

executed by the Contractor, the Michigan Sewer Construction Company, and the Bonding Company.

It is the recommendation of the Department of Public Works that this assignment be approved, and it is respectfully requested that your Honorable Body authorize this assignment.

Respectfully submitted,

ERNEST JONES,
Commissioner.

By Councilman Comstock:

Resolved, that the Commissioner of Public Works be hereby authorized and directed to approve of the assignment of Contract No. PW-151 from G. Vella and Son, original Contractor, to the Michigan Sewer Construction Company, all within the terms and conditions of said Contract No. PW-151.

Adopted as follows:

Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, and the President—6.

Nays—None.

Department of Public Works

November 3, 1947.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith petition of Edward Mooney, Roman Catholic Archbishop of the Archdiocese of Detroit (Petition No. 5813) requesting the vacation of Nadell, Yosemite and Yellowstone Avenues and the alleys adjoining.

The vacation of these streets and alleys was approved by the City Plan Commission in their communication to your Honorable Body of August 8, 1947, with the recommendation that petitioner dedicate a portion of his property for alley purposes in lieu of the alleys to be vacated. The petition was then referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that all of our investigations have been completed.

On November 3, 1947, the petitioner paid into the City Treasury the sum of \$1,816.43, Receipt No. 28140, credited to Department of Water Supply Fund Code No. 601-9300-0-6290-908, said amount being reimbursement for that department's remaining equity in water mains located in streets to be vacated and the estimated cost of disconnecting the mains and restoring blow-offs.

On November 3, 1947, the petitioners also paid into the City Treasury the sum of \$250.00, Receipt No. 28139, credited to Fire Department Fund Code No. 106-9400-0, said amount being the estimated cost of removing two fire hydrants and plugging the tees, necessitated by the vacation of streets in question.

We are in receipt of a quit claim deed, deeding land for alley purposes in accordance with the recommendation of the City Plan Commission. The deed was approved as to description by the City Engineer, and as to form and execution by the Corporation Counsel. We are attaching it hereto for your honorable body's acceptance.

All other City departments and private utility companies reported that they will be unaffected by the vacation of said streets and alleys.

In view of the above, we recommend the adoption of the attached resolution.

Respectfully submitted,

ERNEST JONES,
Commissioner.

By Councilman Comstock:

Resolved, that all of Nadell Avenue, 60 feet wide, lying east of the east line of Nardin Avenue and west of the east line extended of Yellowstone Avenue (25 feet wide), as platted in Nadell Subdivision of part of lots 8, 9, 10 and 11 of Joseph Yerkes Subdivision of the northerly part of fractional $\frac{1}{4}$ Sec. 30, T. T. A. T., City of Detroit, Wayne County, Michigan, as recorded in Liber 65 of plats, page 79, Wayne County Records, lying south of and adjoining the south line of lots 23 to 38, both inclusive, of last mentioned subdivision;

Also, all that part of Yellowstone Avenue, 25 feet wide as now established south of Nadell Avenue, lying east of and adjoining the east line of lots 39 to 45, both inclusive, and east of and adjoining the east line of the north 17 feet of lot 46, said Yellowstone Avenue, and all of said lots being the same as platted in Nadell Subdivision, heretofore mentioned;

Also, all that part of Yosemite Avenue, 50 feet wide as now established, south of Nadell Avenue, lying east of and adjoining the east line of lots 55 to 61, both inclusive, east of and adjoining the east line of the north 17 feet of lot 62 and west of and adjoining the west line of lots 48 to 54, both inclusive, and west of and adjoining the west line of the north 17 feet of lot 47, said Yosemite Avenue and all of said lots being the same as platted in Nadell Subdivision, heretofore mentioned;

Also, all that part of north and south public alley, 18 feet wide, south of Nadell Avenue between Nardin and Yosemite Avenues, as platted in Nadell Subdivision, heretofore mentioned, lying east of and adjoining the east line of lots 64 and 70, both inclusive, east of and adjoining the east line of the north 17 feet of lot 63, west of and adjoining the west line of lots 55 to 61, both inclusive, and west of and adjoining the west line of the north 17 feet of lot 62,

all lots being the same as platted in last mentioned subdivision;

