

tract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

Adopted as follows:

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

Nays—None.

Department of Public Works

October 19, 1965.

Honorable Common Council:

Gentlemen—We wish to advise that in carrying out the development plan for the rehabilitation of the blighted area known as the University City Project No. 1, Michigan R-53, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Detroit Housing Commission (No. 11200), has requested the vacation of certain alleys within the limits of the 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 \$5,148.00 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 in the streets located near the 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.

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

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

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Whereas, The City is undertaking the rehabilitation of the blighted area known as the University City Project No. 1, Michigan R-53, 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 will be necessary among other things for the City to vacate the following alleys:

All that part of the north-south public alley, 18 feet wide, north of Warren Avenue between Trumbull Avenue and Lincoln Avenue as platted in Avery and Murphy's Subdivision of Outlots 8 and 9 Lognon Farm and Outlots 100, 101, 104, 105 and the northerly 358.64 feet of Outlot 106 and the westerly 71.00 feet of Outlot 97, Woodbridge Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 9, Page 42 of Plats Wayne

County Records lying east of and adjoining the easterly line of the northerly 30.00 feet of Lot 2, east of and adjoining the easterly line of Lots 3 to 6, both inclusive, west of and adjoining the westerly line of Lots 7 to 10, both inclusive, and lying west of and adjoining the westerly line of the northerly 30.00 feet of Lot 11, all of the above mentioned subdivision; also

All that part of the north-south public alley, 18 feet wide, south of Putnam Avenue between Trumbull Avenue and Lincoln Avenue as platted in William L. Woodbridge's Subdivision of Outlot 107, Woodbridge Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 98 of Plats Wayne County Records lying east of and adjoining the easterly line of Lots 38 and 39 and lying west of and adjoining the westerly line of Lots 14 and 15, all of the above mentioned subdivision; also

All of the north-south public alley, 10 feet wide, south of Putnam Avenue east of Lincoln Avenue as platted in William L. Woodbridge's Subdivision of Outlot 107 Woodbridge Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 98 of Plats Wayne County Records lying east of and adjoining the easterly line of Lots 12 and 13, all of the above mentioned subdivision; also

All of the east-west public alley, 15 feet wide, south of Putnam Avenue west of Brooklyn Avenue as platted in the Resubdivision of Lots 27 to 34 and 41 to 44, all inclusive of the Subdivision of Lot 34 and part of Lots 35, 36, 37, 38 and 39, Baker Farm, north of Grand River Road, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 50 of Plats Wayne County Records lying south of and adjoining the southerly line of Lots 31 to 34, both inclusive of the above mentioned subdivision; also

All of the north-south public alley, 20 feet wide, west of Brooklyn Avenue between Warren Avenue and Putnam Avenue, the easterly 15.00 feet of said alley as platted in the Subdivision of Lot 34 and part of Lots 35 to 39 inclusive, Baker Farm, north of Grand River Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 21 of Plats Wayne County Records lying west of and adjoining the westerly line of Lots 35, 36 and 37, all of the above mentioned subdivision; the westerly 5.00 feet of said alley which was dedicated to the City of Detroit on January 2, 1929, being described as a portion of the west 5.00 feet of the Subdivision of Lot 34 and a part of Lots 35 to 39 inclusive of Baker Farm, north of Grand River Avenue as recorded in Liber 7, Page 21 of Plats Wayne County Records, said 5.00 feet lying between the northerly line of Lot 35 of last mentioned subdivision extended westerly and the southerly line of Lot 37 of last mentioned subdivision extended westerly; also

All of the east-west public alley, 20 feet wide, north of Warren Avenue west of Brooklyn Avenue as platted in the Subdivision of Outlot 33 Baker Farm, north of Grand River Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 30 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 1 to 5, both inclusive, all of the above mentioned subdivision; also

All of the east-west public alley, 20 feet wide, east of Brooklyn Avenue north of Warren Avenue, as platted in the Subdivision of Outlot 33, Baker Farm, north of Grand River Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 30 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 6 to 9, both inclusive, all of the above mentioned subdivision; also

All of the east-west public alley, 15 feet wide, south of Putnam Avenue east of Brooklyn Avenue as platted in the Resubdivision of Lots 27 to 34 and 41 to 44 all inclusive of the subdivision of Lot 34 and Part of Lots 35, 36, 37, 38 and 39 Baker Farm, north of Grand River Road, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 50 of Plats Wayne County Records lying south of and adjoining the southerly line of Lots 41 to 44, both inclusive, all of the above mentioned subdivision; also

All of the north-south public alley, 10 feet wide east of Brooklyn Avenue between Warren Avenue and Putnam Avenue as platted in the Subdivision of Lot 34 and part of Lots 35 to 39 both inclusive, Baker Farm, north of Grand River Road, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 21 of Plats Wayne County Records lying east of and adjoining the easterly line of Lots 38, 39 and 40, all of the above mentioned subdivision; also,

