

joining the westerly line of the southerly 20.29 feet of Lot 332, all of the above mentioned subdivision.

Be and the same are hereby vacated as a public street and alleys and are hereby converted into public easements of the full width of the street and alleys, 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 street and alleys and 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 an easement or right-of-way over said vacated public streets and alleys 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 street and alleys in the City of Detroit, with the right to ingress and egress at any time to and over said easements 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 fences) shall be built upon said easements;

Third, that if any time in the future the owners of any lots abutting on said vacated street and 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.

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. 11540 of R. J. Frank, et al., requests the conversion into an easement of the east-west public alley in the block west of Foster Avenue between Varney Avenue and Benham 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.

In reply to our inquiries, all City departments and privately owned utility companies reported that they have no objections to the conversion of the alley into an easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located in the alley.

The adoption of the attached resolution is recommended.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Ravitz:

Resolved, That all of the east-west public alley, 16 feet wide, west of Foster Avenue between Varney Avenue and Benham Avenue as platted in H. L. Baker's Subdivision of Lots 16, 17, 18, 19, and the west one-half of 20 of the subdivision of the north one-half of Section 28 and the N.E. Fraction of Section 29, T. 1 S. R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 9, Page 55 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 112 to 121, both inclusive, and lying south of and adjoining the southerly line of Lots 41 to 50 both inclusive, all of the above mentioned subdivision.

Be and the same are 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 the 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 or 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 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, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.
Nays—None.

Department of Public Works

October 19, 1965.

Honorable Common Council:
Gentlemen—Petition No. 11623 of the Detroit Terminal Railroad Com-