

Corporation, a Delaware Corporation, deeding land to the City of Detroit for street purposes, said land being described as:

All that part of the N.E. $\frac{1}{4}$ of Section 21, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, bounded by the north line of Huber Avenue 66 feet wide, the north line of Grinnell Avenue 50 feet wide extended westerly, the west line of Winfield Avenue 50 feet wide and a line 4.0 feet west of and parallel to the west line of said Winfield Avenue.

and
All that part of the N. $\frac{1}{2}$ of Section 21, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, bounded by the west line of Winfield Avenue 50 feet wide, the east line of the New York Central Railroad Right-of-Way lying first westerly of said Winfield Avenue, the north line of Huber Avenue 66 feet wide, and a line 3.0 feet north of and parallel to the north line of said Huber Avenue.

BE AND THE SAME ARE HEREBY Accepted, and the City Controller is hereby directed to record said deeds in the Office of the Register of Deeds for Wayne County; and

RESOLVED FURTHER, That the distribution of costs for the paving of Winfield Avenue will be made by the City Engineer's Office with the understanding that the City will pay the street and alley intersection costs and drainage costs, and that the Chrysler Corporation will pay the balance of the costs; and

RESOLVED FURTHER, That the Chrysler Corporation shall deposit their share of the costs for the paving of Winfield Avenue with the City Treasurer on or before May 1, 1965, which is estimated to be in the amount of \$41,500.00 and which is subject to final adjustment at the completion of the work.

Adopted as follows:

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

Nays—None.

Department of Public Works

April 12, 1965.

Gentlemen—We are returning herewith the petition of the Star Tool and Die Works, No. 10059, requesting the vacation of the east-west alley and a portion of the north-south alley south of Risdon Avenue between Twenty-fourth Street and Twenty-third Street. The vacation of said alleys was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Twenty-third Street. 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 alley to be vacated.

We are in receipt of a Quit Claim Deed from the petitioner to the City of Detroit deeding land for a new alley outlet into Twenty-third Street. Deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and is attached for your Honorable Body's acceptance.

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

Resolved, That all of the east-west public alley, 20 feet wide, west of Twenty-third Street, south of Risdon Avenue which was dedicated to the City of Detroit for Alley purposes on March 18, 1952, J.C.C. Page 549 being in fact the south 20.00 feet of Lot 7 of John Wallace's Subdivision of part of Outlot 59, Porter Farm as recorded in Liber 4, Page 85 of Plats Wayne County Records.

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 that part of the north-south public alley, 20 feet wide, south of Risdon Avenue between Twenty-fourth Street and Twenty-third Street as platted in J. W. Wallaces Subdivision of that part of Outlots 58 and 59 of the Porter Farm lying north of the M.C.R.R. as recorded in Liber 6 Page 70 of Plats Wayne County Records lying east of and adjoining the easterly line of Lots 26, 27, 28 and 29, east of and adjoining the easterly line of the northerly 25.00 feet of Lot 30, west of and adjoining the westerly line of the northerly 10.00 feet of Lot 23, east of and adjoining the easterly line of Lots 24 and 25, all of the above mentioned subdivision, and lying west of and adjoining the westerly line of Lots 5 and 6, west of and adjoining the westerly line of the south 20.00 feet of Lot 7, of John Wallaces Subdivision of part of Outlot 59 Porter Farm as recorded in Liber 4, Page 85 of Plats Wayne County Records.

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 sewer 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 building 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, cause 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.

Resolved, That the Quit Claim Deed of the Star Tool and Die Works deeding land to the City of Detroit for alley purposes being described as: the south 20.00 feet of Lot 23 of J. W. Wallaces Subdivision of that part of Outlots 58 and 59 of the Porter Farm lying north of the M.C.R.R. as recorded in Liber 6, Page 70 of Plats Wayne County Records.

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County; and further,

Resolved, That when it becomes necessary to improve or pave the above mentioned newly deeded alley, all costs of said improvements or paving will be paid by the Star Tool and Die Works, its heirs, successors or assigns.

Adopted as follows:

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

Nays—None.

Department of Public Works
April 7, 1965.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Wayne State University, No. 7365, requesting the vacation of the service drive on the south side of the Edsel Ford Freeway, between Second Avenue and Cass Avenue, and certain alleys in the block bounded by the Ford Freeway, Cass Avenue, Palmer Avenue, and Second Avenue. The vacation of said service drive and alleys 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.

The petitioner deposited with the City Treasurer the sum of \$7,160.00, Receipt No. C-32259, credited to the Department of Water Supply Fund Code No. 600-0000(6232)001, being the estimated cost of abandoning two existing water mains located in the area to be vacated.

The petitioner deposited with the City Treasurer the sum of \$2,000.00, Receipt No. B-32222, credited to the Detroit Fire Department Fund Code No. 990-9406, being the estimated cost of abandoning and relocating three fire hydrants necessitated by the vacation of the above-mentioned street.

The petitioner deposited with the City Treasurer the sum of \$22,400.00, Receipt No. B-3221, credited to the Public Lighting Commission Fund Code No. 990-9423, being the estimated cost of removing and relocating Public Lighting Commission installations located in the area to be vacated.

The petitioner also deposited with the Permit Division of the Department of Public Works the sum of \$3,800.00, Receipt No. GR-12193, being the estimated cost of removing paved street returns necessitated by the vacation of said street and alleys.

On September 22, 1964, your Honorable Body accepted a Quit-Claim Deed from the State Highway Commissioner, conveying property rights held by the State Highway Department in the service drive and a portion of Colburn Avenue between Cass and Second Avenue in accordance with the resolution of August 18, 1964, J.C.C. Pages 1862 and 1863.

It was stipulated in the August 18, 1964 resolution that after the transfer was effected, the City was to transfer all property and rights received from the Michigan State Highway Department to the Wayne State University at no cost to the University, with the exception of any utility relocation costs which Wayne State University has now paid.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.