

Adopted as follows:

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

Department of Public Works

July 22, 1966.

Honorable Common Council:

Gentlemen—Petition No. 12061 of William F. Dee et al., requests the vacation of the alleys in the block bounded by Oakwood Avenue, South Dix Avenue and Pleasant Avenue. The requested vacations were 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in a portion of the alley to be vacated.

All other City departments and privately owned utility companies reported that they have no objections to the vacations or that they have reached satisfactory agreements with the petitioner regarding their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

RALPH E. SCHINK,

Acting Commissioner.

By Councilman Beck:

Resolved, That all of the north-south public alley, south of Pleasant Avenue between South Dix Avenue and Fordson Avenue as platted in G. W. Zangers Dix Avenue Subdivision of Part of Private Claims 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 25 of Plats Wayne County Records lying west of and adjoining the westerly line of Lots 185 to 196, both inclusive, east of and adjoining the easterly line of Lots 199 to 216, both inclusive, and lying east of and adjoining the easterly line of the northerly 3.88 feet of Lot 198, all of the above mentioned subdivision.

Also, all that part of the east-west public alley, 20 feet wide, north of Oakwood Avenue, west of Fordson Avenue as platted in G. W. Zangers Dix Avenue Subdivision as recorded in Liber 58, Page 25 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 6 to 11, both inclusive, south of and adjoining the southerly line of Lot 196 and 198, south of and adjoining the southerly line of the easterly 55.70 feet of Lot 197 and lying south of and adjoining the southerly line of the public alley lying between Lots 196 and 198, all of the above mentioned subdivision.

Also, all of the east-west public alley, 20 feet wide, north of Oakwood Avenue between Fordson Avenue and Pleasant Avenue as platted in G. W.

Zangers Dix Avenue Subdivision as recorded in Liber 58, Page 25 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 14 to 26, both inclusive, south of and adjoining the southerly line of Lots 108, 109, and 110, and lying south of and adjoining the southeasterly line of Lot 110, all of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property; and further

Resolved, That all that part of the east-west public alley, 20 feet wide, north of Oakwood Avenue, east of South Dix Avenue, as platted in G. W. Zangers Dix Avenue Subdivision as recorded in Liber 58, Page 25 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 1 to 5, both inclusive, and south of and adjoining the southerly line of the westerly 76.68 feet of Lot 197, all of the above mentioned subdivision.

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) PROVIDED, 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 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 sewer 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 the 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.

Adopted as follows:

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

Department of Public Works

July 15, 1966.

Honorable Common Council:

Gentlemen—On December 23, 1963 (J.C.C. Pages 3119-3121), your Honorable Body adopted a resolution which provided for the widening of Warren Avenue between the limits of Cass and Trumbull Avenue. Among others, this resolution included a provision that the Corporation Counsel make suitable arrangements with Wayne State University to transfer to the City of Detroit land under the jurisdiction of the university along the north side of Warren Avenue, required for the widening.

A deed has been prepared by Wayne State University conveying to the City of Detroit a strip of land under its jurisdiction, approximately 76 feet wide, along the north side of Warren Avenue from Cass Avenue to the John C. Lodge Expressway. This does not include two parcels of land on the north side of Warren Avenue between Cass Avenue and Second Avenue not owned by Wayne State University, and for which separate arrangements have been made.

The description of the land being conveyed to the City has been checked and approved by the City Engineer's Office, and the deed has been approved as to form and execution by the Corporation Counsel's Office.

We respectfully request that your Honorable Body accept this conveyance of land for the City, and authorize and direct the Controller to accept and record the deed.

We are attaching resolution for adoption, which will provide for these matters.

Respectfully submitted,

RALPH E. SCHINK,
Acting Commissioner.

By Councilman Brickley:

Resolved, That in accordance with the above communication, a deed from Wayne State University be accepted which conveys to the City of Detroit land under its jurisdiction, lying along the north side of Warren Avenue between Cass Avenue and the John Lodge Expressway, which is necessary for the widening of Warren Avenue; and,

Be It Further Resolved, That the Controller is hereby authorized and directed to accept and record the deed.

Adopted as follows:

Yeas—Councilmen Beck, Brickley,

Connor, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—9.
Nays—None.

Department of Public Works

July 13, 1966.

Honorable Common Council:

Gentlemen — Petition No. 9554 of the Marathon Oil Company requests the vacation of Northampton Avenue between Waring Avenue and Greyfriars Avenue. The requested vacation 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.

As per our directive, the petitioner deposited with the City Treasurer, the sum of \$1,150.00, Receipt No. C-865, credited to the Department of Water Supply Fund Code No. 600(0000) (6232)001, said amount being the estimated cost of the work involved in constructing a gate valve and box at the southwest corner of Waring and Northampton Avenue.

The petitioner also paid into the City Treasury, the sum of \$450.00, Receipt No. C-666, credited to the Detroit Fire Department Fund Code No. 990-9406, said amount being the sum required to turn over one existing fire hydrant to the petitioner to become his property and responsibility.

The petitioner has requested that the paved street return at the intersection of the street to be vacated remain in its 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 return at such time in the future as the removal becomes necessary.

The Sewer Design Bureau has reported that they have no objection to the vacation of said street provided the sewer easement retain in the previously vacated alley in the block north of Northampton between Waring and Greyfriars be vacated.

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

The adoption of the attached resolution is recommended.

Respectfully submitted,

RALPH E. SCHINK,
Acting Commissioner.

By Councilman Hood:

Resolved, That all of Northampton Avenue, 50 feet wide, between the westerly line of Waring Avenue, 60 feet wide, and the westerly line of Greyfriars Avenue, 60 feet wide, the northerly 25.00 feet of said Northampton Avenue as platted in J. C. Breevort Fort Street Subdivision of Part of Private Claims 119 and 524, City of Detroit, Wayne County, Michigan, as