

the sewers shall be replaced with cast iron pipe of the same size, re-routed 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 sewers without 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 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 such broken sewer.

Adopted as follows:

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

Nays—None.

Department of Public Works

December 23, 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. 2549, requesting the vacation of Hunt Street, west of Ellery Street and a portion of east-west public alley west of Ellery Street between Hunt Street and Hendricks Avenue within the limits of a school site. The vacation of said street and alley was approved by the City Plan Commission with the recommendation that the petitioner deed sufficient land to provide a new street outlet in lieu of the street to be vacated.

We wish to advise that our investigations are completed. They disclose that the following City Departments are affected by the vacation of the street and alley:

(a) The petitioner issued a purchase Order (No. 65139), in the amount of \$4,500.00 in favor of the Department of Water Supply to cover costs of abandoning the 6 inch water main in the portion of Hunt Street to be vacated, and to install an 8 inch main in the street to be deeded between Hunt Street and Hendricks Avenue.

(b) The petitioner issued a purchase order (No. 65140), in the amount of \$750.00 in favor of the Detroit Fire Department, to cover costs of relocating a fire hydrant necessitated by the vacation of Hunt Street.

(c) The petitioner issued a purchase order (No. 65141), in the amount of \$9,000.00 in favor of the Department of Public Works, to cover costs of removing paved return at the intersection of Hunt and Ellery Streets, construct new curbing and sidewalk incident to such removal, pave the new street and construct the necessary returns and curbing incident thereto.

(d) Department of Public Works: On December 23, 1954, the petitioner paid into the City Treasury the sum of \$456.87, Receipt No. C-19150, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the west ½ of Ellery Street at the intersection of Hunt Street.

(e) 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 street 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 street and alley or that they have reached satisfactory agreement with the petitioners regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved, That all that part of Hunt Street 50.12 feet wide, between the west line of Ellery Street and the west line of the east 10 feet of Lot 65, extended northerly, as platted in Gladewitz's Subdivision of Lots 27 and 28 and the Nly. 23.99 feet of Lot 26 of the Subdivision of the Geo. Hunt Farm, South of Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 84 of plats, Wayne County Records, lying north of and adjoining the north line of Lots 66 to 79, both inclusive, and north of and adjoining the north line of the east 10 feet of Lot 65, all of the above mentioned subdivision.

Also, All that part of east-west public alley 20 feet wide, west of Ellery Street, between Hunt Street and Hendricks Avenue, as platted in said Gladewitz's Subdivision, as recorded in Liber 16, Page 84 of plats, Wayne County Records, lying north of and adjoining the north line of Lots 30

to 43, both inclusive, north of and adjoining the north line of the east 10 feet of Lot 44, south of and adjoining the south line of Lots 66 to 79, both inclusive, and south of and adjoining the south line of the east 10 feet of Lot 65, all of the above mentioned Subdivision.

Be and the same are hereby vacated as a public street and alley to become a part and parcel of the adjoining property, said alley, however, being vacated 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 building shall be constructed over said sewer without prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4) Provided, That in the event the sewer located in said alley, if built upon, shall break causing damage to any construction above petitioners and their assigns, by acceptance of the permit over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewer, and further

Resolved, That Quit Claim Deed of the Board of Education of the City of Detroit, to the City of Detroit, deeding land for street purposes, said land being described as "Lots 45, 64, the west 20 feet of Lot 65 and the west 20 feet of Lot 44 of Gladewitz's Subdivision of Lots 27 and 28 and the northerly 23.99 feet of Lot 26 of the Subdivision of the George Hunt Farm, south of Gratiot Avenue as recorded in Liber 16, Page 84 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 Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Councilmen Beck, Connor,

Lincoln, Rogell, Smith, Van Antwerp, Wise, and President Miriani—8.
Nays—None.

Department of Public Works
December 20, 1954.

Honorable Common Council:

Gentlemen—Under date of March 11, 1952, your Honorable Body authorized payment for overtime work from the first hour for those departments engaged in preparing plans for the John C. Lodge and Edsel Ford Expressway construction. This authorization was approved for the purpose of expediting the completion of the expressway construction because of a shortage of engineers.

It was explained that the normal activities of those departments involved were taxed to the extent that free time for the liquidation of overtime could not be permitted by the departments. In fact, under the more liberal vacation privileges it was difficult to spare technical personnel for the full period of available vacation time. Ordinance No. 442-E, Section 4, provides relief in special cases and it was recommended that this authorization be approved for the reason that the time of the personnel involved in these departments was reimbursed by operation of our agreement between the State and the County.

Currently certain City departments are engaged in the preparation of preliminary plans and studies for additional expressways in the City in accordance with Master Plan Studies previously approved. However, there are as yet no agreements between the State, County and Federal Government for the construction of expressways other than the John Lodge Expressway and the Edsel Ford Expressway.

In order to be well along with plan preparation, route studies, and to arrive at a position wherein an agreement can be reached with these other public agencies, it is imperative that departments and personnel other than those now working on current expressway programs be authorized to work their personnel on an overtime basis and to authorize payment from the first hour.

Although we have no agreement for reimbursement of these charges it is anticipated that at the time of entering into an agreement, we feel that the same provisions will apply for reimbursement as our current agreement. These other departments involved include the City Plan Commission and certain personnel from the Department of Streets and Traffic and the Department of Public Works, who are currently engaged in the preliminary planning for new expressways in the City.

We therefore recommend that de-