

It is, therefore, recommended that Contract PW-979 be awarded to the Bruce Excavating Company in the amount bid of \$10,100.00. In addition to the contract price, it is estimated that \$500.00 will be required to cover the cost of advertising, inspection, and minor contingencies, making the total funds required \$10,600.00.

It is further recommended that the Controller be authorized and directed to set up an account in the amounts stated above to cover the cost of this contract and the cost of advertising, inspection, and minor contingencies.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Edgecomb:

Resolved, That the bid of the foregoing contractor be and the same is hereby approved and accepted; and be it further

Resolved, That the said bid shall remain firm until the special assessment roll for the district has 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 bidder mentioned 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 contractor 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, if any, shall be paid from the lateral sewer City portion 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 the payment of the contract cost of the lateral sewer 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 per cent of the contract price thereof this procedure must be approved by the Common Council.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.

Nays—None.

Department of Public Works

August 26, 1949

To the Honorable, the Common Council:

Gentlemen—Petition of Geo. F. Addes et al (6130), requesting the conversion into an easement of the north and south alley in block bounded by Grayton, Harvard, Wallingford and Waveney Avenues, was referred to this office 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 July 14, 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 Edgecomb:

Resolved, That all of north-south alley, 18 feet wide, in block bounded by Grayton, Harvard, Wallingford and Waveney Avenues, as platted in Arthur J. Scully's Vogt Farm Subdivision of lots 8, 9, the southerly $\frac{1}{2}$ of lot 10 and the part of lot 7 lying north of Mack Avenue of subdivision of the S. W. $\frac{1}{2}$ of P. C. 564, also, parts lying between Mack Avenue and Warren Avenue of lots 4 and 5 of subdivision of the front and rear concession of P. C. 585, also part of the east 27.14 feet of said lot 4 lying north of Warren Avenue, all in the City of Detroit, Wayne County, Michigan, as recorded in Liber 50 of plats, Page 94, Wayne County Records, lying east of and adjoining the east line of lots 46 to 68, both inclusive, and west of and adjoining the west line of lots 157 to 177, 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

September 6

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;

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, Miriani, Oakman, Smith and the President—8.
Nays—None.

Department of Public Works

August 30, 1949

To the Honorable, the Common Council:

Gentlemen—Assessment rolls for the following paving contracts were approved and confirmed by your Honorable Body on the dates listed below. Pursuant to such action, and in conformity with the provisions of your previously adopted resolutions, the contracts have been duly executed and the bonds furnished. The contracts have been endorsed by the Controller and approved as to form and execution by the Corporation Counsel.

Approval and confirmation of these executed contracts and bonds by your Honorable Body is respectfully requested

Contract number PW-935, Trinity, Puritan to Grand River (Cooke Contracting Co.), roll approved and confirmed 8-23-1949.

Contract number PW-939, Golden Gate, Omira to Oakland (Sachs and Kaufman), roll approved and confirmed 8-23-1949.

In addition to the above paving contracts, may we also have your

confirmation and approval of the following executed documents:

Contract number PW-950, West Chicago—Rouge Park Sewer.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Oakman:
Resolved, That the executed contracts and bonds for the paving listed in the foregoing communication be and are hereby approved and confirmed.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.
Nays—None.

Reconsideration

Councilman Oakman moved to reconsider the vote by which the resolution was adopted.

Councilman Garlick moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Oakman, Smith and the President—8.
Nays—None.

Councilman Kronk then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Purchases and Supplies

September 6, 1949.

To the Honorable, the Common Council:

Gentlemen—In response to our advertisement for proposals to furnish the Department of Water Supply with Cast Iron Pipe, four (4) bids were received as per the attached tabulation.

The lowest bid was submitted by the United States Pipe & Foundry Company of Chicago, Illinois, and acceptance of same is recommended as follows:

- 60 Pcs. 6"x4' Bell and Plain End C. I. Pipe, Class 250, \$3.50 per Lin. Ft.
- 75 Pcs. 8"x4' Bell and Plain End C. I. Pipe, Class 250, \$5.75 per Lin. Ft.
- 6000 Ft. 12" C. I. Pipe, \$3.77 per Lin. Ft.

Prices based on furnishing Type I in 18' lengths.

Prices are subject to decrease but not increase, except as to freight rates, and are F.O.B. delivered.

The approval of your Honorable Body is requested.

Respectfully submitted,
WM. G. LEWIS,
Commissioner.