

of Water Supply, Fund 600(0000)-(6232)001, Receipt No. C-18008, \$1,500, for the estimated cost of installing gate valves and boxes on the mains in Mint and Bank Streets to be vacated; Public Lighting Commission, Fund 990-9423, Receipt No. A-24768, \$165, for the estimated cost of removing an anchor guy and resagging 7500-V street lighting wires and moving one light pole; Department of Public Works, Permit Division, Fund GR-15271, \$1,500, for the estimated cost of installing one catch basin and 50 linear feet of 12-inch sewer pipe.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right-of-way of Mint Street to be vacated. All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
ROBERT E. TOOHEY
Commissioner

By Councilman Ravitz:

Resolved, that all that part of Bank Street, 50 feet wide, east of Springwells as platted in the Subdivision of Lot 17 of the Property north of the Railroad, P. C. 718, Springwells, Wayne County, Michigan, as recorded in Liber 12, Page 21, Plats, Wayne County records, lying south of and adjoining the southerly line of lot 11, and lying north of and adjoining the northerly line of lot 14, inclusive, of the above-mentioned subdivision; also

All that part of the east-west public alley, 20 feet wide, east of Springwells and south of Bank Street, lying south of and adjoining the southerly line of lot 14, and lying north of and adjoining the northerly line of lot 23 inclusive, of the above-mentioned subdivision.

Be and the same are hereby vacated to become a part and parcel of the adjoining property; and be it further

Resolved, that all that part of Mint Street, 50 feet wide, east of Springwells as platted in the Subdivision of lot 17 of the Property north of the Railroad, P.C. 718, Springwells, Wayne County, Michigan as recorded in Liber 12, Page 21, Plats, Wayne County records, lying south of and adjoining the southerly line of lot 23, and lying north of and adjoining the northerly line of lot 26 of the above-mentioned subdivision. Be and the same is hereby vacated 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 or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same; and further

2) Provided, that no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Design Section of the Department of Water Supply and the Department of Buildings and Safety Engineering; and further

3) Provided, in the event that the sewer located or to be 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

4) Provided, that if the sewer located or to be 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 accordance with Provision 2, mentioned above), then in such event, the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged sewer.

Adopted as follows:

Yeas — Councilmen Beck, Hood Ravitz, Rogell, Van Antwerp and President Carey—6.

Nays—None.

Department of Public Works
December 8, 1967

Honorable Common Council:

Re: Petition No. 4431—Curtis F. Mengel, et al; Conversion to Easement of Alley bounded by Fargo, Trojan, Glastonbury, Rosemont.

Gentlemen—The above petition requests the conversion of the north-south public alley, 18 feet wide, north of Fargo between Glastonbury and Rosemont, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the City Plan Commission.

The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
ROBERT E. TOOHEY
 Commissioner

By Councilman Van Antwerp:

Resolved, that all that part of the north-south public alley, 18 feet wide, in the block founded by Fargo, Trojan, Glastonbury, and Rosemont as platted in George W. Renchard's Collegedale Subdivision of the south $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 2, T. 1. S., R. 10. E., Redford Township, Wayne County, Michigan as recorded in Liber 53, Page 3, Plats, Wayne County records, lying east of and adjoining the easterly line of lots 201 and 202 and lying west of and adjoining the westerly line of lots 166 and 167 inclusive 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 purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, gas lines or mains, sewers, telephone, electric light conduits or 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 including but not limited to concrete slabs or driveways, retaining or partition of walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

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.

Provided Further, that if any utility located or to be 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 construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Van Antwerp and President Carey—6.
 Nays—None.

Department of Public Works
 December 8, 1967.

Honorable Common Council:

Re: Petition No. 4291 — B. J. Middleton, et al; Conversion to Easement of Alley bounded by Geitzen, Greiner, Teppert, Runyon.

Gentlemen—The above petition requests the conversion of the north-south public alley, 20 feet wide, north of Geitzen between Teppert and Runyon, into an easement for public utilities. The requested conversion into an easement for public utilities was approved by the City Plan Commission.

The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
ROBERT E. TOOHEY
 Commissioner

By Councilman Van Antwerp:

Resolved, that all that part of the north-south alley, 20 feet wide, north of Geitzen, between Teppert and Runyon, as platted in Morian Subdivision of the East $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 10, T. 1. S., R. 12. E., Hamtramck Township, Wayne County, Michigan as recorded in Liber 43, Page 43, Plats, Wayne County Records, lying east of and adjoining the easterly line of lots 22 and 23 and lying west of and adjoining the westerly line of lots 20 and 21 inclusive, 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 agreement, 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 de-