

to be paved by your Honorable Body on September 29, 1953, J.C.C. Page 2249.

At the present time there are buildings located on eleven parcels of the land condemned and these buildings are being occupied.

In order to pave these streets as per your directive, it is requested that your Honorable Body authorize and direct the Corporation Counsel to give notice to the occupants to vacate the premises and when so vacated to take steps to remove the existing buildings from the area of the newly opened streets.

Respectfully submitted,
C. D. WARNER, Comnr.

By Councilman Smith:

Resolved, That the Corporation Counsel be and is hereby authorized and directed to give notice to the occupants of buildings in the area of the newly opened Arnold and St. John Avenues, to vacate the premises and when so vacated to take steps to remove the buildings located in these streets.

Adopted as follows:
Yeas — Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, and Youngblood—7.
Nays—None.

Department of Public Works
March 17, 1954.

Honorable Common Council:
Gentlemen—Your Committee of the Whole referred to this office for investigation and report the request of the Department of Parks and Recreation for the vacation of a portion of Winthrop Avenue, north of Margareta Avenue within the limits of a playground area. The vacation of said street was approved by the City Plan Commission with the recommendation that land be allocated for turn-around purposes north of the portion of street to be vacated.

We wish to advise that our investigations are completed.

A proper provision is incorporated into the vacating resolution protecting the interests of the Department of Water Supply in the water main located in the street to be vacated. The Department of Public Works will be required to improve the land allocated for turn-around purposes. In accordance with your Honorable Body's directive, the necessary work will be done and costs will be charged against the Street Betterment Fund. The Department of Parks and Recreation has agreed to maintain, at its own expense, a hydrant at its present location in the park, with the approval of the Board of Fire Commissioners.

In reply to our inquiries all other City departments and privately owned utility companies reported that they

will be unaffected by the vacation of said street.

We recommend the adoption of the attached resolution.

Respectfully submitted,
C. D. WARNER, Comnr.

By Councilman Smith:

Resolved, That all that part of Winthrop Avenue, north of Margareta Avenue as platted in Feldman and Feldman's College Park Drive Subdivision as recorded in Liber 51 Page 69 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 30 to 38 both inclusive, east of and adjoining the east line of the south 19.56 feet of Lot 29, west of and adjoining the west line of Lots 39 to 48 both inclusive and west of and adjoining the west line of the south 8.56 feet of Lot 49 of last mentioned subdivision, be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property subject to the following provisions:

(1) An easement or right-of-way is hereby reserved in and over the west 26 feet of said vacated Winthrop Ave. for the purpose of maintaining, repairing, removing, or replacing the 6-inch water main located in said street; and

(2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval is obtained from the Department of Water Supply; and further

Resolved, That the west 25 feet of the south 26.56 feet of Lot 50 and the west 25 feet of the north 8.44 feet of Lot 49 of Feldman and Feldman's College Park Drive Subdivision as recorded in Liber 51, Page 96 of Plats, Wayne County Records be and the same is hereby allocated and dedicated for street turn-around purposes.

Adopted as follows:
Yeas — Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, and Youngblood—7.
Nays—None.

Department of Public Works
March 23, 1954.

Honorable Common Council:
Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated 3-2-54.

No. ZO-14 — Rehabilitation of Belle Isle Aquarium, Banbrook-Gowan Co.
Respectfully submitted,
G. R. THOMPSON,
City Engineer.

By Councilman Van Antwerp:
Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.
Adopted as follows:
Yeas — Councilmen Beck, Connor,

Rogell, Smith, Van Antwerp, Wise, and Youngblood—7.

Nays—None.

Reconsideration

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

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

Yeas—Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, and Youngblood—7.

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

The regular order was resumed.

Department of Public Works

March 19, 1954.

Honorable Common Council:

Gentlemen—Gino Ianni, Contractor on Contract PW-2119, Relief Sewer 6834 in Ray and Bramell, Easement West of Kane, has requested partial payment on this Contract.

Whereas the work is totally completed with the exception of repairs to pavement, sidewalks, curbs, lawns and fences, when weather conditions permit, it is recommended that in accordance with Article 6 of the Contract Agreement, that all money due the Contractor be paid except Two Thousand Dollars (\$2,000), which is to be held as a guarantee for replacement of surface defacements to be done at a later date. The amount withheld is in excess of the department's estimate of the cost.

The Contractor has furnished an affidavit that all labor, material and other forms of indebtedness against this project have been fully paid. It is therefore recommended that the Contractor be paid \$11,316.00, less \$2,000 retained as a guarantee, less all previous payments as indicated in Progress Payment No. 1.

FLOYD C. MORSE,

Engineer of Tests & Inspection.

M. F. WAGNITZ,

Asst. City Engineer.

CARL D. WARNER,

Commissioner.

By Councilman Wise:

Resolved, That the payment of \$9,316.00 to Gino Ianni on Contract PW-2119 for relief sewer 6834 in Ray and Bramell, easement west of Kane, be and the same is hereby approved.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, and Youngblood—7.

Nays—None.

Reconsideration

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

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

Yeas—Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, and Youngblood—7.

Nays—None.

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

The regular order was resumed.

Department of Public Works

March 25, 1954.

Honorable Common Council:

Gentlemen—I have been asked to report to your Honorable Body on the acquisition of land for expressway purposes, how it was purchased, cost, etc.

Attached hereto is a report submitted to Governor Williams by Commissioner Ziegler on March 10, 1954. This report contains considerable information pertinent to the acquisition of land for our expressways.

Under the tri-party agreement it was agreed that the John C. Lodge Expressway would be constructed under the supervision of the Wayne County Road Commission, and that the Edsel Ford Expressway would be supervised by the Michigan State Highway Department.

It was further agreed that a yearly audit would be made and copies of the audit forwarded to each of the parties of the contract. These audits have been made by the Jas C. Finney Company of Detroit and presented on the 30th day of June of each year. As Expressway Coordinator I have reviewed the audits and the regular financial statements. These have also been reviewed by the Controller's office.

The procedures in acquiring right of way have been reviewed from time to time. The procedure as practiced by the Wayne County Road Commission is somewhat different than the procedure practiced by the State Highway Department. Under the State law, governing property acquisition by the State Highway Commissioner, every effort must be made to negotiate settlement in Good Faith. When it becomes evident that it is impossible to agree upon a price, only then can the Highway Commissioner condemn the property.

Under the law which controls the purchase of property by the Wayne County Road Commission, the County is able to start condemnation immediately and then proceed to negotiate a settlement. While these procedures are quite different, it would appear from a review of the