

following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set fourth.

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

Third, that if at any time in the future the owners of any lots abutting on said vacated alley shall request the removal and-or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incident to such removal and-or relocation, unless such charges are waived by the utility owners.

Provided Further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Tindal, Wierzbicki and President Pro Tem Ravitz—5.

Nays—None.

#### Department of Public Works

June 4, 1969

Honorable Common Council:

Re: Petition Nos. 7303 and 7901, Bank of the Commonwealth, Alley Vacation first north of Warren between Evergreen and Plainview.

Gentlemen—The above petition requests the vacation of a five foot strip of the east-west public alley 16 feet wide, first north of Warren between Evergreen and Plainview.

The requested vacation was recommended by City Plan Commission, with the recommendation that sufficient land be dedicated to maintain a 16 foot alley right-of-way.

The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

A Quit Claim Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley right-of-way. This deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

The Sewer Design Bureau of the Detroit Metropolitan Water Services, as a stipulation for their agreement, directs that building plans for the vacation section of alley be submitted for their approval.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

ROBERT P. ROSELLE

Commissioner

By Councilman Tindal:

Resolved, That all that part of the southerly 5 feet of the east-west public alley 16 feet wide, first northerly of Warren Avenue, between Evergreen and Plainview Avenues lying northerly of and abutting the northerly line of Lots 72 to 75 inclusive of Sloan's West Warren subdivision of part of Lot 5, Forsyth subdivision of the West ½ of the Southwest ¼ of Section 2, T.2S., R.10.E., Township of Dearborn, Wayne County, Michigan as recorded in Liber 46, Page 3, Plats, Wayne County records, more properly described as: beginning at a point said point being in the northerly line of Lot 75 and 10.31 feet easterly of the northwesterly corner of said Lot 75, thence northerly along the easterly line extended southerly of the north-south public alley, 18 feet wide, 5.00 feet; thence easterly along a line of 5.00 feet northerly of and parallel to the northerly line of Lot 75, 37.87 feet to a point; thence in a southeasterly direction to a point in the northerly line of Lot 72 said point being 8.18 feet easterly of the northwesterly corner of Lot 72; thence westerly along the northerly line of Lots 72 to 75, 57.87 feet to the point of beginning,

Be and the same is hereby vacated to become a part and parcel of the abutting property; and be it further

Resolved, That the Quit Claim Deed of the Bank of the Commonwealth



deeding land to the City of Detroit for alley purposes being described as: A rectangular portion of Lot 71, Sloan's West Warren Subdivision of part of Lot 5, Forsyth Sub. of West 1/2 of S.W. 1/4 of Section 2 Town 2 South, Range 10 East Township of Dearborn, Wayne County, Michigan, recorded in Liber 46, Page 3 Plats W.C.R., described as beginning at the S.W. corner of Lot 71 thence north 5 feet, thence east and parallel to the south edge for 37.87 feet. Thence approximately south east by east to a point on the south edge of lot 71 which is 57.87 feet from the S.W. corner, thence west 57.87 feet to the point of beginning at the S.W. corner of lot 71.

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the office of the Register of Deeds for Wayne County; and be it further

Resolved, That Building Plans for the area of the vacated section of alley be presented by the petitioner for review by the Sewer Design Bureau of the Detroit Metropolitan Water Services; and be it further

Resolved, That the City Controller is hereby authorized and directed to issue a Quit Claim Deed to the Bank of the Commonwealth and the Corporation Counsel is directed to prepare said deed.

Adopted as follows:  
Yeas — Councilmen Beck, Hood, Tindal, Wierzbicki and President Pro Tem Ravitz—5.  
Nays—None.

**Department of Public Works**  
June 12, 1969.

Honorable Common Council:  
Re: Contract: PQ-5749. For: Parking Bays and Alley Construction; Eight Mile - Wyoming Rehabilitation, Michigan R-19. Adjusted Contract Price: \$218,941.03. Contractor: Fort Wayne Construction Co.

Gentlemen—This is to certify that all work required of the contractor in the performance 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, less the total stated, less the total amount previously paid on all progress payments, 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.

Respectfully submitted,  
ROBERT P. ROSELLE,  
Commissioner.

By Councilman Wierzbicki:

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, Hood, Tindal, Wierzbicki and President Pro Tem Ravitz—5.  
Nays—None.

**Purchases and Supplies**

June 17, 1969

Honorable Common Council:

Gentlemen—The Department of Purchases and Supplies has advertised for bids in accord with specifications and recommends that contracts be entered into with firms or persons as is detailed in the following communications:

**FILE NO. 2168**

Five bids were received as a result of eleven solicitations, as per tabulation, for furnishing the City of Detroit (except D.S.R. and Board of Education) with normal requirements of Cartridges, Filter, Oil, Automotive for a period starting June 25, 1969 and ending March 31, 1970.

To: M & M Auto Parts Company of Detroit—

Group I (Lowest Acceptable Bid).  
Depth type oil filters for Ford vehicles, Wix brand.

Group II (Lowest Total Bid).  
Oil filters for General Motors, International Harvester, Chrysler Corporation, etc., Wix brand.

All broken or standard cartons at 24 per cent discount from dist. column in Wix contract distributor price list form CDC-32 effective April 15, 1968, and supplemental cost sheet form CDC-32D effective February 17, 1969.

Federal excise tax is deductible in the amounts listed in price sheet.

Returned materials: Filters may be returned for full credit if defective or ordered in error and returned in saleable condition.

This is estimated at \$11,000.00.  
Prices are subject to decrease only and F.O.B. delivered within City Limits.

Terms: 2 per cent—30 days.

**FILE NO. 2216**

Four bids were received as a result of nine solicitations, as per tabula-