

westerly line of vacated Maple Street, west of and adjoining the westerly line of Lot 1, west of and adjoining the westerly line of the vacated alley adjoining Lot 1, all of the Plat of the Subdivision of Outlot 25, St. Aubin Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 55, Page 64 of Deeds Wayne County Records, west of and adjoining the westerly line of Lots 9 to 12, both inclusive, west of and adjoining the westerly line of Lots 23 to 30, both inclusive, west of and adjoining the westerly line of vacated Sherman Street, all of Wells and Wormer Subdivision of Part of Outlot 25 of the Subdivision of the St. Aubin Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 66, Page 216 of Deeds Wayne County Records, west of and adjoining the westerly line of vacated Madison Avenue, west of and adjoining the westerly line of Lots 1, 16, 17 and 32, west of and adjoining the westerly line of the vacated alley lying between Lots 1 and 16, west of and adjoining the westerly line of the vacated alley lying between Lots 17 and 32, west of and adjoining the westerly line of vacated Mullett Street, all of the Plat of the Subdivision of Lot 24 of the Subdivision of St. Aubin Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 34 of Plats Wayne County Records, west of and adjoining the westerly line of vacated Clinton Avenue, west of and adjoining the westerly line of Lots 28 to 36, both inclusive, west of and adjoining the westerly line of Lots 7 to 15, both inclusive, west of and adjoining the westerly line of vacated Macomb Street, all of William B. Wesson's Subdivision of Lot 21 of St. Aubin Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 102 of Plats Wayne County Records, west of and adjoining the westerly line of vacated Monroe Street, west of and adjoining the westerly line of Lots 1 and 10, Block 20, west of and adjoining the westerly line of the vacated alley lying between Lots 1 and 10, all of the Subdivision of P.C.'s 14 and 587, St. Aubin Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 31, Page 91 of Deeds Wayne County Records.

Be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property subject to the following provisions:

1) Underground public easements are hereby reserved within the right-of-way of said street hereinabove described for public utilities;

2) The right to ingress and egress to and over said easements for the purpose of installing, maintaining, repairing, removing or replacing of public utilities;

3) Public utilities shall not be installed on surface but only underground and no buildings or structures of any nature whatsoever (except necessary line fences) shall be

built or placed upon said easement; and further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their overhead poles and wires from the vacated street without expense to the City 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, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

Department of Public Works

September 3, 1965.

Honorable Common Council:

Gentlemen—Petition No. 6843, of the Board of Education, requests the vacation of Pembroke Avenue between Pinehurst and Wyoming Avenues, and portions of Mendota, Birwood, Griggs, Ilene and Washburn Avenues, north of Pembroke Avenue. The requested vacation was approved by the City Plan Commission, with the recommendation that new loop streets be provided from Mendota to Griggs and from Ilene to Washburn.

The vacation of the above mentioned streets is part of an overall plan to develop this area for the Beaubien Junior High School and a recreational site in accordance with the resolution adopted by your Honorable Body on October 1, 1963, JCC Pages 2475, 2476, and 2477.

The petition was referred to this Office by your Committee of the Whole for investigation and report. This has been completed, and the petition is being returned herewith.

As per our directive, the petitioner issued a purchase order, No. 073707, in the amount of \$3,750.00, in favor of the Detroit Fire Department, said amount being the estimated cost to remove and relocate five fire hydrants from the streets to be vacated.

The petitioner also issued a purchase order, No. 073708, in the amount of \$3,300.00, in favor of the Public Lighting Commission, Lighting Division, said amount being the estimated cost to remove and relocate PLO equipment from the area to be vacated.

The petitioner also issued a purchase order, No. 073709, in the amount of \$2,200.00, in favor of the Public Lighting Commission, Communications Division, said amount being the estimated cost to relocate an overhead fire alarm circuit and one fire box from the area to be vacated.

The petitioner also issued a purchase order, No. 073710, in the amount of \$4,615.00, in favor of the Depart-

ment of Public Works, Street Maintenance Division, said amount being the estimated cost to remove the paved street returns, construct new curb and walks, and backfill where necessary at the entrances to the streets to be vacated.

The petitioner also issued a purchase order, No. 073711, in the amount of \$2,823.43, in favor of the Department of Public Works, Street Design Bureau, said amount being the original cost of paving the streets at the intersection of the streets to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the streets to be vacated.

