

file, in accordance with their established procedures.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Eberhard:

Resolved, That the resolution referred to in the foregoing communication, which granted a permit to the General Motors Corporation Argonaut Realty Division to install heating coils in the area of Milwaukee and Second Avenues, be and the same is hereby rescinded, and the City Controller is hereby directed to release the \$5,000 bond, No. 1501603, on file in accordance with established procedure.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Van Antwerp, Wierzbicki, and President Ravitz — 7.
Nays — None.

Department of Public Works

January 20, 1972

Honorable Common Council:

Re: Petition No. 3559, Fleming Chase, et al. Alley bounded by Neff, Hereford, Chandler Park Drive and Linville. Conversion to Easement.

Gentlemen — The above petition requests the conversion of the remaining portion of the north-south public alley, 18 feet wide, in the above described block into an easement for public utilities.

The requested conversion into easement for public utilities 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:

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 installations therein.

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

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Hood:

Resolved, That all that part of the north-south public alley, 18 feet wide, not previously vacated in the block bounded by Neff Road, Hereford, Chandler Park Drive, and Linville lying easterly of and abutting the easterly line of lots 63 and 64 of the Neff Road Subdivision of part of Private Claims 344 and 586, City of Detroit, Wayne County, Michigan, as recorded in Liber 67, Page 58, Plats, Wayne County records; and lying westerly of and abutting the westerly line of lots 119 and 120 of the Grosse Pointe Gardens, being a subdivision of part of Private Claim 586, Grosse

Pointe and Gratiot Townships, Wayne County, Michigan, as recorded on April 21, 1916, in Liber 1056, Pages 499 and 500, Deeds, Wayne County records; lying westerly of and abutting the westerly line of lot 1 of the Gates Manor Subdivision of part of Private Claims 344 and 586, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 55, Plats, Wayne County records;

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 in said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines 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 or 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, Eber-

hard, Hood, Levin, Van Antwerp, Wierzbicki, and President Ravitz — 7.
Nays — None.

Department of Public Works

January 27, 1972

Honorable Common Council:

Re: Petition No. 4034; Detroit Edison Company; Alley bounded by Second, Grand River, Elizabeth and Plum; Vacation.

Gentlemen — The above petition requests the vacation of the 20 foot wide public alley in the above described block.

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:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

DPW - Intersection Fund 143-6241, \$372.00. For the original cost of paving Elizabeth and Second Avenues at the intersection of the alley to be vacated.

The petitioner has also requested that the paved returns at the entrance to the alley remain in their present status as the petitioner plans to utilize same, and has 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.

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 RUSSELL,
Commissioner

By Councilman Wierzbicki:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Second Avenue, Grand River, Elizabeth, and Plum Street abutting the rear line of lots 1 to 9 and lots 11 to 13 and the northerly line of lot 15 all inclusive of Block 65 of Cass's Western Addition to the City of Detroit, between the Chicago and Grand River Roads by Lewis Cass, 1851, recorded June 27, 1851, recorded in Liber 42, Pages 138, 139, 140, and 141, Deeds, Wayne County records;

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

Resolved, That the paved alley returns at the entrance of the vacated

alley be removed and new curb and sidewalk constructed by private contract, by City permit and according to Department of Public Works specifications and inspection and the entire cost is to be borne by the petitioner.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Van Antwerp, Wierzbicki, and President Ravitz — 7.
Nays — None.

Department of Public Works

January 20, 1972.

Honorable Common Council:

Gentlemen — The Department of Public Works recommends the deletion of the following sidewalk assessments, same having been paid on Accounts Receivable Bills:

Full Payments

Roll 2-Q-1, N. 40 Ft. of S. 90 Ft. Lot 48; E.S. Lansdowne between Britain and Morang; Delete \$53.95, Receipt No. 94796, Item No. 58422.002, Treas. Receipt No. 52675.

Total Amount: \$53.95.

Partial Payments

Roll 3-Q-5, Lot 71; N.S. Senator between Beard and Green; Delete \$10.00, Partial Payment, Bill No. 95280, Item No. 1203, Treas. Receipt No. 27716.

Total Amount: \$10.00.

Full Payments:

Roll 3-Q-4, Lot 80; S.S. Senator between Green and Beard; Delete \$32.80, Receipt No. 95313, Item No. 1144, Treas. Receipt No. 29406.

Roll 3-Q-6, Lot 143; E.S. Green between Gartner and Navy; Delete \$63.40, Receipt No. 95524, Item No. 8948, Treas. Receipt No. 53979.

Total Amount: \$96.20.

Full Payments:

Roll 5-Q-1, Lot 4; Lot 5 Blk. 1; N.S. Olivet between Penn Central R.R. and Lawndale; Delete \$186.70, Receipt No. 96265, Item No. 2140, Treas. Receipt No. 54640.

Roll 5-Q-2, Lot 76; S.S. Rathbone between Lawndale and Springwells; Delete \$81.40, Receipt No. 96306, Item No. 2490, Treas. Receipt No. 53177.

Roll 5-Q-2, W. 16 Ft. Lot 107; E. 17 Ft. Lot 108; S.S. Rathbone between Lawndale and Springwells; Delete \$99.30, Receipt No. 96299, Item 2516, Treas. Receipt No. 24502.

Roll 5-Q-3, Lot 29; W. 5 Ft. Lot 30; N.S. Rathbone between Springwells and Lawndale; Delete \$43.60, Receipt No. 96279, Item No. 2643, Treas. Receipt No. 24501.

Roll 5-Q-3, Lot 316; E.S. Lawndale between Olivet and Lafayette; Delete \$101.20, Receipt No. 96188, Item No. 6035, Treas. Receipt No. 53541.

Roll 5-Q-4, Lot 3; E.S. Lawndale between Rathbone and Homer; Delete \$33.70, Receipt No. 96199, Item No. 6055, Treas. Receipt No. 28187.

Roll 5-Q-5, Lot 13; E.S. Lawndale between Logan and Lane; Delete