

cover these contracts and the cost of advertising, inspection, engineering, financing, and contingencies.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Oakman:

Resolved, That the bids of the foregoing contractors be and the same are hereby approved and accepted; and be it further

Resolved, that the said bids shall remain firm until the special assessment rolls for the respective districts have been duly approved and confirmed; and be it further

Resolved, that thereupon the Commissioner of Public Works be and he is hereby authorized and directed to enter into contract with the respective bidders listed above in accordance with the proposal, plans, and specifications subject to confirmation and approval by the Common Council; and be it further

Resolved, that payment will be made to the contractors for the assessed portion of the contract only from special assessments levied for said purpose or from the proceeds of the sale of special assessment bonds and that payment for the City portion shall be paid from the street and alley intersection fund within the General Fund. Partial or periodic payments during the course of construction shall not be authorized unless such assessments have been collected or special assessment bonds sold and delivered; and be it further

Resolved, that in the preparation of the City Engineer's final cost statement for payment of the contract cost of new paving of streets and alleys, any deductions or additions to the original contract shall be adjusted in the City portion of the contract so that the original assessment roll previously confirmed and levied shall not be changed, provided that when such deduction or addition in the assessment portion exceeds 1 percent of the contract price thereof, this procedure must be approved by the Common Council.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Oakman, Smith and the President Pro Tem—7.

Nays—None.

Department of Public Works

August 11, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Carl D. Cutright, Jr., et al (No. 5394), requesting the conversion into an easement of the north and south alley in

block bounded by Marlowe, Hubbell, Pembroke and Chippewa Avenues, was referred to this Department by your Committee of the Whole for investigation and report, and is returned herewith.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of May 26, 1949.

We wish to advise that all of our investigations have been completed. In reply to our inquiries, all City departments and private utility companies reported that they will be unaffected by the proposed change, or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

The conversion of this alley into an easement conforms with Common Council resolution of November 13, 1945, J.C.C. Page 2230.

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

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Oakman:

Resolved, That all of north and south alley, 20 feet wide, in block bounded by Marlowe, Hubbell, Pembroke and Chippewa Avenues, as platted in San Bernard's Park No. 3, being a subdivision of the S. ½ of the N. W. ¼ of Sec. 6, T. 1 S. R. 11 E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 55 of plats, Page 23, Wayne County Records, lying west of and adjoining the west line of lots 784 to 820, both inclusive, and east of and adjoining the east line of lots 850 to 868, both inclusive, all lots being the same as platted in last mentioned subdivision:

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property.

Provided, The City of Detroit hereby reserves for itself and for the use of the public an easement or right of way over said vacated public alley, hereinabove described, for the purpose of installing, maintaining, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light, or other poles or things usually placed or installed in a public alley in the City of Detroit, with the right of ingress or egress at any time to and over said easement for the purposes above set forth:

And Further Provided, That the owners of lots abutting on said vacated alley, their heirs and assigns, shall not build or construct any buildings or structure of any nature whatsoever (except necessary line fences) upon said easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above:

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And Further Provided, Said easement shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting that same shall not be opened for the passage of vehicles therein;

And Further Provided, That if at any time in the future, the owners of any lots abutting on said vacated alley, their heirs or assigns, 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 incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Oakman, Smith and the President Pro Tem—7.
Nays—None.

Department of Public Works

August 5, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith Petitions and General Orders, as follows, requesting the forced construction of sidewalks on various streets.

All streets have been investigated, and the Inspectors report that there are no sidewalks adjacent to the following described property:

Petition 5655, General Order 9383, Marko Home Builders—

Property described as:
N. 107' of E. 115.80'.
S. 35' of N. 142' of E. 115.80'.
S. 35' of N. 177' of E. 115.80'.
S. 35' of N. 212' of E. 115.80'.
S. 35' of N. 247' of E. 115.80'.
S. 140' of N. 387' of E. 115.80'.
S. 70' of N. 457' of E. 115.80'.
S. 70' of N. 527' of E. 115.80'.

On the West side of Kentfield between Lyndon and Acacia, Letter: Far West Detroit Community Club, Inc., 7547 Dacosta.

Lots 226 to 238, inclusive, North side of Warren between Chatham and Bramell.

Letter: Board of Education, May 6, 1949.

Letter: Board of Education, June 22, 1949.

Petition 6852, General Order 12179, by Sheldon Land Co., H. E. Hees.

Lots 910 to 926, inclusive, on the West side of Fielding.

Lots 853 to 869, inclusive, on the East side of Patton between Westfield and Cathedral.

Lot 962, North side of Joy Road between Fielding and Patton, side on Fielding only.

Lots 897 to 909, inclusive, F. & S. on the West side of Fielding between West Chicago and Westfield.

Lots 927, F. & S. to 943, inclusive, on the West side of Fielding between Cathedral and Dover.

Lots 944 to 956, inclusive, on the West side of Fielding between Dover and Joy Road.

Lot 852, on the East side of Patton between Dover and Cathedral, front and side on Cathedral.

Lots 870, F. & S., to 882, inclusive, on the East side of Patton between Westfield and W. Chicago.

Lot 1068, East side of Bralle between Dover and Cathedral, side on Cathedral only.

Lot 1139, F. & S., West side Bralle between Cathedral and Dover.

Lots 1046 to 1048, inclusive, and Lot 1050, side on Westfield, East side of Bralle between Westfield and Chicago.

Lot 1067, side on Cathedral, and Lot 1051, side on Westfield, on the East side of Bralle between Cathedral and Westfield.

Lot 1157, on the West side of Bralle between W. Chicago and Westfield, side on Westfield.

Lot 1156, side on Westfield, Lot 1140, side on Cathedral, West side of Bralle between Westfield and Cathedral.

Lots 1014, F. & S., to 1026, inclusive, on the West side of Patton between W. Chicago and Westfield.

Lot 997, West side of Patton between Westfield and Cathedral, side on Cathedral.

Lot 500, West side of Evergreen between W. Chicago and Westfield, side on Westfield.

Lots 466 to 477, inclusive, East side of Vaughan between Westfield and W. Chicago, side on Westfield only.

Lot 465, West side Vaughan between W. Chicago and Westfield, side on Westfield.

Lot 428, West side of Heyden between W. Chicago and Westfield, side on Westfield.

Lot 392, East side Stout between Westfield and W. Chicago, side on Westfield.

Lot 391, West side of Stout between W. Chicago and Westfield, side on Westfield.

Lots 354, F. & S., to 365, inclusive, on the East side of Fielding between Westfield and W. Chicago.

There is approximately 8,561.81 lineal feet of walk to be constructed; the approximate cost of this new local improvement would be \$22,089.47, the cost and expense to be equitably 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