitko's Subdivision of Lot 24 of Fox and Quinn's Subdivision of west 49 acres of S.E. ¼ of Sec. 4, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 39, Page 36 of Plats, Wayne County Records;

Also all of the north-south public easement, 26.37 feet wide, south of Tireman Avenue, west of Central Avenue, lying west of and adjoining the westerly line of Lots 7 to 9 both inclusive, of Pitko's Subdivision of Lot 24 of Fox and Quinn's Subdivision of West 49 acres of S.E. ¼ of Sec. 4, T. 2 S., R. 11 E., City of Detroit; Wayne County, Michigan, as recorded in Liber 39, Page 36 of Plats, Wayne County Records.

Be and the same are hereby vacated as public easements to become a part and parcel of the adjoining property, subject to the following provisions:

Provided, That by reason of the vacation of the above-described easement, 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 sewer, to repair, alter, or service same; and further

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

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

Provided, That in the event that the sewer located in said easement, 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 easement to be vacated becomes necessary, the entire cost of such removal shall be paid by the petitioners, their heirs, executors, administrators, and assigns.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Department of Public Works

April 3, 1963.

Honorable Common Council:

Gentlemen—A portion of the resolution adopted by your Honorable Body on March 27, 1962, J.C.C. Pages 590-592, vacating certain alleys in the Central Business District Project No. 3, as per request of the Detroit Housing Commission, shall be amended for the purpose of correcting the omission of a portion of the alley to be vacated.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Patrick:

Resolved, That the last two paragraphs of the resolution adopted on March 27, 1962, J.C.C. Pages 590-592, as per request of the Detroit Housing Commission, vacating certain alleys in the Central Business District Project No. 3 be amended to read as follows: All that part of the east-west public alley, 20 feet wide, east of St. Antoine Street, between Larned Street and Congress Street which was opened through condemnation proceedings on December 8, 1869, being in fact the northerly 10.00 feet of Lot 7, the northerly 10.000 feet of Lot 6, except that portion taken for the opening of new Congress Street, 70 feet wide, north of Larned Street, and being the

southerly 10.00 feet of Lot 7, except the portion taken for the opening of new Congress Street, 70 feet wide, south of Congress Street, all 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 that part of the east-west public alley, 20 feet wide west of Hastings Street between Larned Street and Congress Street, which was opened through condemnation proceedings on December 8, 1869, being in fact the northerly 10.00 feet of Lots 1 and 2, and the northerly 10.00 feet of Lot 3, except the portion taken for the opening of new Congress Street, 70 feet wide, north of Larned Street, and being the southerly 10.00 feet of Lots 1, 2 and 3, and the southerly 10.00 feet of Lot 4, except the portion taken for the opening of new Congress Street, all of the Plat of the front of the Charles Moran Farm as recorded in Liber 10, Pages 3 and 5 of City Records;

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

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Department of Public Works

April 2, 1963.

Honorable Common Council:

Gentlemen—On January 29, 1963, your Honorable Body approved the confirmation of certain demolition contracts, among which was Contract PW-4449 (J.C.C. 196).

The location was erroneously listed as 4062 Twenty-third, whereas the correct address is 4062 Thirty-third. This error was not caught until the final payment was approved on March 12, 1963 (J.C.C. 529).

It is requested that the necessary adjustments be made.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Patrick:

Resolved, That resolution adopted January 29, 1963 (J.C.C. p. 196), confirming various building demolition contracts as outlined in the foregoing communication from the Department of Public Works, be and the same is hereby amended for the purpose of correcting location shown as 4062 Twenty-third to read 4062 Thirty-third.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—8.

Nays—None.

Department of Public Works

April 3, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Edward C. Levy Co. et al, No. 1F75, requesting