

Nelson, et al, requesting the paving of the residential alley in the block bounded by Edsel, Electric, Francis, and Visger. Also returned herewith is Petition No. 11573 of James M. Faulkner, et al, protesting this paving.

Inasmuch as several signers of the petition to pave have changed their minds and have also signed the protest petition, thereby reducing the petition to pave to a minority petition (38 percent), we recommend that the petition to pave be denied and that your previous order to pave this alley be rescinded.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Brickley:

Resolved, That Petition No. 10781 of Michael Nelson, et al, requesting the paving of the residential alley in the block bounded by Edsel, Electric, Francis, and Visger be and the same is hereby denied; and be it further

Resolved, That the resolution adopted June 15, 1965, J.C.C. Page 1505 ordering the paving of a street and alley, be and the same is hereby amended by deleting therefrom the north-south alley in the block bounded by Edsel, Electric, Francis, and Visger.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Wierzbicki and President Carey—7.

Nays—None.

#### Department of Public Works

July 23, 1965.

Honorable Common Council:

Gentlemen—We are returning herewith Petition No. 11492 of Julius Winkler, et al, protesting the paving of the north-south commercial alley in the block bounded by Washburn, Wyoming, Pilgrim and Puritan.

Your Honorable Body ordered this alley paved under the Force Paving Clause of the City Charter.

This alley carries commercial traffic generated by the places of business on Wyoming. A number of these establishments have parking areas behind the buildings adjacent to the alley.

The existing stoned alley-way is full of holes, dusty, and is badly in need of paving.

All of the signers of the protest petition are on the residential side of this commercial alley and, since a majority of them have side drives, the major portion of the cost of paving will be assessed to the commercial properties.

In view of the present policy to force pave all commercial alleys where and when found necessary, and in consideration of the decision of your Honorable Body to extend the special assessment bills to six installments, extending over a five-year interval, it is our recommendation that this alley be paved.

The petitioners have expressed a

desire for a hearing before your Honorable Body, to which we have no objection. However, it is our recommendation that minority protest petition be denied.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Brickley:

Resolved, That minority petition No. 11492 protesting the paving of the north-south commercial alley in the block bounded by Washburn, Wyoming, Pilgrim and Puritan, be and the same is hereby denied.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Wierzbicki and President Carey—7.

Nays—None.

#### Department of Public Works

July 20, 1965.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Glead Baptist Church, No. 9659, requesting the conversion of the east-west public alley south of West Fort Street between Ferdinand Avenue and Summit Avenue into an easement for public utilities.

The conversion of said 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.

The petitioner has requested that the paved alley returns at the entrances to the alley to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed by letter filed with the original petition to pay all costs incidental to the removal of the returns at such time in the future as the removal becomes necessary.

All other 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 Ravitz:

Resolved, That all that part of the north-south public alley, 20 feet wide, south of West Fort Street between Ferdinand Avenue and Summit Avenue as platted in the Subdivision of Lots 13 and 14, P.C. 30, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 292 of Plats Wayne County Records lying south of and adjoining the southerly line of Lot 1, south of and adjoining the southerly line of the easterly 64.80

feet of Lot 2, and lying north of and adjoining the northerly line of the easterly 139.33 feet of Lot 3, 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 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 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; and further

Resolved, That at any time in the future the removal of the paved alley returns at the entrances to the alley to be vacated becomes necessary, the entire cost of said removal shall be paid by the Gilead Baptist Church, its heirs, executors, administrators or assigns.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Wierzbicki and President Carey—7.

Nays—None.

#### Department of Public Works

July 21, 1965.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Mobil Oil Company, No. 9614, requesting the vacation of a portion of the east-west public alley in the block bounded by Chrysler Freeway Service Drive, Theodore Street, Rivard Street and Warren Avenue. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Warren Avenue. The petition was then referred to this office by your Com-

mittee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

As per our directive, the petitioner deposited with the City Treasurer the sum of \$1,093.00, Receipt No. C-2178, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of the work involved in relocating the Public Lighting Commission equipment from the area to be vacated.

The petitioner has requested that the removal of the paved alley returns and the paving of the newly deeded alley be done privately by the petitioner.

This office has no objection to this provided that the work is done under City permit and inspection.

Proper provisions are incorporated in the vacating resolution protecting the City's interests in the sewer located in the portion of 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 Warren Avenue. Said 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 portion of alley, or, that they have reached satisfactory agreements with the petitioner regarding their installations located therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Wierzbicki:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Chrysler Freeway Service Drive, Theodore Street, Rivard Street and Warren Avenue, the northerly 10.00 feet of said alley as platted in George Hendries Subdivision of Outlot 191 and North 452.32 feet of Outlot 190 Rivard Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 10, Page 91 of Plats, Wayne County Records, lying south of and adjoining the southerly line of Lots 84, 85, 86 and 87, and south of and adjoining the southerly line of the westerly 32.00 feet of Lot 83, all of the above-mentioned subdivision; the southerly 10.00 feet of said alley as platted in McAllister and Sharpe's Subdivision of the North 182.45 feet of the South 262.03 feet, and the North 118.38 feet of the South 440.42 feet of Outlot 190, Rivard Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 10, Page 54 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 7, 8, 9, 10 and 11, and