Also, all that part of north and south public alley, 18 feet wide, south of Nadell Avenue between Yosemite and Yellowstone Avenues, as platted in Nadell Subdivision, heretofore mentioned, lying east of and adjoining the east line of lots 48 to 54, both inclusive, east of and adjoining the east line of the north 17 feet of lot 47, west of and adjoining the west line of lots 39 to 45, both inclusive, and west of and adjoining the west line of the north 17 feet of lot 46, all lots being the same as platted in last mentioned subdivision;

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the adjoining property, and further

Resolved, that quit claim deed of Edward Mooney, Roman Catholic Archbishop of the Archdiocese of Detroit to City of Detroit deeding land for alley purposes, said land being described as

The south eighteen (18) feet of lots 63, 62, 47, and 46 of Nadell Subdivision of part of lots 8, 9, 10, and 11 of Joseph Yerkes Subdivision of the northerly part of fractional quarter of Section 30; Ten Thousand Acre Tract, City of Detroit, Wayne County, Michigan, according to the plat thereof as recorded in Liber 65, page 79 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 the Register of Deeds for Wayne County.

Adopted as follows:
Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, and the President—6.
Nays—None.

Department of Public Works

October 28, 1947.

To the Honorable, the Common Council:

Gentlemen—Returned herewith is petition No. 7044 of Firmon Lush and Cyril A. Lingeman, requesting installation of lateral sewer. A sketch is also attached, showing the location of petitioners' properties.

In 1940, the Seymour & Troester Company built, at their own expense, a lateral sewer in the blocks bounded by Fenelon, Keystone, Lantz and Outer Drive. Section 3 of Chapter 149 of the Compiled Ordinance states that, "No person shall be permitted to connect any drain from his, her, or their premises, with any drain or sewer made by one or more individual, in any street, lane, or alley, unless on payment to the proprietors of such drain or sewer of a ratable propor-

tion of the expense of making the same, the amount to be ascertained and determined by the Department of Public Works, with the right of appeal to the Common Council."

The assessment rate established by the City Engineer, in accordance with a notarized statement for the Seymour & Troester Company as to the cost of the sewer, is \$0.012 per square foot. The total assessment for lots 333 to 336 inclusive is \$146.42 for connecting to the existing private sewer only.

We recommend that the petition No. 7044 be granted, provided the petitioners obtain permission from Seymour & Troester Company to connect the proposed sewer to the privately built sewer. Plans for the petitioned sewer and a tentative assessment roll will then be prepared by the City Engineer.

A copy of the assessment roll will be transmitted to the City Treasurer. When the D.P.W. is advised that 25% of the amount of the assessment has been deposited, we will proceed with the letting of the contract.

Respectfully submitted,
PAUL TALMAGE,
Secretary.

By Councilman McNamara:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to proceed with the construction of lateral sewer in block bounded by Fenelon, Conley, Outer Drive and Lantz aves. in accordance with the foregoing communication.

Adopted as follows:
Yeas—Councilmen Castator, Comstock, McNamara, Oakman, Rogell, and the President—6.
Nays—None.

Department of Public Works

October 20, 1947.

To the Honorable, the Common Council:

Gentlemen—The City Engineer advises that, as a result of an investigation, he finds it necessary to construct a relief sewer in Davison Avenue from the alley west of Manor Avenue to Wyoming Avenue in order to abate the condition of flooded basements. The estimated cost of the work is \$70,000. The Budget Director advises that funds for this work are available. It is therefore recommended that your Honorable Body authorize the D.P.W. to proceed with the work.

Respectfully submitted,
ERNEST JONES,
Commissioner.

By Councilman McNamara:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to proceed with the construction of a relief sewer in Davison Avenue from the alley west