

browski & Assoc., Inc.; Award Authorized: 3-3-64.

Contract No. PW-5298 — Location: 5973 Hecla; Contractor's Name: Atomic Lumber & Wrkg. Co.; Award Authorized: 3-10-64.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

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

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

Department of Public Works

March 12, 1964.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of White Pine Sales Company, et al, No. 5282, requesting the conversion into public easements the alleys located north of Fitzpatrick Avenue west of Brace Avenue. The conversion of said alleys into 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.

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.

The petitioner has requested that the paved alley return at the entrance of the alley 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.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Ravitz:

Resolved, That all of the east-west public alley, 20 feet wide, north of Fitzpatrick Avenue west of Brace Avenue, as platted in Emerson Park Subdivision of part of the N.E. ¼ of Section 25, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan as recorded in Liber 55 Page 45 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 583 to 590, both inclusive, all of the above mentioned subdivision.

Also, all that part of the north-

south public alley, 20 feet wide, north of Fitzpatrick Avenue west of Brace Avenue as platted in Emerson Park Subdivision as recorded in Liber 55 Page 45 of Plats Wayne County Records lying west of and adjoining the westerly line of the northerly 199.82 feet of Lot 590, west of and adjoining the westerly line of the public alley, 20 feet wide, adjoining Lot 590, east of and adjoining the easterly line of the northerly 223.43 feet of Lot 591, all of the above mentioned subdivision.

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations, and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their grantees and assigns, and their heirs, executors, administrators, and assigns forever, to-wit:

First, said owners hereby grant to and for the use of the public and easement of right-of-way over said vacated public alleys hereinabove describe for the purpose of installing, maintaining, repairing, removing, or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purposes above set forth;

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon said easements;

Third, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners upon whose property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation, unless such charges are waived by the utility owners; and further

Resolved, That at any time in the future the removal of the paved alley return to the entrance of the alley to be vacated adjoining Lots 590 and 591 of Emerson Park Subdivision as recorded in Liber 55 Page 45 of Plats Wayne County Records become necessary, the entire cost of such removal shall be paid by White Pine Sales Company, its heirs, executors, administrators or assigns.

Adopted as follows:

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

Nays—None.