

or mains, 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 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 incidental 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 Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Department of Public Works

August 31, 1970

Honorable Common Council:

Re: Petition No. 8705 (1969).

Michigan Bell Telephone Company, 1365 Cass Avenue.

Vacation of a Portion of Michigan Avenue.

Gentlemen—The above petition requests the vacation of a portion of Michigan Avenue between Cass Avenue and First Street. 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:

A Quit Claim Deed has been issued to the Michigan Bell Telephone Company by the Michigan State Highway Commission for the area proposed to be vacated.

All 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 installation therein.

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

Respectfully submitted,

ALFRED BERARDUCCI,

Commissioner of Public Works

By Councilman Rogell:

Resolved, That all that part of a portion of Michigan Avenue, 100 feet wide, between Cass Avenue and First Street abutting a portion of Lot 25 of the Detroit Urban Renewal Plat No. 1 of part of Private Claims 23, 247, 55, and Military Reserve, City of Detroit, Wayne County, Michigan as recorded in Liber 90, Pages 85 and 86, Plats, Wayne County Records, being more particularly described as follows:

Beginning at a point, said point being distant S. 89d 57m 55s W., 322.94 feet from the intersection of the west property line of Cass Avenue (80 feet wide) and the north property line of Michigan Avenue (100 feet wide) as platted, which is along the south line of Lot 25 as platted; thence, S. 89d 57m 55s W., 4.15 feet; thence, S. 22d 44m 05s E., 2.96 feet; thence, N. 67d 15m 55s E., 3.83 feet; thence, N. 22d 44m 05s W., 1.35 feet to the point of beginning.

Be and the same is hereby vacated to become a part and parcel of the abutting property.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Department of Public Works

September 4, 1970

Honorable Common Council:

Re: Petition No. 8386. Detroit Metro

Water Department. Streets and

Alleys in Area Bounded by West

Jefferson, Peterson and Portland

Avenues, Vacation.

Gentlemen — The above petition requests the vacation of the streets and alleys in the area bounded by West Jefferson, Peterson and Copland Avenues. The requested vacations were 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:

Your Honorable Body may make provisions for the relocation of all utilities situated in the area.

The Corporation Counsel contends that any costs incurred in the relocation of equipment from the streets and alleys to be vacated are not chargeable against the City. The case involving the liability of the City is now pending.

All other involved City departments and privately-owned utility

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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,
ALFRED BERARDUCCI,
Commissioner

By Councilman Rogell:

Resolved, That all that part of Peterson Avenue, 40 feet wide, between Jefferson Avenue and Leigh Avenue, lying westerly of the southeasterly line of Lot 3 extended southwesterly and the westerly line of Lot 15 extended southerly inclusive of Henry W. D. Peterson Subdivision of the northeasterly part of 14.75 acres in Private Claim 45, Springwells, Wayne County, Michigan, as recorded in Liber 10, Page 66, Plats, Wayne County Records, and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of Peterson Avenue, 40 feet wide, between Beaumont Avenues and the Penn-Central Railroad Right-of-Way, lying between the easterly line of Lot 103 of Peterson's Subdivision of part of Private Claim 11, Springwells, Wayne County, Michigan, as recorded in Liber 14, Page 39, Plats, Wayne County Records, and the northerly line of the Penn-Central Railroad Right-of-Way, 40 feet wide, and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of Home Street, 40 feet wide, between the westerly line of Jefferson Avenue and the southerly line of Peterson Avenue, as platted in Peterson's Subdivision of part of Private Claims 11, as recorded in Liber 14, Page 39, Plats, Wayne County Records, and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the east-west public alley, 10 feet wide, in the block bounded by Peterson Avenue, Jefferson Avenue, the Penn-Central Railroad Right-of-Way and Home Street as platted in the above-mentioned subdivision, and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the north-south public alley, 15 feet wide, first westerly of Jefferson Avenue, between the Penn-Central Railroad Right-of-Way and Home Street as platted in the above-mentioned subdivision; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the north-south public alley, 15 feet wide, first westerly of Jefferson Avenue between Home Street and Peterson Avenue lying westerly of and abutting the westerly line of Lots 9 and 10 inclusive of the above-mentioned subdivision; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the east-west and north-south public alley, 15 feet wide, in the block bounded by Home Street, Peterson Avenue and Jefferson Avenue lying between Lots 83 to 92 and 93 to 102 inclusive of the above-mentioned subdivision; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the east-west public alley, 10 feet wide, in the block bounded by Peterson Avenue, Leigh Avenue and Copland Avenue lying abutting the southerly line of Lots 202 to 225 as platted in Tait and Harbough's Addition to the Village of Delray of part of Private Claim 11 in rear of Private Claim 45, Springwells, Wayne County, Michigan, as recorded in Liber 11, Page 81, Plats, Wayne County Records; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Peterson, Leigh and Copland Avenues having been opened on July 5, 1922 and having been platted as the easterly 18 feet of Lot 202 of the above-mentioned subdivision; also

