

January 18, 1972, your Honorable Body approved this agreement and authorized the Street Administrator to execute this agreement in behalf of the City of Detroit. This agreement has been fully-executed by both parties, and the Corporation Counsel has examined and approved this agreement as to form and execution.

At this time, we are requesting that your Honorable Body approve and confirm the fully-executed agreement.

Respectfully submitted,

CLARENCE C. RUSSELL

Commissioner

By Councilman Eberhard:

Resolved, That in accordance with the above communication, the fully-executed agreement between the City of Detroit and the Michigan State Highway Commission, which provides for Federal participation in the cost of widening Evergreen Road from 400 feet south of Plymouth Road to Capitol Avenue and from Davison Avenue to 500 feet north of Schoolcraft Road, be and the same is hereby approved and confirmed.

Adopted as follows:

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

Nays — None.

Department of Public Works

March 28, 1972.

Honorable Common Council:

Re: Petition No. 1871. Sun Oil Company. Alley bounded by Van Dyke, Murat, Traverse, and Grinnell Avenues. Vacation.

Gentlemen — The above petition requests the vacation of a portion of the north-south public alley, 20 feet wide, in the above described block.

The requested vacation was approved by the City Plan Commission with the recommendation that sufficient land be dedicated to widen the remaining portion of the north-south alleys and the east-west alley, also to provide a new alley outlet into Grinnell Avenue.

The City Plan Commission and the Department of Streets and Traffic further recommend that the new alley outlet into Grinnell remain closed on a temporary basis until such time as it is needed for alley purposes. In the meantime this portion shall be maintained and landscaped according to Department of Parks and Recreation specification.

The petitioner has agreed by letter to dedicate the above property for alley purposes and to dedicate a 12 foot wide public utility easement abutting the alley to be vacated.

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

The petitioner has made the following deposits with the City Treasurer, which have been credited to the Departments and accounts named, for the purposes indicated.

Public Lighting Commission Fund 990-9423. Receipt No. B-38154 — \$3,500.00. For the estimated cost to relocate lighting facilities.

Street Maintenance Division Fund 143-6241. Receipt No. B-38155 — \$291.00. For the original cost of paving Grinnell Avenue at the intersection of the alley to be vacated.

The petitioner has also requested that the paved return at the entrance to the alley to be vacated be removed and new curb and sidewalk construction be done by private contract; the Department of Public Works has no objection as long as the work is done by City permit and inspection and according to Department of Public Works specification.

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,

CLARENCE C. RUSSELL,

Commissioner.

By Councilman Levin:

Resolved, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Van Dyke, Murat, Traverse, and Grinnell Avenues abutting the westerly line of the northerly 144.82 feet of lot 23, and abutting the easterly line of lots 25 to 31 and the northerly 5 feet of lot 24, all inclusive of "Gruebners Van Dyke Estate Subdivision" of part of the west 15 acres of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Fractional Section 22, T.1S., R.12E., City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 83, Plats, Wayne County Records;

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

Provided the petitioner, within 90 days of receipt of a certified copy of this resolution deeds to the City of Detroit, for alley purposes the following:

Parcel A — The easterly 24.0 feet of Lot 22; the southerly 6.0 feet of the westerly 11.0 feet of Lot 22, the southerly 6.0 feet of Lot 23; the easterly 6.0 feet of the southerly 15.0 feet of Lot 24, all inclusive of "Gruebner's Van Dyke Estate Subdivision" of part of the west 15 acres of the southwest $\frac{1}{4}$ of the

northwest $\frac{1}{4}$ of Fractional Section 22, T.1.S., R.12.E., City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 83, Plats, Wayne County Records;

Parcel B — The easterly 6.0 feet of Lots 1 to 6 inclusive of "The Lewis I. Carrier Van Dyke Avenue Subdivision" of part of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Fractional Section 22, T.1.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 34, Page 1, Plats, Wayne County records and further

Provided, That the new 24 foot wide alley outlet into Grinnell be closed on a temporary basis; and further

Provided, in the meantime, the new 24 foot north-south alley outlet into Grinnell Avenue shall be kept free of refuse or debris and shall be landscaped with lawn and other ornamental horticultural materials which are to be maintained in a healthy, neat and orderly condition at all times. If necessary to properly maintain the lawn and other ornamental horticultural material, a water bib or other means of supplying water shall be provided. All planting plans shall be submitted to the Department of Parks and Recreation for approval as to suitability of plant materials and arrangement thereof. Further, all planting shall be installed within the first growing season after completion of the station construction.

Provided,

1. That the temporary closing is to be for no definite period of time except that during the duration of said grant and without cause, this grant may be revoked at the will, whim, and caprice of the Common Council.

2. That the City is to retain all of its rights and interests in the area to be temporarily closed.

3. That the City and all public utility companies are to retain their rights to establish maintain and service any utilities in the area.

4. No structures are to be built on the area to be closed, and the area, upon the termination of this grant, shall be put in a usable condition at the sole expense of the petitioner, said usable conditions to be determined at that time by the Department of Public Works.

5. The grantee to acquire no implied or other privileges not expressly stated herein.

and further

Provided, That the petitioner shall within 90 days of receipt of a certified copy of this resolution grant to the Detroit Edison Company, the Michigan Bell Telephone Company, and the City of Detroit Public Lighting Commission, Rights-of-Way for their services over the following described property:

The westerly 12.0 feet, except the southerly 6.0 feet of lot 23 of Gruebner's Van Dyke Estate of Subdivision of part of the west 15 acres of the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Fractional Section 22, T.1.S., R.12.E., City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 83, Plats, Wayne County records; and further

Provided, That the Right-of-Way agreement, after approval as to form and execution by the Public Lighting Commission be recorded, at the petitioner's expense, with the Register of Deeds for Wayne County and a copy of the recorded instrument furnished said Lighting Commission.

Adopted as follows:

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

Nays — None.

Department of Public Works

March 29, 1972.

Honorable Common Council:

Re: Petition 1727. Fruehauf Corporation; Vacation of Pelham Avenue north of West Jefferson and alleys westerly of Pelham.

Gentlemen — The above petition requests the vacation of Pelham Avenue northerly of West Jefferson and the remaining alleys between Pelham and Scotten.

Subsequently, the Chesapeake and Ohio Railroad Company has joined in the petition requesting that the street right-of-way over the railroad also be vacated to prevent vehicular traffic from entering on the tracks.

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:

The petitioner has made the following deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

Detroit Metro Water Department Fund 600(0000) (6232) 001. Receipt No. C27146 — \$5,869.92.

For the estimated cost to abandon a portion of and the remaining equity in the water main located in the street to be vacated.

Fire Department Fund 990-9406. Receipt No. B38156 — \$600.00.

For the estimated cost to abandon one hydrant.

An easement is reserved in the vacating resolution for the Detroit Metro Water Department for the maintenance of its installations located in a portion of Pelham to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the north-south alley to be vacated.