

General Hospital, for the reasons stated; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented to cover the additional cost in the amount of \$1,046.81 and charge them to Account No. 136-3113-390, Major Repairs.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz 7.
Nays — None.

Department of Public Works

October 10, 1972

Honorable Common Council:

Re: Area Demolition of Buildings, Federal Aid, City Wide, Contract PW-6221MS.

Gentlemen — In response to public advertisements, eight bids were received on September 13, 1972, for Area Demolition of Buildings, Federal Aid, City Wide, Contract PW-6221MS. The tabulation of the bids is attached.

The low bid, submitted by Richter Trucking Company in the amount of \$115,098, was not in accordance with the requirements of the Contract Document which states that the Contractor must be licensed by the Department of Building & Safety Engineering to conduct demolition operations within the City limits of Detroit.

Contract Documents also state that the Contractor will be allowed three weeks to meet this requirement. However, the Richter Trucking Company has failed to comply within the period called for in the Contract Documents.

It is, therefore, the recommendation of this Department that the bid of Richter Trucking Company be rejected. It is further recommended that the Contract be awarded to Adamo Wrecking Inc. the second lowest bidder, whose bid was regular in all respects, in the amount of \$118,139.50. It is estimated that the total funds in the amount of \$132,840 will be required. This will cover the cost of design, advertising, and field inspection. The appropriation is available in account 225-2022-361 — "Building and Contractual Expense — Federal Participation," to cover the total charges.

It is understood that any required approvals will also be obtained from the Department of Housing and Urban Development.

Due to the time necessary in resolving the question of the low bidder and the backlog of Demolition work in the area covered by this Contract, it is recommended that the Contract be considered confirmed after Certification by the Controller

and approval of the Corporation Counsel.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

Approved:

W. I. STECHER
Controller

By Councilman Eberhard:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to enter into contract for the Area Demolition of Buildings, Federal Aid, City Wide, Contract PW-6221MS, with Adamo Wrecking Company, in the amount of \$118,139.50.

Resolved, That this Contract be and considered confirmed after certification by the Controller, and approval as to form by the Corporation Counsel; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers to include the cost of design, advertising, filed inspection and contingencies as well as the Contract costs, and charge them to Account 225-2022-361.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 7.
Nays — None.

Department of Public Works

October 11, 1972

Honorable Common Council:

Re: Petition No. 241, Charles Goldfarm, et al, Conversion to Easement of Street and Alleys in the blocks bounded by Prevost, Winthrop, Hessel, and Motor Drive.

Gentlemen — The above petition requests the conversion of the street and alleys bounded by the above described streets into easements for public utilities. The requested conversion into easements for public utilities was recommended by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley turnaround. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

DPW Intersection Fund 143-6241, Receipt No. B 3348, \$266.00, For the original cost of paving the streets at the intersection of the alleys to be vacated.

The petitioner has also requested that the paved returns at the entrance to the streets and alleys to be vacated remain in their present status as the petitioner plans to utilize same, and had agreed by letter

filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley turn-around. 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.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right of ways into easements provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL
 Commissioner

By Councilman Van Antwerp:

Resolved, That all that part of Forrer Avenue, 60 feet wide, not previously vacated between Hessel and James Couzens abutting the southerly line of Motor Drive, as opened, and the southerly line extended of the alley south of Motor Drive; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Prevost, Motor Drive, and Hessel, abutting the southerly line of Motor Drive and the westerly line of Prevost Avenue; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Prevost, Forrer, Hessel, and Motor Drive abutting the southerly line of Motor Drive and the westerly line of Forrer Avenue; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Forrer, Winthrop, Hessel, and Motor Drive, abutting the easterly line of Forrer Avenue and abutting the southerly line of lots 98 to 103 of the following subdivision:

All of the above described street and alleys being a part of Maloney Park Subdivision of the northeast ¼ of the northeast ½ of Section 1, T.1.S., R.10. E., Detroit, L. 60, P. 2, Plats, Wayne County Records.

Be and the same are hereby vacated as public street and alleys and are hereby converted into public easements of the full width of the street and alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said street and alleys and by their heirs, executors, administrators and assigns forever to wit:

First, said owners hereby grant to and for the use of the public easements or rights of way over said vacated public street and alleys 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 street and alleys in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth.

