

Reconsideration

Councilman Connor 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, Smith and the President—7.

Nays—None.

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

The regular order was resumed.

Department of Public Works

December 23, 1949.

To the Honorable, the Common Council:

Gentlemen—This is to certify in accordance with Article 6 of the Contract Agreement of the following contracts that work provided for in said contracts has been given final inspection and found fully performed and the Contractor has submitted an affidavit that all payrolls, material bills, and other indebtedness connected with the work has been paid:

Paving of: PW-1057—Alley, Wildemere, Lawton, Sturtevant, Fullerton—A. J. Smith Co., \$6,515.00.

Paving of: PW-1060—State Fair, Hoyt, to Gratiot—Denton Construction Co., \$29,147.80.

Paving of: PW-1054—Maddelein, Rex to Redmond—Denton Construction Co., \$3,827.60.

Paving of: PW-1055—Northlawn, Outer Dr. to Pembroke—A. J. Smith Co., \$16,570.10.

Paving of: PW-830—Freeland, Curtis to Pickford—Cooke Contracting Co., \$11,080.00.

Paving of: PW-991—Gilchrist, Pembroke to 8-Mile Rd.—Cooke Contracting Co., \$35,270.90.

Paving of: PW-1016—Stansbury, Curtis to Margareta—Cooke Contracting Co., \$15,628.40.

Paving of: PW-957—Ferrer, 484' S. Davison to Davison—J. Porath & Sons, \$6,300.85.

Paving of: PW-1043—Pierson, 7-Mile Rd. to Clarita—Cooke Contracting Co., \$10,816.45.

Paving of: PW-1009—Kentucky, Westfield to 245' N. of Westfield—Weir Contracting Co., \$3,673.00.

Paving of: PW-775—Keifer, Swift to Hawthorne—Sachs & Kaufman, \$3,672.48.

Paving of: PW-1003—Kramer, Mansfield to Prevost—Sachs & Kaufman, \$7,340.70.

Paving of: PW-990—Strathmoor, Tireman to Belton—Weir Contracting Co., \$12,612.40.

Paving of: PW-860—Rosemont, Joy to Dover—Weir Contracting Co., \$10,811.75.

Paving of: PW-1004A—Rutherford, Kramer to Ellis—Sachs & Kaufman, \$6,836.25.

Paving of: PW-1004B—Rutherford, Ellis to Cathedral—Sachs & Kaufman, \$5,411.50.

As the work provided for in these contracts has been completed they are accepted by the Commissioner of Public Works and he does recommend that they be accepted by your Honorable Body and that full payment of the above-stated sums, as indicated in Estimate No. 1 (Final) be made at this time with the understanding that such payment is made by the City and accepted by the Contractor under the terms of final payment.

FLOYD C. MORSE,

Engineer of Tests and Inspection.

MARTIN R. FISHER,

Deputy City Engineer.

CARL D. WARNER,

Commissioner.

By Councilman Kronk:

Whereas, It appears from communication from the Dept. of Public Works that the contracts therein listed have been duly completed, and

Whereas, The completion of said work has been found to be in accordance with the contracts and specifications for the same, and has been accepted by the Commissioner of Public Works, therefore be it

Resolved, That the contracts listed in the foregoing communication be and the same are hereby accepted.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.

Nays—None.

Reconsideration

Councilman Connor 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:

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.

Nays—None.

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

The regular order was resumed.

Department of Public Works

December 27, 1949.

To the Honorable, the Common Council:

Gentlemen—Petition of Frederic A. Fairbrother et al (No. 6636) request-

ing the conversion into an easement of the north-south public alley in block bounded by Stahelin, Avon, Vassar and St. Martins 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 this communication to your Honorable Body of October 27, 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 Smith:

Resolved, That all of north-south public alley, 18 ft. wide, in block bounded by Stahelin Road, Avon Road, Vassar and St. Martins Avenues, as platted in Southfield Woods Subn. of the S. 1/2 of the N. 1/2 of the S. E. 1/4 Sec. 2, T 1 S., R 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 56 of plats, page 69, Wayne County Records, lying west of and adjoining the west line of lots 185 to 198, both inclusive, and east of and adjoining the east line of lots 199 to 212, both inclusive, all lots being the same as platted in last mentioned subn.

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, herein-above 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;

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, Edgcomb, Garlick, Kronk, Miriani, Smith and the President—7.

Nays—None.

Department of Public Works

December 27, 1949.

To the Honorable, the Common Council:

Gentlemen—We are returning herewith the petition of Joseph R. O'Brien, et al (No. 5837) requesting the conversion to an easement of the alley south of Curtis Avenue between Greenview and Faust Avenues, which petition was referred to this office by your Committee of the Whole for investigation and report.

The vacation of this alley was previously approved and recommended by the City Plan Commission in their communication to your Honorable Body of October 19, 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 Smith:

Resolved, that all of east-west public alley, 18 ft. wide, south of Curtis Avenue between Greenview and Faust Avenues as platted in Brookline No. 5, a subdivision of the W 1/2 of the S E 1/4 of Sec. 11, T.

1 S. R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 44 of plats, Page 31, Wayne County Records, lying south of and adjoining the south line of lots 1952 to 1957 both inclusive, south of and adjoining the south line of lots 2083 to 2088, both inclusive, and north of and adjoining the north line of lots 1958 and 2082, all lots being the same as platted in last mentioned subn.

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, herein-above 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;

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 relocations, unless such charges are waived by the utility owners.

Adopted as follows:

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

Street Railways

December 29, 1949.

To the Honorable, the Common Council:

Gentlemen — Attached herewith please find five (5) copies of a renewal lease between the National White

Tower System, Inc., and the Board of Street Railway Commission.

The Department is again leasing to the White Tower System the 625 square feet within the Wayburn Loop for a monthly rental of \$125.00, commencing February 1, 1950, up to and including January 31, 1951.

The Board of Street Railway Commissioners approved this renewal lease at its meeting held December 20, 1949.

The lease has been approved by both the General Counsel and the Corporation Counsel.

Therefore, the approval of your Honorable Body is hereby respectfully requested.

Respectfully submitted,
BOARD OF STREET RAILWAY COMMISSIONERS

WM. B. FITZGERALD,

Approved: Secretary.

LEO J. NOWICKI,

General Manager.

By Councilman Smith:

Resolved, That the renewal of lease between the Board of Street Railway Commissioners and the National White Tower System, Inc., covering the property on the north side of Jefferson Ave. between Wayburn and Maryland Aves. for the period February 1, 1950, to January 31, 1951, at a monthly rental of \$125.00, be and the same is hereby approved.

Adopted as follows:

Yeas—Councilmen Connor, Edgecomb, Garlick, Kronk, Miriani, Smith and the President—7.

Nays—None.

Recorder's Court

To the Honorable, the Common Council:

Gentlemen—I respectfully report to your Honorable Body that Judge Paul E. Krause duly impanelled in the Recorder's Court, in the matter of acquisition of land for parks and recreational and other municipal purposes, located on the west side of Twenty-fifth Street between Toledo and Vernor Highway rendered a verdict in favor of said taking December 15, 1949, which was confirmed by the Court December 28, 1949.

In accordance with the statute, I herewith transmit a certified copy of said verdict, and of the judgment of confirmation.

Respectfully submitted,
E. BURKE MONTGOMERY,
Clerk.

Received and placed on file.

Recorder's Court

To the Honorable, the Common Council:

Gentlemen—I respectfully report to your Honorable Body that a jury duly impanelled in the Recorder's Court, in the matter of opening and widening