

June 26

1973

of the Common Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for the driveway constructed and maintained hereunder, or for removal of the same and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Henderson, Levin, Rogell, Wierzbicki, and President Pro Tem Hood
— 7.
Nays — None.

Department of Public Works

June 22, 1973

Honorable Common Council:

Re: Petition No. 5143, Department of Parks & Recreation. Vacation of the East-West Public Alley East of Linwood between Pingree and Blaine Avenues

Gentlemen — The above petition requests the vacation of the above described alley. The requested vacation was recommended by the City Plan Commission with the further recommendation that sufficient land be dedicated for a new alley outlet into Pingree Avenue.

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 order which has been credited to the department named, for the purpose indicated:

Public Lighting Commission, Purchase Order No. 11248. For the estimated cost to relocate lighting facilities, \$1,800.00.

The petitioner has also requested that the removal of the paved alley return, construction of curb and sidewalk, and the construction of the new concrete alley and alley return and the necessary drainage 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 with the entire cost being borne by the petitioner.

The Michigan Bell Telephone Company has reported that they have lines and poles that will have to be removed and rerouted. They have submitted a cost of \$1,090.00 to remove their facilities.

The Detroit Edison Company has reported that they have lines and poles that will have to be removed and rerouted. Their reply indicated they have no objection to removing their facilities.

Your Honorable Body may make provisions for the relocation of said lines and poles to streets and alleys near those to be vacated.

The Corporation Counsel contends that any costs incurred in the

relocation of the equipment are not chargeable against the City.

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 ways 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,

CLARENCE C. RUSSELL

Commissioner

By Councilman Eberhard:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Linwood, LaSalle, Pingree, and Blaine Avenues abutting the rear line of lots 111 to 121 and the westerly 3.25 feet of lot 110, and abutting the rear line of lots 133 to 142 and the westerly 27.59 feet of lot 143 inclusive of Doran's LaSalle Boulevard Annex Subdivision of part of the southwest $\frac{1}{4}$ of Quarter Section 47; 10,000 Acre Tract, City of Detroit, Wayne County, Michigan, as recorded in Liber 39, Page 27, 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; and be it further

Resolved, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company and the Michigan Bell Telephone Company permits to relocate their pipes, poles and lines from the vacated alleys to public streets most conveniently located in reference to the vacated alleys and consistent with the public health, safety, convenience, and general welfare, and be it further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their pipes, poles and lines 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 for the purpose of providing a new alley outlet into Pingree Avenue the following described land is hereby set aside for alley purposes and placed under the jurisdiction of the Department of Public Works:

The easterly 20 feet of the westerly 23.25 feet of lot 110 of Doran's LaSalle Boulevard Annex Subdivision of part of the southwest $\frac{1}{4}$ of Quarter Section 47; 10,000 Acre Tract, City of Detroit, Wayne County, Michigan, as recorded in Liber 39, Page 27, Plats, Wayne County records; and be it further

Resolved, That the City Clerk is hereby authorized and directed to mail to the Detroit Edison Company and the Michigan Bell Telephone Company a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Levin, Rogell, Wierzbicki, and President Pro Tem Hood
— 7.

Nays — None.

Department of Public Works

June 22, 1973

Honorable Common Council:

Re: Petition No. 5142, Department of Parks and Recreation, Vacation of Streets and Alleys in the area bounded by Wabash, Twelfth, Elm, and Ash Streets.

Gentlemen — The above petition requests the vacation of the streets and alleys in the above described area. 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 issued the following Purchase Orders which have been credited to the departments named, for the purposes indicated:

Fire Department: Purchase Order No. 11249, For the estimated cost to abandon one (1) fire hydrant. \$500.00.

Public Lighting Commission: Purchase Order No. 12785, For the estimated cost to relocate lighting facilities. \$3,500.00.

Department of Streets and Traffic: Purchase Order No. 11247, For the estimated cost to remove street signs. \$55.00.

The petitioner has also requested that the removal of the paved street and alley returns, construction of curb and sidewalk and backfill at the entrance to the streets and alleys to be vacated be done by private contract; further they have requested that the construction of two catch basins (Southwest corner of Ash and Twelfth; Northeast corner of Elm and Vermont) and the connections to the existing sewers be done by private contract, the Department of Public Works has no objection provided the work is done by City permit and inspection and according to Department of Public Works specifications.

An easement is reserved in the vacating resolution for the Michigan Bell Telephone Company, the Michigan Consolidated Gas Company, and the Detroit Metro Water Department for the maintenance of their installations located in the public right of ways 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,
CLARENCE C. RUSSELL
Commissioner

By Councilman Eberhard:

Resolved, That all that part of Ash Street, 50 feet wide, lying between and abutting the easterly line of Wabash Avenue and the westerly line of Twelfth Street; also

All that part of Vermont Avenue, 50 feet wide, lying between and abutting the northerly line of Elm Street and the southerly line of Ash Street; also

All that part of the north-south and east-west public alleys in the block bounded by Wabash, Vermont, Elm, and Ash Streets; also

All that part of the north-south and east-west public alleys in the block bounded by Vermont, Twelfth, Elm, and Ash Streets;

All of the above mentioned streets and alleys appear in the following subdivision:

"Flat of Gamble's Subdivision" of Lots 17 and 18 in Block 5 and Lots 54, 55, and 56 in Block 4, Thompson Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 69, Plats, Wayne County records;

"William J. Ward's Subdivision" of Lots 52 and 53 and the north 22.5 feet of lot 51 of the subdivision of part of Block 4, Private Claim 227, north of the Chicago Road, Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 44, Plats, Wayne County records;

"Subdivision of the north part of Lot 2", Lafferty Farm, north of Michigan Avenue, Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 262, Plats, Wayne County records,

"Plat of the Subdivision of part of Block 4", Private Claim 227, north of Chicago Road, Cabacier Farm, as recorded in Liber 1, Page 244, 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 subject to the following easement provisions:

Subsurface easements are retained in the above described streets and alleys for the Michigan Bell Telephone Company, the Michigan Consolidated Gas Company, and the Detroit Metro Water Department for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone conduits or things usually placed or installed under a public street and alley in the City of Detroit, with the right to ingress and egress at any time to and