

formance of this Contract has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is therefore recommended that the total value of the work, as above stated be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

JOHN S. PERCIVAL,
Engineer of Tests & Inspection.
CLYDE L. PALMER,
Asst. City Engineer.
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

Whereas, from the foregoing communication, it appears that all work required to be performed by the Contractor under the Contract therein named has been fully completed; and

Whereas, the completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Van Antwerp, Wise, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

March 16, 1956.

Honorable Common Council:

Gentlemen — We return herewith petitions and general orders requesting the forced construction of sidewalks at the following described locations:

G. O. No. 57039, C. Zawal, (8304).

Lot 83, W. S. Concord bet. Robinwood and Hildale; Side on Hildale only; 124 lineal feet.

G.O. No. 57084, E. Rose & Sons, (8361).

Outlot, S. S. W. Eight Mile Rd. bet. Berg Rd. and Lahser; Side on Lahser only; 661.70 lineal feet.

There is approximately 785.70 lineal feet of concrete sidewalks to be constructed; the approximate cost of this new local improvement would be \$1,687.11, the cost and expense to be assessed against the lots or parcels of real estate to be benefitted by such local improvement, in proportion to the probable benefit to be derived therefrom.

As these are original sidewalks and can only be ordered constructed by a

formal resolution as a forced account under the provisions of Chapter 264, as amended May 3, 1949, of the Compiled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the descriptions of property heretofore described in the above set forth communications, therefore;

Resolved, That the Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them The Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Van Antwerp, Wise, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

March 12, 1956.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of A. H. Peters, No. 4088, requesting the vacation of a portion of alley north of St. Patrick Avenue, west of Gratiot Avenue. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioner deed land for a new alley outlet in lieu of the portion of alley to be vacated.

We wish to advise that our investigations are completed.

As per cur directive, the petitioner on March 1, 1956, deposited with the Permit Division of the Department of Public Works the sum of \$2,100.00, Receipt No. 71203, said amount being the estimated cost of adjusting alley return and paving newly deeded alley necessitated by the vacation of said portion of alley.

The petitioner also deposited the sum of \$300.00 with the City Treasurer, Receipt No. B-36867, credited to Public Lighting Commission, Fund Code No. 990-9423, to cover the cost of rerouting P.L.C. facilities and to make the necessary changes.

We are in receipt of a Warranty Deed whereby petitioner dedicated land for an alley outlet 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.

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

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,

GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all that part of the north-south public alley 20 feet wide, north of St. Patrick Avenue and west of and parallel to Gratiot Avenue, as platted in Flanders Subdivision of Part of P. C. 389, lying between Gratiot Avenue and Conners Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 45 of Plats, Wayne County Records, lying between the south line extended easterly of the north 2 feet of Lot 31 and the east line extended southerly of the west 20 feet of Lot 31 of the above mentioned subdivision being more particularly described as follows: "Beginning at a point in the east line of Lot 31 of the above mentioned Flanders Subdivision, said point being distant S. 22d 02m 50s W., 3.19 feet from the northeast corner of said Lot 31; thence along the east line of said Lot 31, S. 22d 02m 50s W., 134.61 feet to a point; thence S. 28d 59m 03s E., 25.72 ft. to a point in the west line of Lot 17 of the above mentioned subdivision; thence N. 22d 02m 50s E., 177.05 feet to a point; thence S. 60d 52m 40s W., 31.90 feet to the place of beginning," 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 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 petitioners and their assigns, by acceptance of the permit for building over said sewers 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 Warranty Deed of A. H. Peters Funeral Home, Inc., to the City of Detroit deeding land for alley purposes, said land being described as: "Beginning at the southeast corner of Lot 31 of Flanders Subdivision of Part of P. C. 389, lying between Gratiot Avenue and Conners Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 45 of Plats, Wayne County Records; thence N. 28d 59m 03s W., 102.31 feet; thence N. 60d 52m 40s E., 127.16 feet; thence S. 22d 02m 50s W., 3.19 feet; thence S. 60d 52m 40s W., 94.20 feet; thence S. 15d 56m 48s W., 14.16 feet; thence S. 28d 59m 03s E., 74.04 feet; thence S. 22d 02m 50s W., 25.72 feet to the point of beginning." 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, Lincoln, Rogell, Van Antwerp, Wise, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

March 7, 1956.

Honorable Common Council:
Gentlemen—On January 17, 1956, your Honorable Body ordered the forced paving of the east-west business alley in the block bounded by Southfield, Archdale, Fenkell, and Keeler. This leaves the south 115 feet of the north-south alley, which provides the only entrance and exit from Fenkell Avenue, unpaved. Also to pave this short section of the alley at a later date would have to be done at an excessive cost.

It is therefore recommended that the above described portion of the north-south alley be ordered paved under the Forced-Paving Clause of the City Charter in accordance with the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.