

Department of Public Works
December 27, 1921.

Honorable Common Council,
Genlman: We are returning herewith the petition of the Board of Education, No. 11104, requesting the vacation of the alleys in the block bounded by 35th Street, Rich Street, Junction Avenue, and Buchanan Street. The vacation of said alleys was approved by the City Plan Commission and the petition was then referred to this office by your Committee of the whole for investigation and report.

We wish to advise that our investigations are completed.
As per our directive, the petitioner issued a purchase order No. 72120, in the amount of \$250.25 in favor of the Department of Public Works, Street Design Bureau said amount being the original costs of paving the west one-half of Junction Avenue, and the east one-half of 35th Street at the intersection of the alley to be vacated.
The petitioner also issued a purchase order, No. 72121, in the amount of \$1,300.00, in favor of the Department of Public Works, Street Maintenance Division, to cover the costs of removing the paved alley returns, constructing new curb and walks and backfill where necessary.
Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the east-west alley to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alleys or that they have reached satisfactory agreements with the petitioner regarding their installations therein.
We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

Resolved, That all of the north-south public alley, 18 feet wide, east of 35th Street, north of Buchanan Street, as platted in Block H. of Brush's Subdivision of that Part of P.C. 280 lying between Michigan Avenue and the northerly line of Horatio Street, except the easterly 530 feet, as recorded in Liber 16, Page 24 of Plats Wayne County Records, lying east of and adjoining the easterly line of Lots 11 to 14, both inclusive, and west of and adjoining the westerly line of Lots 23 to 28 both inclusive, all of the above mentioned subdivision.

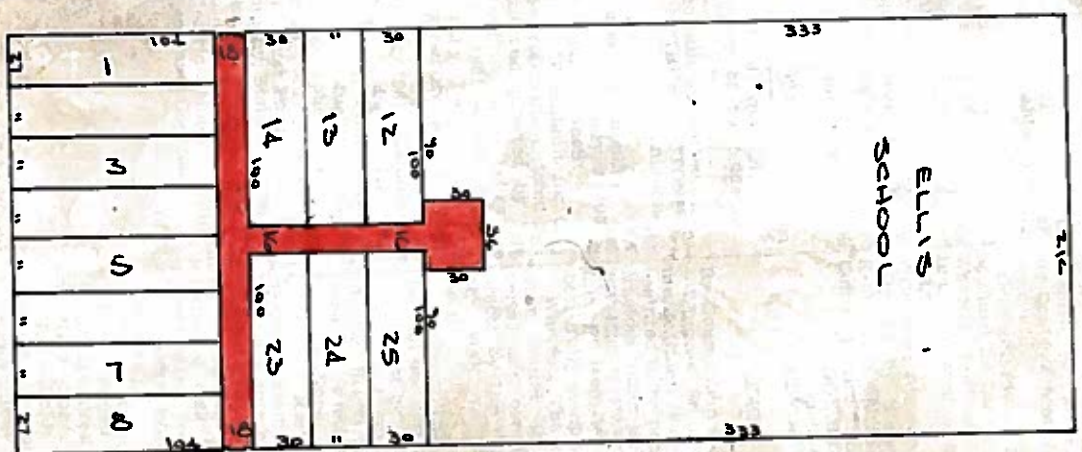
Also, all of the north-south public alley, east of 35th Street, north of Buchanan Street, which was decided for alley purposes, on October 18, 1921, being in fact the westerly 10 feet of Lot 11 and also the westerly 10 feet of Lot 26 of Block H., Brush's Subdivision of that Part of P.C. 280 lying between Michigan Avenue and the northerly line of Horatio Street except the easterly 530 feet as recorded in Liber 16, Page 24 of Plats Wayne County Records.

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property; and further,
Resolved, That all of the east-west public alley, 18 feet wide, east of 35th Street, north of Buchanan Street, as platted in John Aird's Subdivision of Lots 15 to 23 both inclusive of Block H. and alley between said Lots of Brush's Subdivision of Part of P.C. 280 between Michigan Avenue and Horatio Street as recorded in Liber 17, Page 83 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 1 to 8 both inclusive, all of the above mentioned John Aird's Subdivision.
Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property subject to the following provisions:

1. Provided, That by reason of the vacation of the above-described street the City of Detroit does not waive any rights to the sewer located there in and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter or service same; and further

2. Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast-iron pipe of the same size, reported or enclosed in 6 inches of Class 'A' concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision of Public Works and all permits entailed to be borne by the petitioner or their successors, or assignees; and further

3. Provided, That no buildings shall be constructed over said sewer without the prior approval of the City Engineer and the Department of Buildings and Safety Engineering; and further
4. Provided, That in the event that the sewer located in said street, if built upon, shall break causing damage to any construction above, the petitioners and their assigns by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewer.
Adopted as follows:
Yeas—Councilman Beck, Brickley, Rawitz, Rogell, Van Antwerp, Wertz, Biel and President Carey—7.
Nays—None.



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