

along the entire southerly side of Lot 25 and the westerly portion of the south side of Lot 26. Encroachment is .20 feet at the westerly point of beginning and narrowing down to .13 feet at the easterly terminus.

Further request is made that the fourth paragraph of said resolution be also amended.

The Department of Public Works recommends that the petitioner's requests be granted.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Beck:

Resolved, That resolution adopted December 1, 1964 (JCC p. 2687-8), granting petition of Accurate Stamp Company to maintain building at 6030 E. Eight Mile Rd. between Gable and Dwyer, Lots 18 through 26 inclusive of Assessors Base Line Superhighway Sub., the rear wall of building encroaching 0.10 ft. into the 20 ft. east-west virgin alley at the west end and from 0.17 ft. to 0.10 ft. at the east end, etc., be and the same is hereby amended, for the purpose of correction, to show that the encroachment begins on the south side of the easterly portion of Lot 24, extending along the entire southerly side of Lot 25 and the westerly portion of the south side of Lot 26; that the encroachment is .20 ft. at the westerly point of beginning and narrowing down to .13 ft. at the easterly terminus, and further

Resolved, That the fourth paragraph of said resolution which provides that permittee shall acquire no implied or other privileges, etc., be and the same is hereby amended to read as follows:

"Provided That the permittee shall acquire no implied or other privileges hereunder not expressly stated herein; that no rights in the public streets, alleys or other public property shall be considered waived by this permission, which is granted expressly on the condition that the encroachment hereby permitted shall be removed at the expense of the permittee at any time the south wall of said structure on Lots 24 through 26 is remodeled, rebuilt or otherwise changed, so that the street, alley or other public property affected thereby shall remain free of such encroachment;" and further

Provided, That the Department of Public Works be and is hereby authorized and directed to issue an amended permit in accordance with this resolution; and further

Provided, That a certified copy of this amending resolution shall be duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense; and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.  
Nays—None.

Department of Public Works  
March 17, 1965.

Honorable Common Council:

Gentlemen — Returning herewith Petition No. 10374 of Stroh's Brewery Company requesting return of funds deposited with the Department of Public Works in connection with vacation of streets and alleys in the vicinity of Elizabeth, Gratiot and Hastings.

On July 10, 1962, petitioner deposited the sum of \$1,100.00 on permit No. GR 7951 with the Permit Division, Department of Public Works, said sum deposited for certain work to be done as per resolution of Your Honorable Body (JCC Pages 1696-7, dated July 17, 1962) vacating certain alleys south of Elizabeth, east of Hastings and north of Gratiot.

Subsequently under action taken in JCC Pages 747-8-9 dated April 2, 1963, Elizabeth east of Hastings was vacated, thereby eliminating the necessity of the work required in the 1962 resolution.

It is, therefore, recommended that the Department of Public Works be authorized to prepare a voucher for refund of \$1,097.00 being the balance of the \$1,100.00 deposit and that the City Controller be directed to honor said voucher in accordance with established procedure.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Beck:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to draw a voucher upon the proper fund in accordance with the established procedure, and the City Controller to honor same in favor of Stroh's Brewery Co. in the sum of \$1,097.00 in full satisfaction of refund on deposit for reconstruction at street entrances, Receipt No. GR-7951.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9  
Nays—None.

Department of Public Works  
March 12, 1965.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of Elmira Corporation, No's. 9341, 7224 and 5535, requesting the conversion of a portion of the east-west public alley, east of Trinity Avenue, north of Tireman Avenue, into an easement for public utilities.

The conversion of said portion of alley into an easement 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 said alley into an easement provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in said alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Brickley:

Resolved, That all that part of the east-west public alley, 20 feet wide, east of Trinity Avenue and north of Tireman Avenue as platted in Rouge Park Subdivision of Part of the East 1/2 of the E. 1/2 of the N.W. 1/4 of Section 3, T. 2 S., R. 10 E., and the W. 1/2 of the W. 1/2 of the N. E. 1/4 of Section 3, T. 2 S., R. 10 E., City of Detroit, Wayne County, Michigan as recorded in Liber 52, Page 41 of Plats Wayne County Records lying south of and adjoining the southerly line of Lot 67 and north of and adjoining the northerly line of Lots 63 to 73, both inclusive, all of the above mentioned subdivision.

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement 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 alley and by their heirs, executors, administrators and assigns forever to wit:

First, said owners hereby grant to and for use of the public an easement or right-of-way over said vacated public alley hereinabove described 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 easement for the purpose 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 fence) shall be built or placed upon said easement;

Third, that if at any time in the future the owners of any lots abutting on said vacated alley shall request

the removal and/or relocation of any existing poles or other utilities in said easement, 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.

Adopted as follows:

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

Nays—None.

Department of Public Works

February 25, 1965.

Honorable Common Council:

Gentlemen—The Professional Service Contract with the firm of Harley, Ellington, Cowin and Stirton, Inc., Architects and Engineers, is for architectural and engineering services in connection with the design of the south wing of the Detroit Institute of Arts.

The Arts Commission has requested the altering of two existing niches, in the Rivera Court, to become doorways, to provide adequate public circulation between the Rivera Court and the new south wing and north wing.

The firm of Harley, Ellington, Cowin and Stirton, Inc., has submitted a price of \$1,250.00 for the preparation of the Construction Documents for this additional work, which is fair and reasonable for the work to be performed. It is, therefore, respectfully recommended that this work be added as an extra to the Professional Service Contract, in the above amount, in accordance with the provisions of the original Contract for changes in the work.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

Approved:  
WILLIS F. WOOD,  
Director, Arts Commission.

G. J. SAAM,  
Deputy Controller.

By Councilman Connor:

Resolved, That the work described above be added to the Professional Service Contract with Harley, Ellington, Cowin and Stirton, Inc., for the South Wing Addition of the Detroit Institute of Arts; and be it further

Resolved, That the Controller be authorized and directed to honor vouchers covering the additional cost in the amount of \$1,250.00 and charge them to account 937-9500-902.

Adopted as follows:

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

Nays—None.

Department of Public Works

March 17, 1965.

Honorable Common Council: