

fications, 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 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 Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith; and the President—8.

Nays—None.

Department of Public Works

July 13, 1950.

To the Honorable, the Common Council:

Gentlemen—The paving petitions listed below, which were referred to this office for report, are majority petitions upon which no prepayment has been made.

Existing Charter limitations on Forced Paving will not permit prompt processing of the hundreds of petitions in circulation during the fiscal year, thereby seriously delaying or curtailing a very essential public service.

It is therefore recommended that your Honorable Body invoke the waiver clause in the Special Assessment Ordinance, providing for a 25% prepayment and tax history. This action, if taken, will remove this group from the Forced Paving category and permit the work to proceed. The suggested procedure has the approval of the Corporation Counsel.

It is further recommended that these streets be paved with one course concrete, in accordance with the attached resolution.

Marx, Lantz to State Fair, 30 ft. width.

Langholm, 7-Mile to Lappin, 30 ft. width.

Teppert, Linnhurst to Eastwood, 30 ft. width.

Strasburg, Collingham to 8-Mile, 30 ft. width.

Blackmoor, 7-Mile to Lappin, 30 ft. width.

Brimson, Sherwood to Carrie, 30 ft. width.

Camley, 487 ft. S. of Moross to Moross, 30 ft. width.

Healy, Emery to Outer Drive, 26 ft. width.

Moenart, Cordova to Amrad, 26 ft. width.

Dean, Cordova to 8-Mile, 30 ft. width.

Caldwell, Emery to Lantz, 26 ft. width.

Birwood, Chalfonte to Fenkell, 30 ft. width.

Packard, Outer Drive to 205 ft. N. of Outer Drive, 30 ft. width.

Spencer, Outer Drive to 205 ft. N. of Outer Drive, 30 ft. width.

Chester, Moross to Kingsville, 30 ft. width.

Biltmore, Pembroke to Fargo, 30 ft. width.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Garlick:

Resolved, That the paving recommended in the foregoing communication be and is hereby declared a necessity, and that pursuant to Sec. 4, Chapter 56 of the Compiled Ordinances of 1945, an emergency exists affecting the peace, health and safety of the people of the City, and further that the paving be constructed with the material and to the width recommended; and that the Commissioner of Public Works be and is hereby directed to advertise for proposals for doing the work.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 13, 1950.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Board of Education requesting the vacation of the alley in block bounded by Lenore, Wormer, Santa Maria and Bennett Avenues. The vacation of said alley was approved by the City Plan Commission in their communication to your Honorable Body of May 19, 1950.

Please be advised that all 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 alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Garlick:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Lenore, Wormer, Santa Maria and Bennett Avenues, as platted in B. E. Taylor's Grand River-Telegraph Subdivision, lying south of Grand River Avenue, being the E. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Section 8, T. 1 S., R. 10 E., as recorded in Liber 58 of plats, Page 67, Wayne County Records, lying west of and adjoining the west line of lots 320 to 340, both inclusive, and east of and adjoining the east line of lots 388 to 408, 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.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 13, 1950.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petitions of the Board of Education and the Red Arrow 32nd Division, Post No. 361, American Legion, Petition No. 7901, requesting the vacation of a part of the east-west alley in block bounded by Second, Cass, Willis and Canfield Avenues. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that the petitioners deed to the City land for alley turn-around purposes in lieu of the alley to be vacated.

Our investigations are now completed.

As per our directive, on July 13, 1950, the Board of Education paid into the City Treasury the sum of \$64.60, Receipt No. 2020, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the west $\frac{1}{2}$ of the north-south alley first west of Cass Avenue, at the intersection of the alley to be vacated.

On July 13, 1950 the Board of Education deposited with the Permit Division of the Department of Public Works the sum of \$743.45, Receipt No. 12250, said amount being the estimated cost of paving the deeded turn-around and installing drainage therein.

Proper provisions are incorporated

in the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

We are in receipt of a Quit Claim deed whereby land is deeded for alley turn-around purposes in accordance with City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached hereto for your Honorable Body's acceptance.

In reply to our inquiries all City Departments and privately owned utility companies reported that they will be unaffected by the vacation of the alley or that they have reached satisfactory agreement with the petitioners regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Garlick:

Resolved, That all that part of east-west public alley, 20 feet wide, in block bounded by Second, Cass, Willis and Canfield Avenues, as platted in Block 97 of Subdivision of Blocks 97 and 98 of the Cass Farm as recorded in Liber 1, Page 259, Wayne County Records, lying south of and adjoining the south line of lots 9 to 12, both inclusive, and north of and adjoining the north line of lots 21 to 24, 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 subject to the following provisions:

1. Provided, That by reason of the vacation of the above described alley the City of Detroit does not waive any rights to the sewer located therein, and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter or service same, and further,

2. Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted or encased in six inches of Class "A" concrete, or, in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors or assigns, and further,

3. Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering, and further,