

by Councilman Edgecomb: Resolved. That the executed contracts and bonds for the construction of the lateral sewer in the foreground of the communication be and the same is hereby approved and confirmed.

Adopted as follows:
Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.
Nays—None.

Reconsideration

Councilman Connor moved to reconsider the vote by which the resolution was adopted.

Councilman Garlick moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.
Nays—None.

Councilman Kronk then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

July 14, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of Nathan Lee (Petition No. 1299), requesting the vacation of an alley north of Joy Road between Rutland and Memorial Avenues.

The vacation of said alley was previously approved by the City Plan Commission with the recommendation that the petitioners dedicate a new alley northerly of the alley requested to be vacated. The petition was then referred to this office by your Committee of the Whole for investigation and report.

Please be advised that all of our investigations have been completed.

As per our directive, on July 13, 1949, the petitioners made the following deposits:

a. \$845.00 to the City Treasury, Receipt No. 1049, credited to Public Lighting Commission Fund Code No. 123-9400-0-6190-481, said amount being the estimated cost of rerouting PLC wires necessitated by the vacation of the alley.

b. \$200.00 to the City Treasury, Receipt No. 1048 credited to Fire Department Fund Code No. 106-9400-0, said amount being the estimated cost of rerouting Fire Department's telegraph system necessitated by the vacation of the alley.

c. \$107.69 to the City Treasury, Receipt No. 1047, credited to Police De-

partment Fund Code No. 118-6220-1, said amount being the estimated cost of rerouting Police telegraph circuits from the alley to be vacated.

d. \$887.00 to the Permit Division of the Department of Public Works, Receipt No. 94753, said amount being the estimated cost of stoning the newly dedicated alley, installing drainage therein and constructing sidewalks across the alley vacated on the east side of Rutland and the west side of Memorial Avenues.

We are in receipt of a Quit Claim deed, deeding land for alley purposes as per City Plan Commission recommendation. The deed was approved as to description by the City Engineer and as to form and execution by the Corporation Counsel and we are attaching it hereto for your Honorable Body's acceptance.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alley or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

In view of the above, we recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Edgecomb:

Resolved, That all of east and west public alley, 20 feet wide, north of Joy Road between Rutland and Memorial Avenues, as platted in Amended Plat of Hendry Park Subdivision of part of the west ½ of the southwest ¼ of Section 36, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 57 Page 96 of plats, Wayne County Records, lying north of and adjoining the north line of lots 438 to 450, both inclusive, and south of and adjoining the south line of lots 437, 451 and south of and adjoining the south line of the 18 foot alley between lots 437 and 451, all lots being the same as platted in last mentioned subn.,

Also, that part of the 18 foot north-south alley in block north of Joy Road between Rutland and Memorial Avenues as platted in Amended Plat of Hendry Park Subn., heretofore mentioned, lying east of and adjoining the east line of the south 10 feet of lot 437 and west of and adjoining the west line of the south 10 feet of lot 451, both lots being the same as platted in last mentioned subn.,

Be and the same are hereby vacated as public alleys 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 alleys the City of Detroit does not waive any rights to the sewers located therein, and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewers to repair, alter or service same, and further,

2) Provided, that if any building is to be constructed over the sewers, said sewers shall be replaced by cast iron pipe of the same size, or the sewers shall be encased in 6 inches of Class "A" concrete, and such sewer manholes shall be constructed as shall be specified by the City Engineer, all of said work to be done under the supervision and inspection of the Department of Public Works, and all costs entailed to be borne by the petitioners or their assigns, and further,

3) Provided, that petitioners or their assigns shall not build over said sewer without first securing the approval of the City Engineer and the Department of Buildings and Safety Engineering, and further,

Resolved, That Quit Claim deed of Nathan Lee and Eileen Lee, his wife, to the City of Detroit deeding land for alley purposes, said land being described as "south 20 ft., of north 30 ft., of lot 437, also the south 20 ft. of the north 30 ft. of lot 451, both lots being the same as platted in Amended Plat of Hendry Park Sub. of part of the west 1/2 of the southwest 1/4 of Section 36, Town 1 South, Range 10 east, City of Detroit, Wayne County, Michigan according to the Plat thereof as recorded in Liber 57, Page 96 of Plats, Wayne County Records."

Be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed.

Adopted as follows:
Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.
Nays—None.

Department of Public Works

July 29, 1949.

To the Honorable, the Common Council:

Gentlemen—In January, 1949, on petition of a property owner to construct a Lateral Sewer in Gable Avenue, South of Eight Mile Road, the City Engineer prepared plans and a tentative assessment roll. The required 25 percent deposit has been collected by the City Treasurer, and the work has been authorized by Your Honorable Body. However, on July 26, a new petition was sub-

mitted by property owners on streets adjacent to Gable Avenue, requesting that Lateral Sewer be constructed for the use of the property. In order to provide a more equitable distribution of cost, which will result in a lower sewer assessment rate, I respectfully ask your Honorable Body to authorize the construction of these sewers as a 'Forced' Lateral Sewer and assess the cost against the abutting property in accordance with City Ordinance.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Edgecomb:
Resolved, That the Commissioner of Public Works is hereby authorized and directed to construct "Forced" Lateral Sewers in Gable and Dwyer Avenues from south of Hamlet Avenue to Eight Mile Road, and assess the cost of same against the abutting properties in accordance with the provisions of the City Charter and Compiled Ordinances of the City of Detroit.

Adopted as follows:
Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.
Nays—None.

Department of Public Works

July 20, 1949.

To the Honorable, the Common Council:

Gentlemen—This is to certify in accordance with Article 6 of the Contract Agreement for PW-377, Plymouth Avenue-Rouge Park Sewer, that work provided for in this contract has been given final inspection and has been found fully performed and the Contractor, Mancini Construction Company and Miller-Thompson Company have submitted an affidavit that all payrolls, material bills and other indebtedness connected with the work have been paid.

The completed items and value thereof of this work are:

All Contract Items and Contract Changes, \$82,979.00.
(Eighty-two thousand and nine hundred seventy-nine and 00/100 dollars).

As the work provided for in this contract has been completed, it is accepted by the Commissioner of Public Works under the terms and conditions thereof and it is recommended that full payment of the above stated sum of \$82,979.00 less all previous payments as indicated in Estimate No. 4 (final) be made at this time with the understanding that such payment is made by the