

Youngblood, and President Miriani—  
8.

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, Youngblood, and President Miriani—  
8.

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

September 20, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Board of Education, No. 1618, requesting the vacation of a portion of the north-south alley in the block bounded by 24th Street, 25th Street, Bagley Avenue, and Porter Avenue, within the limits of a school site. The vacation of said alley was approved by the City Plan Commission, with the recommendation that an alley outlet be provided at the north end of the vacated alley to eliminate a dead-end condition.

We wish to advise that our investigations are completed.

As per our request, a purchase order (No. 57557) was issued by the Board of Education in favor of the Department of Public Works in the amount of \$1,300.00 to cover the cost of stoning the new alley and constructing a paved return at the entrance thereto.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

We are in receipt of a Quit Claim Deed to land to be used for alley purposes in accordance with the City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and it is attached 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 petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

S. G. GENTILE,

Acting Commissioner.

By Councilman Beck:

Resolved, That all that part of north-south public alley 20 feet wide in block bounded by 24th Street, 25th Street, Bagley Avenue, and Porter Avenue, as platted in D. H. Osgood's Subdivision of all that Part of Outlot 45, George B. Porter Farm, which lies East of the East line of 25th Street, City of Detroit, Wayne County, Michigan, as recorded in Liber 21, Page 34 of plats, Wayne County Records, and Catherine B. Hubbard's Subdivision of Lots 40, 41, and 44 and part of Lots 37, 39, and 42, G. B. Porter Farm being part of P. C. 20 and 21, City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 16 of plats, Wayne County Records, lying west of and adjoining the west line of Lots 18 to 21 both inclusive, east of and adjoining the east line of Lots 22 to 24 both inclusive, east of and adjoining the east line of the north 40 feet of Lot 25 of the last mentioned subdivision, east of and adjoining the east line of Lots 4 to 7 both inclusive, east of and adjoining the east line of the south 13 feet of Lot 3, west of and adjoining the west line of Lots 11 to 14 both inclusive, west of and adjoining the west line of the south 13 feet of Lot 10 of the above mentioned D. H. Osgood's Subdivision, east of and adjoining the east line of the south 168 feet of Outlot 45 designated as "Excepted from Plat" of above mentioned D. H. Osgood's Subdivision, and west of and adjoining the west line of the south 158 feet of Outlot 45, designated as "Excepted from Plat" of the above mentioned D. H. Osgood's Subdivision, be and the same is hereby vacated as a public alley to become a part and parcel of adjoining property, subject to the following provisions:

1) Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the sewer located therein 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, rerouted or encased 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 and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further

3) Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer

and the Department of Buildings and Safety Engineering; and further

4) Provided, In the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioner and its assigns, by acceptance of the permit for building over said sewer, waive all claims for damage to such construction and agree to pay all costs incident to the repair of such broken sewer.

Resolved, That Quit Claim Deed of the Board of Education to the City of Detroit deeding land for alley purposes, said land being described as: "The north 20 feet of Lot 3 of D. H. Osgood's Subdivision, of all that part of Outlot 45, George B. Porter Farm, which lies east of the east line of 25th Street, City of Detroit, Wayne County, Michigan, as recorded in Liber 21, Page 34 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 in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.

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, Youngblood, and President Miriani—8.

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**  
September 17, 1954.

Honorable Common Council:  
Gentlemen—This is to certify, in accordance with Article 6 of the Contract Agreement of the following Contracts, that work provided for in said Contracts for recapping of streets has been given final inspection and found fully performed and the contractors have submitted affidavits that all payrolls, material bills and other indebtedness connected with the work has been paid:

- Recapping Streets—
- PW-2041 — E. Davison-McNichols to Syracuse, Dwyer to Mt. Elliott — Detroit Asphalt Paving, \$57,164.26.
- PW-2044 — Seven Mile Rd.-Outer

Dr. to Hoover, Joann to Gratiot — Louis Garavaglia, \$61,306.95.

As the work provided for in these Contracts has been completed, they are accepted by the Commissioner of Public Works under the terms and conditions thereof and it is recommended that they be accepted by your Honorable Body and that full payment of the above stated sums, less all previous payments indicated in Estimates No. 2 (Final), be made by the City and accepted by the Contractors under the terms of final payment.

Respectfully submitted,  
FLOYD C. MORSE,  
Engr. of Tests & Inspection.  
M. F. WAGNITZ,  
City Engineer.  
S. G. GENTILE,  
Acting Commissioner.

**Department of Public Works**  
September 17, 1954.

Honorable Common Council:  
Gentlemen—This is to certify, in accordance with Article 6 of the Contract Agreement for Contract PW-2428W, Paving Chatham from West Chicago to Orangelawn, that work provided for in this Contract has been given final inspection and has been found fully completed and the Contractor, G. Toccalino and Sons, has submitted an affidavit that all payrolls, material bills, and other indebtedness connected with the work has been paid.

The completed items and value thereof of this work are:  
All Contract Items and Contract Changes — \$12,989.30 (Twelve thousand nine hundred eighty nine and 30/100 dollars).

As the work provided for in these Contracts has been completed, they are accepted by the Commissioner of Public Works under the terms and conditions thereof and it is recommended that they be accepted by your Honorable Body and that full payment of the above stated sum of \$12,989.30, as indicated in Estimated No. 1 (Final), be made by the City and accepted by the contractor under the terms of final payment.

Respectfully submitted,  
FLOYD C. MORSE,  
Engr. of Tests & Inspection.  
M. F. WAGNITZ,  
City Engineer.  
S. G. GENTILE,  
Acting Commissioner.

By Councilman Beck:  
Whereas, It appears from foregoing communications from the Dept. of Public Works that paving and recapping contracts listed therein have been duly completed; and  
Whereas, The completion of said work has been found to be in accordance with the contracts and specifications for same and have been