

vacated lying north of a line described as intersecting the east line of lot 79 at a point 30 feet north of the southeast corner of lot 79 as platted and the west line of lot 81 at a point 30 feet north of the southwest corner of lot 81 as platted, all of the above-mentioned plat;

Be and the same is hereby vacated as public alleys to become a part and parcel of the abutting property; and be it further

Resolved, That an underground easement is retained for the Detroit Edison Company's underground steam line across all that portion of alleys in the plat of a part of Section No. 7 of Governor's and Judges' Plan of the City of Detroit as recorded in Liber 1 Page 199 of Plats, of Wayne County Records, said easement being 20 feet wide and the centerline of which is described as beginning at a point on the southerly line of Gratiot Avenue, 60 feet wide, said point being N. 54d 50m 04s E., 110.00 feet from the easterly line of Woodward Avenue, 120 feet wide; thence S. 30d 12m 00s E., 144.74 feet; thence N. 89d 45m 44s W., 125.43 feet; thence N. 29d 45m 32s W., 123.63 feet to the easterly line of the afore described parcel.

Provided, That by reason of granting of the vacation, the Detroit Edison Company does not waive any rights to the underground steam line located therein.

Provided Further, That no building or structure of any nature whatsoever shall be built upon the vacation or underground steam line therein without prior approval of the Detroit Edison Company; and further

Resolved, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company permits to relocate their underground conduit from the vacated portion of alley to public streets most conveniently located in reference to the vacated alley and consistent with the public health, safety, convenience, and general welfare; and be it further

Resolved, That the Detroit Edison Company is hereby directed to remove their underground conduit from the vacated alleys without expense to the City within thirty days of 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 a certified copy of this Resolution.

Adopted as follows:

Yeas—Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Department of Public Works

November 14, 1969

Honorable Common Council:

Re: Petition No. 8555. Metropolitan Detroit Citizens Development

Authority 1132 Washington Boulevard. Alley bounded by the Fisher Freeway, Twenty-first, Lambie Place and Bagley Avenue, vacation.

Gentlemen—The above petition requests the vacation of a portion of the east-west public alley in the block bounded by the Fisher Freeway, Twenty-first, Lambie Place and Bagley Avenue.

The requested vacation was recommended 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:

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 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 P. ROSELLE
Commissioner

By Councilman Hood:

Resolved, That all that part of the irregularly shaped public alley in the block bounded by the Fisher Freeway, Twenty-First Street, Lambie Place and Bagley Street adjoining parts of lots 15, 16 and 18 inclusive of the Plat of the Subdivision of Outlot 6 of the subdivision of Private Claim 727, City of Detroit, Wayne County, Michigan as recorded in Liber 17, Page 80, Plats, Wayne County records more particularly described as: beginning at the southwesterly corner of lot 14, thence S. 11 degrees 27 minutes 10 seconds W., 12.56 feet; thence S. 26 degrees 34 minutes 45 seconds E., 20.00 feet; thence westerly along the northerly line of lot 18, 17.67 feet; thence N. 24 degrees 58 minutes 45 seconds W., to a point in the southerly line of lot 16 said point being 4.96 feet westerly of the southeasterly corner of lot 16; thence easterly along the southerly lines of lots 15 and 16 to the point of beginning, inclusive of the above mentioned subdivision;

Be and the same is hereby vacated to become a part and parcel of the abutting 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 Detroit Metropolitan Water Services 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, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

November 24, 1969

Honorable Common Council:

Re: Petition No. 6868 (1968). Gratiot Avenue Baptist Church, 13955 Eastwood Avenue. Alley bounded by Reno, Gratiot, Eastwood, and Fordham vacation.

Gentlemen—The above petition requests the vacation of the north-south and east-west public alley 18 feet wide in the block bounded by Reno, Gratiot, Eastwood, and Fordham.

The requested vacation was recommended by the City Plan Commission provided sufficient land be dedicated for a new outlet into Eastwood. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has requested that the paved return at the entrance to the alley to be vacated remain in its present status as the petitioner plans to utilize same, and had agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Eastwood Avenue. This 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.

The petitioner has requested that the paving of the new alley return and the stoning and grading of the newly dedicated alley be done by private contract. The Department of Public Works has no objection as long as the work is done under City permit and specification and inspection.

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.

An appropriate resolution is attached for your Honorable Body's consideration.

Respectfully submitted,

ROBERT P. ROSELLE

Commissioner

By Councilman Hood:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Reno, Gratiot, Eastwood, and Fordham Avenues lying northerly of and abutting the northerly line of the easterly 15 feet of lot 339, all of lot 340, and the westerly 5 feet of lot 341, lying southerly of and abutting the southerly line of lot 346, the westerly 2 feet of lot 345 and the 18 foot wide north-south alley being the easterly 18 feet of the westerly 20 feet of lot 345; inclusive of the Pulcher Estate Subdivision of part of the northwest $\frac{1}{4}$, Section 12, T.1.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 76, Plats, Wayne County records; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Reno, Gratiot, Eastwood, and Fordham Avenues, being the easterly 18 feet of the westerly 20 feet of lot 345 as platted in the above mentioned subdivision;

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

Resolved, That the Warranty Deed of the Gratiot Avenue Baptist Church, deeding land to the City of Detroit for alley purposes being described as the easterly 20 feet of the westerly 25 feet of Lot 339 of the Pulcher Estate Subdivision of part of the northwest $\frac{1}{4}$, Section 12, T.1.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 76, 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 be it further

Resolved, That the petitioner shall construct the alley return at the newly dedicated alley and stone and grade the new alley by private