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 easements, 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 street and alleys shall request the removal and-or relocation of any existing poles or other utilities in said easements, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental 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, and be it further

Resolved, That the Warranty Deed of the Towne Square Apartments, a Michigan co-partnership deeding land to the City of an alley turnaround being described as:

Part of Lot 219 of "Maloney Park Subdivision" of the Northeast ¼ of the Northeast ¼ of Section 1, T1S, R10E, City of Detroit, Wayne County, Michigan, described as beginning at the Southeast corner of said lot; th along lot line N 89d 56m 00s W, 65.00'; th due North, 20.00'; th S 89d 56m 00s E, 15.00'; th due North 33.46' to the East lot line; th along lot line S 43d 03m 10s E, 73.24' to the point of beginning.

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.

Adopted as follows:
 Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 7.
 Nays — None.

Department of Public Works

October 3, 1972

Re: Agreement No. 72-0366, Ford Freeway (I-94), Dequindre Yard Bridge Deck Repair, X01 of 82024.

Highway Planning

Honorable Common Council:

Gentlemen — This is in reference to an agreement between the Michigan State Highway Commission and the City of Detroit which provides for the resurfacing with latex mortar, of the roadway surface of the Dequindre Yard Bridge which carries the Edsel Ford Freeway (I-94) over Russell and St. Aubin and the Dequindre Yard railroad complex.

At the Common Council session of July 18, 1972, your Honorable Body approved this agreement and authorized the Street Administrator to execute this agreement in behalf of the City of Detroit. This agreement has been fully - executed by both parties, and the Corporation Counsel has examined and approved this agreement as to form and execution.

At this time, we are requesting that your Honorable Body approve and confirm the fully - executed agreement.

Respectfully submitted,
 CLARENCE C. RUSSELL,
 Commissioner

By Councilman Van Antwerp:

Resolved, That in accordance with the above communication, the fully - executed agreement between the City of Detroit and the Michigan State Highway Commission, which provides for the resurfacing with latex mortar, of the roadway surface of the Dequindre Yard Bridge which carries the Edsel Ford Freeway (I-94) over Russell and St. Aubin and the Dequindre Yard railway complex, be and the same is hereby approved and confirmed.

Adopted as follows:
 Yeas Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 7.
 Nays — None.

Department of Public Works

October 2, 1972

Re: Agreement No. 71-0485, Penn Central over Jeffries Freeway (I-96), North of Fullerton Avenue, X07 & X08 of 82123E.

Honorable Common Council:

Gentlemen — This is in reference to an agreement between the Michigan State Highway Commission, the Board of Wayne County Road Commissioners, the City of Detroit,

and the Penn Central Railway Company, which provides for the construction of a grade separation structure to carry the Penn Central Railway Company over the Jeffries Freeway north of Fullerton.

At the Common Council session of July 5, 1972, your Honorable Body approved this agreement and authorized the Commissioner of Public Works to execute this agreement in behalf of the City of Detroit. This agreement has been fully - executed by both parties, and the Corporation Counsel has examined and approved this agreement as to form and execution.

At this time, we are requesting that your Honorable Body approve and confirm the fully - executed agreement.

Respectfully submitted,
 CLARENCE C. RUSSELL,
 Commissioner

By Councilman Van Antwerp:

Resolved, That in accordance with the above communication, the fully - executed agreement between the Michigan Highway Commission, the Board of Wayne County Road Commissioners, the City of Detroit, and the Penn Central Railway Company, which provides for the construction of a grade separation structure to carry the Penn Central Railway Company over the Jeffries Freeway north of Fullerton, be and the same is hereby approved and confirmed.

Adopted as follows:
 Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 7.
 Nays — None.

Department of Public Works

October 2, 1972

Re: TOPICS Project T-4000 (8) (11) (22) (23) Traffic Signal Modernization on Fort Street (US-25) and Livernois Agreement No. 72-0339.

Honorable Common Council:

Gentlemen — This is in reference to an agreement between the Michigan State Highway Commission and the City of Detroit which provides for Federal Aid in the modernization of traffic signals at 12 intersections along Livernois and 13 intersections along Fort Street (US-25).

At the Common Council session of August 1, 1972, your Honorable Body approved this agreement and authorized the Street Administrator to execute this agreement in behalf of the City of Detroit. This agreement has been fully - executed by both parties, and the Corporation Counsel has examined and approved this agreement as to form and execution.

At this time, we are requesting that