An easement is reserved in the vacating resolution for the Department of Water Supply and the Michigan Consolidated Gas Company for the maintenance of their installations located in the streets to be vacated.

We are in receipt of a Quit Claim Deed from the Board of Education deeding land to the City of Detroit as outlined in the resolution of October 1, 1963, JCC Pages 2475, 2476, and 2477. Said deed was approved as to form and execution by the Corporation Counsel, and as to description by the City Engineer, and is attached hereto for your Honorable Body's acceptance.

We have been advised by the Corporation Counsel that they are in receipt of a check in the amount of \$8,775.00, payable to the City of Detroit, said amount represents the difference in surface land area exchanged between the Board of Education and the City of Detroit, as outlined in the resolution of October 1, 1963.

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

The adoption of the attached resolution is recommended.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Resolved, That the south 43.00 feet of Pembroke Avenue, between the west line of Wyoming Avenue, 86 feet wide, and the east line of Pinehurst Avenue, 60 feet wide, which was dedicated to the City of Detroit on October 12, 1943, J.C.C. Pages 2633 and 2634, being in fact the north 43.00 feet of westerly 1676.66 feet of the easterly 1729.66 feet of the S.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan; also

The north 33.00 feet of Pembroke Avenue, west of Wyoming Avenue, as platted in Grand Park Subdivision of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne

County Records, lying south of and adjoining the southerly line of the westerly 6.02 feet of Lot 161, south of and adjoining the southerly line of Lots 162 to 171, both inclusive, south of and adjoining the southerly line of Washburn Avenue, 50 feet wide, south of and adjoining the southerly line of Lots 280 to 291, both inclusive, south of and adjoining the southerly line of Ilene Avenue, 50 feet wide, south of and adjoining the southerly line of Lots 400 to 411, both inclusive, south of and adjoining the southerly line of Griggs Avenue, 50 feet wide, south of and adjoining the southerly line of Lots 520 to 531, both inclusive, south of and adjoining the southerly line of Birwood Avenue, 50 feet wide, and lying south of and adjoining the southerly line of Lots 640 to 644, both inclusive, all of the above mentioned subdivision; also

The north 43.00 feet of Pembroke Avenue, east of Pinehurst Avenue, as platted in Blackstone Park Subdivision No. 6 of part of the N. $\frac{1}{2}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 52, Page 92 of Plats, Wayne County Records, lying south of and adjoining the southerly line of Lots 2957 to 2967, both inclusive, south of and adjoining the southerly line of Mendota Avenue, 60 feet wide, and lying south of and adjoining the southerly line of Lots 2952 to 2956, both inclusive, all of the above mentioned subdivision; also

All that part of Mendota Avenue, 60 feet wide, north of Pembroke Avenue, as platted in Blackstone Park Subdivision No. 6 of part of the N. $\frac{1}{2}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 52, Page 92 of Plats, Wayne County Records, lying east of and adjoining the easterly line of the southerly 75.00 feet of Lot 2957, and lying west of and adjoining the westerly line of the southerly 75.00 feet of Lot 2956, all of the above mentioned subdivision; also

All that part of Birwood Avenue, 50 feet wide, north of Pembroke Avenue, as platted in Grand Park Subdivision of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lot 640, west of and adjoining the westerly line of Lot 531, and lying west of and adjoining the westerly line of the south 9.00 feet of the public alley, 18 feet wide, adjoining Lot 531, all of the above mentioned subdivision; also

All that part of Griggs Avenue, 50 feet wide, north of Pembroke Avenue, as platted in Grand Park Subdivision of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lot 520

and lying west of and adjoining the westerly line of Lot 411, all of the above mentioned subdivision; also

All that part of Ilene Avenue, 50 feet wide, north of Pembroke Avenue, as platted in Grand Park Subdivision of part of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, lying east of and adjoining the easterly line of the southerly 73.00 feet of Lot 400 and lying west of and adjoining the westerly line of the southerly 73.00 feet of Lot 291, all of the above mentioned subdivision; also

All that part of Washburn Avenue, 50 feet wide, north of Pembroke Avenue as platted in Grand Park Subdivision of part of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, lying east of and adjoining the easterly line of the southerly 73.00 feet of Lot 280 and lying west of and adjoining the westerly line of the southerly 73.00 feet of Lot 171, all of the above mentioned subdivision; also

The south 9.00 feet of the public alley, 18 feet wide, north of Pembroke Avenue between Birwood Avenue and Griggs Avenue, as platted in Grand Park Subdivision of Part of the E. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 520 to 531, both inclusive, all of the above mentioned subdivision.

