

Wise, Youngblood, and President Miriani—9.

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, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

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

December 14, 1956.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Putnam Tool Company, No. 9928, requesting the vacation of the east-west alley in the block bounded by Jos. Campau, McDougall, Arndt, and Charlevoix Avenues. There is also returned a supplement to the above petition requesting the vacation of a portion of the north-south alley first west of McDougall Avenue, south of Arndt Avenue. The vacation of said alleys was approved by the City Plan Commission with the recommendation that the petitioner deed sufficient land to the City to widen the remaining portion of the north-south alley to 30 feet. The petition was then referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

As per our directive the petitioner deposited with the City Treasurer the sum of \$940.00, Receipt No. C-18835, credited to the Department of Water Supply Fund Code No. 600-0000 (6232) 001, said amount being the cost of abandoning an existing 6-inch water main and to remove and reset an existing blow off assembly necessitated by the vacation of said alleys.

The petitioner deposited with the City Treasurer the sum of \$250.00, Receipt No. C-18836, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of adjusting this department's pole and wire structure due to the vacation of said alleys.

The petitioner also deposited with the Permit Division of the Department of Public Works the sum of \$450.00, Receipt No. 78811, said amount being the estimated cost of constructing new alley return adjacent to the existing 20-foot return and to install curb, walk and asphalt wearing surface

necessitated by the vacation of said alleys.

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

We are in receipt of a Warranty Deed from the Putnam Tool Company to the City of Detroit deeding land 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 alleys 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 Smith:

Resolved. That all of the east-west public alley 20 feet wide in the block bounded by Jos. Campau, McDougall, Arndt, and Charlevoix Avenues, as platted in Louis V. Hanes Subdivision of Outlot 45 of the Subdivision of Joseph Campau Farm, P.C. 609, Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 77 of Plats, Wayne County Records, and A. M. Campau's Re-Subdivision of Part of the McDougall Farm, between Macomb Street and Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 96 of Plats Wayne County Records, lying north of and adjoining the north line of lots 5, 6, and 7, and south of and adjoining the south line of lots 8, 9, and 10, of the last mentioned subdivision, north of and adjoining the north line of lots 16 to 19 both inclusive and south of and adjoining the south line of lots 27 to 30 both inclusive of the above mentioned Louis V. Hanes Subdivision.

Also all that part of the north-south public alley 20 feet wide west of McDougall Avenue, south of Arndt Avenue, as platted in said A. M. Campau's Resubdivision of Part of the McDougall Farm, as recorded in Liber 4, Page 96 of Plats, Wayne County Records, lying east of and adjoining the east line of the south 20.97 feet of lot 10, and east of and adjoining the east line of the 20-foot east-west alley lying south of and adjoining the south line of lot 10 of the above mentioned subdivision.

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 right to the sewers located there-in 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 a building is to be constructed over said sewers, 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 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 sewers located in said alleys, if built upon, shall break causing damage to any construction above, the petitioners and its 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 Putman Tool Company, a Michigan Corporation, to the City of Detroit, a Municipal Corporation deeding land for alley purposes, said land being described as "A portion of Lot 10, Block 40, A. M. Campau's Resubdivision of part of the McDougall Farm, between Macomb Street and Gratiot Avenue, as recorded in Liber 4, Page 96 of Plats, Wayne County Records, said portion of lot 10 commencing at the intersection of the north and east lot line of said lot 10, thence running west along said north lot line 10 feet, thence south 84.28 feet parallel to the east line of lot 10, thence east 10 feet parallel to the north line of lot 10 to the east line of lot 10, thence north 84.28 feet along the east line of lot 10 to the north line of lot 10, being the place 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, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Department of Public Works

December 14, 1956.

Honorable, Common Council

Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts 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 below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

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

ALLEY PAVING:

PW-2708F, Coplin, Lakeview, Forest, and Warren, John Longo & Company, Adjusted Contract Price \$3,285.

PW-2735F, Archdale, Harlow, Clarita, and Seven Mile, A. N. Marando & Son, Adjusted Contract Price \$3,146.30.

PW-2782W, Rockdale, Outer Drive, and Schoelcraft, J. C. Sachs Contractor, Adjusted Contract Price \$3,139.20.

PW-2796W, Tracey, Schaefer, A. J. Smith Contracting Company, Inc., Adjusted Contract Price \$3,481.40.

STREET PAVING:

PW-2697W, Grayfield, Margareta to Glenhurst, G. Toccalino & Sons, Adjusted Contract Price \$13,521.80.

PW-2728P, Braile, Glendale to Davison, G. Toccalino & Sons, Adjusted Contract Price \$16,233.65.

JOHN S. PERCIVAL,
Engineer of Tests & Inspection.

M. F. WAGNITZ,
City Engineer.

GLENN RICHARDS,
Commissioner.

By Councilman Smith:

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

Whereas, The completed work has been found acceptable under the terms and conditions of said contracts by the Department of Public Works; therefore be it

Resolved, That the said contracts be and are hereby accepted.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.