

in accordance with the contract requirements. It is recommended that the contract be awarded to the respective bidders as listed below and in the amounts stated. The total funds required include the cost of advertising, inspection, engineering and financing costs and minor contingencies as well as the contract costs.

**Group 50-18**

- To: A. J. Smith Contracting Co. Inc.:  
PW-1173P, \$9,188.80. Funds Required, \$9,725.00.
- To: Denton Construction Co.:  
PW-1254F, \$11,413.70. Funds Required, \$12,300.00.
- To: Weir Contracting Co.:  
PW-1259F, \$10,703.40. Funds Required, \$11,400.00.
- PW-1294F, \$9,736.90. Funds Required, \$10,300.00.
- PW-1295F, \$11,836.75. Funds Required, \$12,600.00.
- PW-1312F, \$26,422.10. Funds Required, \$27,875.00.
- To: Thos. E. Currie Co.:  
PW-1270F, \$34,919.70. Funds Required, \$37,275.00.
- To: Julius Porath and Son Co.:  
PW-1271F, \$33,621.30. Funds Required, \$36,000.00.
- PW-1296P, \$22,980.70. Funds Required, \$24,500.00.
- To: Cooke Contracting Co.:  
PW-1297P, \$9,990.50. Funds Required, \$10,600.00.
- PW-1298P, \$9,004.70. Funds Required, \$9,575.00.

It is recommended that the Controller be authorized and directed to set up the necessary accounts to cover these contracts and the cost of advertising, inspection, engineering and financing and minor contingencies.

Respectfully submitted,  
**CARL D. WARNER,**  
Commissioner.

By Councilman Connor:

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

Resolved, That said bids shall remain firm until the special assessment district for the respective pavings have been determined; and be it further

Resolved, That thereupon the Commissioner of Public Works be and he is hereby authorized and directed to enter into contracts with the respective bidders listed above in accordance with the proposals, 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 City 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 per cent of the contract price thereof, this procedure must be approved by the Common Council.

Adopted as follows:

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

**Department of Public Works**

July 5, 1950.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the requests of the Board of Education and the Department of Parks and Recreation for the vacation of Berden Avenue, between Radnor and Canyon Avenues. The vacation of said street was approved by the City Plan Commission in their communication to your Honorable Body of April 27, 1950.

Please be advised that all of our investigations have been completed. In reply to our inquiries all City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
**CARL D. WARNER,**  
Commissioner.

By Councilman Connor:

Resolved, That all of Berden Avenue, 60 feet wide, between the north line of the easement first north of and parallel to Radnor Avenue and the south line of Canyon Avenue, 66 feet wide, more particularly described as "all that part of Lots 11 and 12 of Jane L. Fisher's Subdivision of P. C. No. 241, Grosse Pointe, Wayne County, Michigan, as recorded in Liber 7 Page 19 of Plats, Wayne County Records, all that part of vacated Moon Avenue

and all that part of Lots 13, 14 and 15 of Plat of partition of P.C. 300, being the estate of Oliver Rivard<sup>de</sup> as recorded in Liber 221 of Deeds, Page 329. Wayne County Records, described as follows: Beginning at a point in the southeast corner of Lot 27 of Leonard Hillger Land Company's Sub-division of part of Lots 16, 17 and 18 of Plat of Private Claim 300, prepared for the heirs of Oliver Rivard, deceased, and recorded in Liber 221 of Deeds, page 332, Wayne County Records; thence along a line N. 63d. 25m. 10s. E., 56.00 feet to a point; thence on a curve to the left (radius of said curve being 850.71 feet and chord bearing N. 44d. 02m. E., 564.76 feet) a distance of 575.68 feet to a point in the south line of Canyon Avenue, 66 feet wide as now established; thence along the south line of Canyon Avenue, S. 61d. 22m. 10s. E., 60.14 feet to a point; thence on a curve to the right (radius of said curve being 910.71 feet and chord bearing S. 44d. 09m. 53s. W., 600.67 feet) a distance of 612.11 feet to a point; thence along a line S. 63d. 25m. 10s. W., 56.67 feet to a point, thence along a line N. 26d. 02m. 13s. W., 60.00 feet to the place of beginning."

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

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, and the President—8.

Nays—None.

**Department of Public Works**

June 27, 1950.

To the Honorable, the Common Council:

Gentlemen — Submitted, herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated below:

Contract Number PW-1184, Concrete Repairs—General MacArthur Bridge, Award Authorized May 31, 1950.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Rogell:

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

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, 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 Beck, Connor, Garlick, Kronk, Oakman, Rogell, 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.

**Department of Public Works**

June 16, 1950.

To the Honorable, the Common Council:

Gentlemen—A majority petition has been filed for the paving of Whitehead Avenue from 433 feet west of Cicotte to Gilbert Avenue.

The records show that one recorded plat dedicated a half-street 30 feet wide and directly adjoining, another plat dedicated a half-alley, 9 feet wide, thereby raising the question of how to assess the adjoining property for the cost of the pavement.

The Corporation Counsel has given us an opinion that a declaratory resolution by the Common Council will clear the way for paving and assessing in a legal manner.

It is therefore recommended that the following resolution be adopted.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Rogell:

Resolved, That a strip of land 9.81 feet wide lying north of and abutting Whitehead Avenue, from 433 feet W. of Cicotte Avenue to Gilbert Avenue, which was dedicated as an alley in the plat of A. J. Linzie Subdivision, be and the same is hereby declared to be absorbed by and become a part and parcel of said Whitehead Avenue; and further

Resolved, That the Commissioner of Public Works be and he is hereby authorized to advertise for bids and enter into contract for paving said Whitehead Avenue, and that the Board of Assessors be and are hereby authorized and directed to assess said street paving against the property on the north and south sides of Whitehead Avenue, in proportion to benefits accruing to the respective parcels of property.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, and the President—8.

Nays—None.

**Department of Public Works**

June 26, 1950.

To the Honorable, the Common Council:

Gentlemen—Contract PW-1194-F is for the paving of Fenelon from Emery to Lantz; Denton Construction Com-