

Yeas — Councilmen Beck, Brickley, Connor, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.
Nays—None.

Department of Public Works

October 6, 1964.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the J. L. Hudson Company, No. 8321, requesting the vacation of the east-west public alley and alley turn-around in the block bounded by Beaubien, Adams, St. Antoine and Beacon Streets. The vacation of said alley and alley turn-around 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 will be unaffected by the vacation of said alley and alley turn-around or that they have made 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 Ravitz:

Resolved, That all that part of the east west public alley, 20 feet wide, west of St. Antoine Street between Beacon and Adams Street as platted in the Plat of Crane and Wessons Section of the Antoine Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 35 Page 201½ of Deeds Wayne County Records lying north of and adjoining the northerly line of Lots 23 to 25, both inclusive, south of and adjoining the southerly line of Lots 32 to 34, both inclusive, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of Beaubien Street between Beacon and Adams Streets as platted in the Subdivision of Outlot 173, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 35, Page 201 of Deeds Wayne County Records lying north of and adjoining the northerly line of Lots 18 to 20, both inclusive, south of and adjoining the southerly line of Lots 27 to 29 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; and further

Resolved, That all of the alley turn-around east of Beaubien Street between Beacon and Adams Streets which was dedicated to the City of Detroit on September 10, 1963, J.C.C. Page 2314 being in fact the southerly 15.00 feet of Lot 27 of the Subdivision of Outlot 173, Lambert Beaubien

Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 35 Page 201 of Deeds Wayne County Records.

Be and the same is hereby vacated as a public alley turn-around to become a part and parcel of the adjoining property; and further

Resolved, That the City Controller is hereby authorized and directed to issue Quit Claim Deed to the J. L. Hudson Company, a Michigan Corporation, to the above mentioned vacated alley turn-around and that the Corporation Counsel is directed to prepare said deed.

Adopted as follows:

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

Nays—None.

Department of Public Works

October 1, 1964.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Ross Chemical and Manufacturing Company, No. 8791, requesting the vacation of a portion of the east-west public alley, 15 feet wide, east of Harbaugh Avenue between Melville Avenue and South Street. The vacation of said portion of 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in the sewer located in the portion of alley to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said portion of alley and that they have reached satisfactory agreements with petitioner regarding their installations located therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Ravitz:

Resolved, That all that part of the east-west public alley 15 feet wide, east of Harbaugh Avenue between Melville Avenue and South Street as platted in James F. Joy's Subdivision South of the W., St. L. and P. R. R., Private Claim 340, City of Detroit, Wayne County, Michigan as recorded in Liber 12 Page 98 of Plats Wayne County Records lying north of and adjoining the northerly line of the westerly 20.00 feet of Lot 51, south of and adjoining the southerly line of the westerly 20.00 feet of Lot 157, 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) That by reason of the vacation of the above property, 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 sewer to repair, alter or service same; and further

(2) 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

(3) 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 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 petitioner, their successors, or assigns; and further

(4) Provided, In the event that the sewer located in said property shall break, causing damage to any construction, property or materials above the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

(5) Provided, That if the sewer located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assigns, (by way of illustration but not limitation, such as storage of excessive weights of materials, or any construction not in accord with provision 2, mentioned above) then in such event, the petitioner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewer.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 28, 1964.

Honorable Common Council:

Gentlemen — We wish to advise that in carrying out the development plan for the rehabilitation of the blighted area which is known as the Medical Center Project No. 2, Michigan R-52, which is being undertaken by the City pursuant to Act 344 of Public Acts of 1945, as amended, the Detroit Housing Commission (Petition No. 9303), has requested the vacation of Willis Avenue between Brush Street and the Walter P. Chrysler Expressway and certain public alleys all being within the limits of the above-mentioned project.

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

and has submitted an estimate of \$11,768.00, as its cost of removing and rerouting its installations.

The Michigan Bell Telephone Company has reported that it has lines and poles in the street and alleys to be vacated and has submitted an estimate of \$2,500.00, as its cost of removing and rerouting its installations.

Your Honorable Body may make provisions for the relocation of the lines and poles of the Detroit Edison Company and the Michigan Bell Telephone Company in 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 City departments 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 and the Michigan Bell Telephone Company to remove their installations therefrom.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:

THOMAS H. GALLAGHER,
Acting Corporation Counsel.

By Councilman Ravitz:

Whereas, The City is undertaking the rehabilitation of a blighted area known as the Medical Center Project No. 2, Michigan R-52, pursuant to Act 344 of the 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 to vacate the following street and alleys:

All that part of the east-west public alley, 20 feet wide, east of John R. Street between Willis and Canfield Avenues lying north of and adjoining the northerly line of Lots 14 to 25, both inclusive, of McMillan and Ponds Subdivision of Park Lot 29, City of Detroit, Wayne County, Michigan as recorded in Liber 6 Page 27 of Plats Wayne County Records and south of and adjoining the southerly line of Lots 14 to 25, both inclusive of Fisher and Shearer's Subdivision of Park Lots 30 and 31, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 15 of Plats Wayne County Records;

Also, all that part of the east-west public alley, 20 feet wide, west of Brush Street between Willis and Canfield Avenues as platted in Block 18 of Brush's Subdivision of Part of the Brush Farm, City of Detroit,