All that part of the east-west public alley, 20 feet wide, west of the John C. Lodge Freeway between Putnam Avenue and Warren Avenue as platted in Donovan's Subdivision of the south 210.92 feet of Outlot 40 and Lot 19 of the Subdivision of Lots 1 to 15 inclusive of Outlot 39, Labrosse Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 9, Page 37 of Plats Wayne County Records lying south of and adjoining the southerly line of the westerly 17.00 feet of Lot 1, south of and adjoining the southerly line of Lots 2 to 18, both inclusive, north of and adjoining the northerly line of Lots 19 to 35, both inclusive, and lying north of and adjoining the northerly line of the westerly 17.00 feet of Lot 36, all of the above mentioned subdivision; also

All of the east-west public alley, 15 feet wide, north of Putnam Avenue west of Brooklyn Avenue as platted

in the Resubdivision of Lots 27 to 34 and 41 to 44 all inclusive of the Subdivision of Lot 34 and part of Lots 35, 36, 37, 38 and 39, Baker Farm, north of Grand River Road, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 50 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 27, 28 and 29, and lying north of and adjoining the northerly line of the easterly 19.88 feet of Lot 30, all of the above mentioned subdivision; therefore be it

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 proper application, the Department of Public Works shall issue to the Detroit Edison Company and the Michigan Bell Telephone Company permits to relocate their 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 and the Michigan Bell Telephone Company are hereby directed to remove all their poles and lines from the vacated alleys 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; and be it further

Resolved, That all of the north-south public alley 20 feet wide, south of Merrick Avenue west of Brooklyn Avenue as platted in the Subdivision of Lot 34 and part of Lots 35 to 39 inclusive, Baker Farm, north of Grand River Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 21 of Plats Wayne County Records lying west of and adjoining the westerly line of Lots 22 to 26, both inclusive, and lying west of and adjoining the westerly line of the public alley adjoining Lot 26, all of the above mentioned subdivision; also

All of the north-south public alley, 18 feet wide, in the block bounded by Trumbull Avenue, Lincoln Avenue, Putnam Avenue and Merrick Avenue lying west of and adjoining the westerly line of Lots 16 to 26, both inclusive, east of and adjoining the easterly line of Lots 27 to 35, both inclusive, of William L. Woodbridge Subdivision of Outlot 107, Woodbridge Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 98 of Plats Wayne County Records and lying east of and adjoining the easterly line of Lot 4 of Praigg's Subdivision of Lots 36 and 37 of William L. Woodbridge Subdivision of Outlot 107, Woodbridge

Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 20, Page 73 of Plats Wayne County Records.

Be and the same are hereby vacated as public alleys 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; and further

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

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove their lines and poles from the vacated alleys 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, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.
Nays—None.

Department of Public Works

October 19, 1965.

Honorable Common Council:

Gentlemen—Petition No. 12059 of the Woodrow Wilson Post No. 2, P.L.A.V., et al., requests the conversion into an easement of portions of Ogden Avenue and the north-south alley easterly thereof located between the Edsel Ford Freeway and the east-west public alley north of Michigan Avenue. The requested conversion was approved by the City Plan Commission and then referred to this department for investigation and report. This has been completed and the petition returned herewith.

All City departments and privately owned utility companies reported that they have no objections to the conversion of the street and alley into easements provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the street and alley.

The adoption of the attached resolution is recommended.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That all that part of Ogden Avenue, 50 feet wide, south of the Edsel Ford Freeway Right-of-Way as platted in the Smart Farm Subdivision of Part of Fractional Section 9, T. 2 S., R. 11 E., and Part of Private Claims 41 and 36, City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Pages 32 and 33 of Plats Wayne County Records lying east of and adjoining the easterly line of Lot 469 east of and adjoining the easterly line of the southerly 0.72 feet of Lot 468, west of and adjoining the westerly line of Lots 335 and 336 and lying west of and adjoining the westerly line of the southerly 9.82 feet of Lot 337 all of the above mentioned subdivision.

Also, all of the north south public alley, 16 feet wide, south of the Edsel Ford Freeway Right-of-Way between Renville Avenue and Ogden Avenue as platted in the Smart Farm Subdivision of Part of Fractional Section 9, T. 2 S., R. 11 E., and Part of Private Claims 41 and 36, City of Detroit, Wayne County, Michigan, as recorded in Liber 34, Pages 32 and 33 of Plats Wayne County Records lying east of and adjoining the easterly line of Lot 335, east of and adjoining the easterly line of the southerly 23.67 feet of Lot 336, west of and adjoining the westerly line of Lots 333 and 334, and lying west of and ad-