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

6. That by reason of granting of the vacation, the Department of Water Supply and the Michigan Consolidated Gas Company does not waive any rights to the water mains and gas mains located therein, and that free and easy access to the mains within the easements shall be provided at all times, to permit proper operation, maintenance, and if required, alteration or repair of the mains.

7. Provided, That no building or structure of any nature whatsoever shall be built upon the easement or underground without prior approval of the Department of Water Supply and the Michigan Consolidated Gas Company; and further

8. Provided, That if the water mains and gas mains located in said easement 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 excess weights of materials, or change in grade, or any construction not in accord with Provision No. 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 mains and waives all claims for damages; and further

Resolved, That the Quit Claim Deed of the Board of Education deeding land to the City of Detroit being described as follows:

The north 27.00 feet of Lots 280 to 291, both inclusive, of Grand Park Subdivision of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records; also

All of Lots 519, 520, and 532, of Grand Park Subdivision of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records; also

All of Lots 2952 to 2967, both in-

clusive, of Blackstone Park Subdivision No. 6, of part of the North $\frac{1}{2}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 52, Page 92 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 the north 27.00 feet of Lots 280 to 291, both inclusive of Grand Park Subdivision of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 S., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, also

Lots 519 and 532 of Grand Park Subdivision of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, also

All that part of Lot 639 of Grand Park Subdivision of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records, described as follows: Beginning at the southwest corner of said Lot 639, thence easterly along the south line of Lot 639 to the southeast corner of Lot 639; thence northerly along the east line of Lot 639 to the northeast corner of Lot 639; thence southwesterly to a point in the west line of Lot 639, said point being 12.00 feet northerly from the southwest corner of Lot 639; thence southerly along the west line of Lot 639, 12.00 feet to the southwest corner of Lot 639, being the point of beginning; also

All that part of Lots 640 to 644, both inclusive, of said Grand Park Subdivision as recorded in Liber 42, Page 16 of Plats, Wayne County Records, described as follows: Beginning at the northeast corner of Lot 640, thence westerly along the north line of Lots 640 to 644, both inclusive, to the northwest corner of Lot 644; thence southerly along the west line of Lot 644, 15.00 feet to a point; thence northeasterly along a line to the northeast corner of Lot 640 being the point of beginning; also

The north 25.00 feet of Lots 2952 to 2956, both inclusive, of Blackstone Park Subdivision No. 6 of part of the North $\frac{1}{2}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 52, Page 92 of Plats, Wayne County Records;

Be and the same are hereby set aside for street purposes which shall be known as Pembroke Avenue, and further

Resolved, That all of Lots 403 to 411, both inclusive, Lots 520 to 531, both inclusive, and the south $\frac{1}{2}$ of

the vacated alley adjoining and Lots 640 to 644, both inclusive, except that part allocated for street purposes of Grand Park Subdivision of the E. $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 42, Page 16 of Plats, Wayne County Records; also the south 75.00 feet of Lots 2952 to 2956, both inclusive, all of Lots 2957 to 2967, both inclusive, and the south $\frac{1}{2}$ of the vacated alley adjoining Blackstone Park Subdivision No. 6 of part of the North $\frac{1}{2}$ of Section 5, T. 1 S., R. 11 E., Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 52, Page 92 of Plats, Wayne County Records; also all of the vacated streets adjoining.

Be and the same are hereby assigned to the Department of Parks and Recreation for recreational purposes; and further

Resolved, That the Corporation Counsel be and he is hereby directed to deposit the check in the amount of \$8,775.00, received from the Board of Education, with the City Treasurer.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 9, 1965.

Honorable Common Council:

Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts for demolition of buildings has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

Contract PW-5657—Location 6837 East Lafayette, Contractor Hobart Wrecking Co., Adjusted Contract Price \$2,200.00.

Contract PW-5658—Location 6432 Russell, Contractor Hobart Wrecking Co., Adjusted Contract Price \$1,200.00.

R. C. MONAHAN,

Engineer of Inspection.

M. J. KEPLER,

Asst. City Engineer.

GLENN C. RICHARDS,

Commissioner.