

a. Amendment of the Master Plan of Education to reflect the new K-3 Elementary Relief School at Castator Playground.

b. Amendment of the Master Plan of Recreation, Playgrounds Plan and Composite Plan of Sites to reflect the land exchange at Castator Playground.

Respectfully submitted,  
CHARLES A. BLESSING,  
Director of City Planning

Department of Public Works  
March 22, 1971

Honorable Common Council:

Re: Petition No. 239 and 9191, Detroit Board of Education, 5057 Woodward Avenue, Vacation of Portions of the alleys in the Block Bounded by Cadillac, Hurlbut, Shoemaker and the Ford Freeway.

Gentlemen — The above petition requests the vacation of portions of the alleys, 18 and 20 feet wide, in the block bounded by Cadillac, Hurlbut, Shoemaker and the Ford Freeway. The requested vacations were recommended by the City Plan with the recommendation that sufficient land be dedicated for a new alley outlet into Hurlbut. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has issued the following Purchase Orders to the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

Department of Water Supply  
For the estimated cost of disconnecting water services, \$250.00.

Public Lighting Commission  
Purchase Order No. 71646 For the estimated cost to relocate lighting equipment, \$900.00.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Hurlbut Avenue. This deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, aid is attached for your Honorable Body's acceptance.

The petitioner has requested that the removal of the paved alley returns, the construction of new sidewalk and the installation of drainage and paving 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 according to Department of Public Works specifications and inspection and the entire cost shall be borne by the petitioner.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the

public rights-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.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,  
ALFRED BERARDUCCI,  
Comm. of Public Works

By Councilman Levin:

Resolved, That all that part of the east-west public alley, 20 feet wide, first southerly of the Ford Freeway between Cadillac and Hurlbut Avenues having been platted as the northerly 20.0 feet of Lot 3 of Bessenger and Moore's Cadillac Avenue Subdivision No. 2 of Lots 22 and 24 of Toms and Butler's Subdivision of Section One, of Rear Concession of Private Claims 257 and 337, Detroit, Wayne County, Michigan as recorded in Liber 27, Page 69, Plats, Wayne County Records, also,

All that part of the east-west public alley, 20 feet wide, second southerly of the Ford Freeway, between Cadillac and Hurlbut Avenues having been platted as the southerly 20.0 feet of Lot 12 of the above mentioned subdivision;

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

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Cadillac, Hurlbut, Shoemaker, and the Ford Freeway lying westerly of and abutting the westerly line of the southerly 20.0 feet of Lot 46 and the northerly 5.0 feet of Lot 45; and lying easterly of and abutting the easterly line of the southerly 20.0 feet of Lot 12 and the northerly 5.0 feet of Lot 13 of the Bessenger and Moores Cadillac Avenue Subdivision No. 2 as recorded in Liber 27, Page 69, Plats, Wayne County Records; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Cadillac, Hurlbut, Shoemaker and the Ford Freeway lying between Lots 2 and 56 and the northerly 20.0 feet of Lots 3 and 55 of the above mentioned subdivision; also

All that part of the westerly 9.0 feet of the 18 foot wide north-south alley in the block bounded by Cadillac, Hurlbut, Shoemaker and the Ford Freeway abutting the easterly line of Lot 1 of the above mentioned subdivision and abutting the easterly line of the southerly 178.1 feet of Lot 118 of Christy's Subdivision of part of Private Claims 257, 337 and 725 and part of Fractional Sections 22 and 23,

T. 1 S., R. 12 E., Detroit, Wayne County Michigan recorded in Liber 23 Page 47 Plats Wayne County Records

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property subject to the following provisions:

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

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

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

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 strage 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; and be it further

Resolved, That the Warranty Deed of the Board of Education deeding land to the City of Detroit for alley purposes being described as the southerly 20 feet of the north 25 feet of Lot 45 of Bessenger and Moore's Cadillac Avenue Subdivision No. 2, Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 69. 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 alley returns at the entrance to the vacated portions be removed and new sidewalk and curb be installed by private contract by City Permit and according to Department of Public Works inspection and specification and the entire cost shall be borne by the petitioner; and further

Resolved, That the installation of

drainage and the paving of the newly dedicated alley and alley return be done by private contract under City Permit and according to Department of Public Works inspection and specification and the entire cost shall be borne by the petitioner.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki and President Ravitz — 7.

Nays — None.

Corporation Counsel

June 28, 1971

Honorable Common Council:

Gentlemen — We are returning herewith Petition No. 794 by the Board of Education, requesting an exchange of property at the Castator Playground between the Board of Education and the Department of Parks and Recreation.

The exchange of property was approved by the City Plan Commission and the Department of Parks and Recreation in their communication to your Honorable Body, dated June 11, 1970.

It is therefore recommended that the Corporation Counsel be authorized and directed to prepare a Quit Claim Deed, and the City Controller be authorized and directed to execute the same for the following described property:

"South 10 feet of Lot No. 9 and Lot No. 49 and 10 feet of vacated 18 feet alley adjacent and to the rear of said lots, all of Lots 10, 11 and north 10 feet of Lot No. 12 inclusive, and Lots 46 through 48 inclusive, and all of vacated adjacent 18 feet alley to rear of said Lots, all of Bessenger's and Moore's Cadillac Avenue Subdivision No. 2 of Lots 22 and 24 of Tom's and Butler's Subdivision of Section One, of rear concession or Private Claims 257 and 377, City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 69 of Plats, Wayne County Records."

Further, That said deed be delivered to the Board of Education upon delivery to the City of Detroit of a Quit Claim Deed from the Board of Education, covering the following described property:

"Lots 1, 2, 56, 57 and north 20 feet of Lot No. 3 now being public alley R.O.W. and all of vacated 18 feet alley adjacent and to the rear of above said lots, except that part taken for street purposes Bessenger's and Moore's Cadillac Avenue Subdivision No. 2 of Lots 22 and 24 of Tom's and Butler's Subdivision of Section One, of rear concession of Private Claims 257 and 377, City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 69 of Plats, Wayne County Records."

"Lots 86, 117 and 118, and all of vacated 18 foot alley adjacent and to