All that part of the east-west public alley, 10 feet wide, in the block bounded by Leigh, Beaumont, Peterson, and Copland Avenues abutting the southerly line of Lots 234 to 244 of the above-mentioned subdivision; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the east-west public alley, 10 feet wide, in the block bounded by Beaumont, Jefferson, Peterson and Copland Avenues, abutting the southerly line of Lots 247 to 258 and the westerly 6.58 feet of Lot 259 as platted in the above-mentioned subdivision; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

All that part of the east-west public alley, 20 feet wide, westerly of Leigh Avenue, between Copland and Portland Avenues, lying between Lots 93 to 98 and the westerly 6.15 feet of Lot 99 and Lots 186 to 198 and the westerly 6.15 feet of Lot 185 as platted in the above-mentioned subdivision; also

All that part of the north-south public alley, 20 feet wide, first westerly of Leigh Avenue between Copland and Portland Avenues having been opened on November 30, 1926 and have been platted as the easterly 20 feet of Lot 198 of the above-mentioned subdivision; also

All that part of the public alley, 20 feet wide, westerly of Leigh Avenue, between Copland and Portland, not previously vacated abutting the northwesterly line of Lot 92 of the above-mentioned subdivision; also

All that part of Portland Avenue, 50 feet wide, between Leigh Avenue and the southeasterly line of Private Claim 405, lying easterly of and abutting the southeasterly line of Private Claim 405, Springwells Township, T. 2 S., R. 11 E., Wayne County, Michigan, and lying westerly of a line drawn from the southwesterly corner of Lot 92 to the southerly line of Portland Avenue said line is perpendicular to the southerly line of Portland Avenue, inclusive of the above-mentioned subdivision; also

All that part of Leigh Avenue, 50 feet wide, between Peterson and Copland Avenues having been opened on November 26, 1901 and having been platted as the easterly 23.85 feet of Lot 225, the westerly 26.15 feet of Lot 226, and the 10 foot wide east-west alley abutting said portions of lots inclusive of the above-mentioned subdivision; also have been platted as the westerly 20 feet of lot 115 and all of Lot 116 of Peterson's Subdivision of part of Private Claim 11, as recorded in Liber 14., Page 39, Plats, Wayne County Records, also

All that part of Beaumont Avenue, 60 feet wide, between Peterson and Copland Avenues having been opened on April 30, 1902, and having been platted as the westerly 33.42 feet of Lot 11 and the easterly 26.58 feet of Lot 12 of Henry W. D. Peterson's Subdivision of the northeasterly part of 14.75 acres in Private Claim 45, Springwells, as recorded in Liber 10, Page 66, Plats, Wayne County Records; and having been platted as Lots 245 and 246 and the 10 foot wide public alley abutting said lots inclusive of Tait and Harbough's Addition to the Village of Delray as recorded in Liber 11, Page 81, Plats, Wayne County Records;

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

Resolved, Because the above described property is to be used for Municipal purposes, that upon proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate their pipes, poles

and lines from the vacated streets and 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, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and lines from the vacated streets and alley 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, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Department of Public Works

August 28, 1970

Honorable Common Council:

Re: Petition No. 749, Violet Gable, et al, 6127 Hereford, Alley Bounded by Neff, Hereford, Berden and Minerva, Conversion to Easement.

Gentlemen — The above petition requests the conversion of the north-south public alley 18 feet wide in the block bounded by Neff, Hereford, Berden and Minerva Avenues into an easement for public utilities. The requested conversion into easement for public utilities was recommended by 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.

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

Respectfully submitted,

ALFRED BERARDUCCI

Commissioner of Public Works
By Councilman Wierzbicki:

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Neff, Hereford, Berden and Minerva Avenues as platted in Gates Manor Subdivision of part of Private Claims 344 and 586, Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 55, Plats, Wayne County Records,