

the deed to include an attachment clause.

Recommended:

RONALD J. HEWITT

CEDD Director

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Community & Economic Development Department

October 25, 1977

Honorable City Council:

Re: Derek Searcy, et al (4327). Convert a portion of the alley in the block bounded by Strathmoor, Eaton, Mark Twain and Lyndon into an easement for public utilities.

Our investigation discloses that the above described petition does not contain the signature of 100 percent of the abutting property owners, but it does have the consent of more than two-thirds of the owners involved. Our investigation further discloses:

1. That the section of alley recommended to be closed does not serve as a means of egress and ingress to any of the garages on the abutting property.

2. The alley is not paved and apparently is used only for waste collections that could be made from the street.

3. The public utilities located in the alley can be properly serviced if it is converted into an easement.

The Community & Economic Development Department believed that the closing of this section of alley would be beneficial to the City as well as the property owners involved and, therefore, recommends that the petition be referred to the Law Department for processing through Circuit Court in accordance with the provision of the Subdivision Control Act 288, Public Acts of 1967. There is attached a copy of our plan # A2155 showing the subject alley.

It is further recommended that the property owners abutting the section of alley to remain open also be given the same notice of the Circuit Court hearing that the other property owners receive so they may be aware of the proposed change.

Respectfully submitted,

RONALD J. HEWITT

Director

By Council Member Rogell:

Whereas, The City Council has received the following petition, praying that the alley described therein be vacated, provided a public easement for public purposes be retained:

Derek Searcy, et al (4327), block bounded by Strathmoor, Eaton, Mark Twain and Lyndon.

And Whereas, The above petition was signed by more than 2/3 of the property owners, whose property abuts on the alley in question; and

Whereas, The above alley does not serve as means of ingress or egress to any of the garages on the abutting property; and Whereas, The above alley is unpaved and is only used for waste collections which could be made from the street; and

Whereas, The City Council recognizes that alleys are all too frequently places of accumulated filth and dirt, are rodent infested, and are often places of concealment for criminals, all to the detriment of the public peace, health, safety and welfare of the people of the City of Detroit; now, therefore, be it

Resolved, That the City Council considers it necessary, in the interest of the peace, health, safety and welfare of the citizens of the City of Detroit that the alley described above be vacated; and be it further

Resolved, That the Corporation Counsel be and he is hereby directed to institute proceedings in the Circuit Court for the County of Wayne, State of Michigan, petitioning the court to order the alley described above vacated; and be it further

Resolved, That the Corporation Counsel is directed to petition the court to include in the order vacating the above described alley provision for retention of a public easement the width of the present alley, for the purpose of all public utilities now situated or which may hereafter be installed or placed in such vacated alleys, with the right of ingress and egress thereto for the purpose of installation, construction, operation and maintenance of such utilities.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Environmental Protection and Maintenance Department

October 21, 1977

Honorable City Council:

Re: Petition No. 3754 — General Motors Corporation. Vacation of the remaining alleys first south of Hussar, between Military and Cavalry.

The above petition requests the vacation of the above described alleys, 20 and 30 feet wide. The requested

vacations were approved by the Community and Economic Development Department. 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 Department and accounts named, for the purposes indicated:

Environmental Protection and Maintenance Department
Receipt No. C 14099 \$1,100.00

For estimated cost to remove the paved alley return at the intersection of the alley with Hussar Avenue, and the construction of new sidewalk and curb.

Environmental Protection and Maintenance Department Intersection Fund
Receipt No. C 14099 \$ 235.00

For the original cost of paving Hussar Avenue at the intersection of the alley 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,
JAMES W. WATTS,
Director

By Council Member Henderson:

RESOLVED, That all that part of north-south public alley, 20 feet wide, and the east-west public alley, 30 feet wide, not previously vacated, in the block bounded by Military, Cavalry, the Wabash Railroad, and Hussar Avenue, all as platted in Daniel Scotten's Subdivision of that part of Private Claim 32 and the East 735.90 feet of Private Claim 268, lying between Fort Street and River Road, Town of Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 9, Page 19, Plats, Wayne County Records,

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property; and 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 copy of this resolution.

Adopted as follows:
Yeas — Council Members Browne, Cleveland, Eberhard, Henderson,

Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Environmental Protection and Maintenance Department

October 20, 1977

Honorable City Council:

The paving petition of Chester R. Calka, et al, (5439) listed below, which was referred to this office for report, is a majority petition upon which no prepayment has been made.

It is, therefore, recommended that your Honorable Body invoke the waiver clause in the Special Assessment Ordinance eliminating the 25 per cent prepayment and tax history.

It is further recommended that this alley be paved with one course concrete in accordance with the following resolution.

Petition No. 5439 — EW. Freer, Ewers, St. John, Michigan. Width, 20 Feet.

Respectfully submitted,
JAMES W. WATTS,
Director

By Council Member Mahaffey:

RESOLVED, That the paving recommended in the foregoing communication be and is hereby declared a necessity, and that pursuant to Section 21-10-9 of the Compiled Ordinances of 1964, an emergency exists affecting the peace, health, and safety of the people of the City, and further that the paving be constructed with the material and to the width recommended; and that the City Engineer be and is hereby directed to advertise for proposals for doing work.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Environmental Protection and Maintenance Department

October 24, 1977

Honorable City Council:

Re: Spur Track Rescission.

Your Honorable Body took action in J.C.C. of February 20, 1968, page 330 granting permission to Irving Feldman to maintain a spur track across Prairie between West Chicago and Westfield north of and connected with the C. & O. Railroad (P.M.R.R.).

This track has been removed from public property and we ask the grant be rescinded and the Finance Department be directed to release the