

**Department of Public Works**

December 21, 1950.

Honorable Common Council:

Gentlemen—On October 10, 1950, your Honorable Body authorized and directed the entering into of contracts for Concrete Sidewalks and Driveways with DiBasio and Turchetti for Groups 1, 2, 5, and 6. The amounts of these contracts were as follows:

	Amount
Group 1 .....	\$21,347.96
Group 2 .....	15,847.00
Group 5 .....	11,847.30
Group 6 .....	10,657.10

Total.....\$59,699.36

The Contracts for the above work did not provide for partial payments as the work progresses. The Contractor has asked that partial payments be allowed in view of the total amount of the Contracts involved.

It is the recommendation of the City Engineer and in which I concur, that partial payments be allowed in accordance with the terms originally used in contracts providing for partial payments. Under such terms, the Contractor is allowed 90 per cent of the value of the work performed to be paid not oftener than once a month.

Respectfully submitted,  
CARL D. WARNER, Commr.

By Councilman Connor:

Resolved, That it is hereby authorized and directed that partial payments for work completed be made on Contracts for Construction of Sidewalks in Groups 1, 2, 5, and 6, DiBasio and Turchetti the Contractors; and be it further

Resolved, That the City Controller be and is hereby authorized and directed to honor vouchers when presented covering such partial payments for work performed in accordance with the provisions in the foregoing communication.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, Van Antwerp, and the President—9.

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, Van Antwerp, and the President—9.

Nays—None.

Councilman Kronk then moved that the motion to reconsider be in-

definitely postponed, which motion prevailed.

The regular order was resumed.

**Department of Public Works**

December 22, 1950.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Mary Jane Amato, et al (No. 2206), requesting the vacation of the 18 foot east-west public alley north of Outer Drive and west of Somerset Avenue, subject to a retention of an easement over the north 12 feet of said alley. This change was approved by the City Plan Commission in their communication to your Honorable Body on October 20, 1950. The petition was then referred to this office by your Committee of the Whole for investigation and report.

Our investigations are completed. In reply to our inquiries, all City departments and privately owned utility companies reported that they will not be affected by the changes.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
CARL D. WARNER, Comm'r.

By Councilman Connor:

Resolved, That all of east-west public alley, 18 feet wide, north of Outer Drive and west of Somerset Road, as platted in L. C. Rabaut's Somerset Drive Subdivision No. 1, as recorded in Liber 60 of Plats, page 85, Wayne County Records, lying north of and adjoining the north line of lots 109, 110 and 111 and south of and adjoining the south line of lot 112 of 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 provision: Provided, That an easement is hereby reserved over the west 6 feet of the south 6 feet and over the north 12 feet of the above described alley which easement shall be subject to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of the lots abutting on said alley and by their grantees and assigns, and their heirs, executors, administrators and assigns forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right of way over said west 6 feet of the south 6 feet and over the north 12 feet of said vacated public alleys, 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 to ingress or egress at any time to and

over said easement for the purposes above set forth;

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences), shall be built or placed upon said easements or any part thereof, so that said easements shall be forever of easy access for the purposes named above.

Third, that said easements shall be used for the same purposes for which public alleys are generally used in the City of Detroit, excepting the same shall not be opened for the passage of vehicles of the general public therein, unless permission for such passage is granted by the owner of such easement;

Fourth, if at any time in the future the owners of any lots abutting on said easement, 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 incident to the removal and/or relocation, unless such charges are waived by the utility owners, and further,

Resolved, That the City Controller be and he is hereby directed to issue Quit Claim deeds to Margaretha Herrmann and to Baert and Dujardin, a Michigan copartnership consisting of Emeric Baert and Ernest Dujardin, partners, as owners in fee of the adjoining property.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Oakman, Rogell, Smith, Van Antwerp, and the President—9.

Nays—None.

#### Department of Public Works

(December 20, 1950.)

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Department of Parks and Recreation requesting the vacation of a portion of Forrer Avenue between Outer Drive and Thatcher Avenues within the limits of a playground site. The vacation of said street was approved by the City Plan Commission at an earlier date.

Our investigations are completed. In reply to our inquiries all City departments and privately owned utility companies reported that they will be unaffected by said vacation.

As the park property is located on both sides of the street, the vacation of the street will provide a more effective utilization of the site.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER, Comm'r.

By Councilman Connor:

Resolved, That all that part of Forrer Avenue, 100 feet wide (the west 50 feet of which was platted in Rugby Boulevard Subdivision, as recorded in Liber 50 of Plats, page 56, Wayne County Records, and the east 50 feet of which was deeded to the City of Detroit, said deed having been accepted by the Common Council on October 17, 1939, J.C.C. page 2381), lying between the south line of Thatcher Avenue, 50 feet wide as now established, and a line, said line being the south line, extended easterly of lot 159 of Rugby Boulevard Subdivision,

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, Van Antwerp, and the President—9.

Nays—None.

#### Department of Public Works

December 20, 1950.

Honorable Common Council:

Gentlemen—In response to published advertisements, bids were received on December 19, 1950, for the construction of Public Sewer in Hessel Avenue from Berg Road to Greenview Avenue Extended, Contract PW-1415. Nine bids were received as shown on the attached tabulation.

The low bid submitted is regular in all respects and meets the Contract requirements. It is, therefore, recommended that the Contract be awarded to the Greenfield Construction Company in the amount of \$430,000.

In addition to the Contract price, it is estimated that \$20,000 will be required to cover the cost of advertising, inspection, and minor contingencies, making the total funds required \$450,000, which is available in Account 925-2390-922 Public Sewer Arms of the Sewer Bond Fund.

Respectfully submitted,

GLENN C. RICHARDS, Act. Commr.

By Councilman Connor:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to enter into contract for the construction of Public Sewer in Hessel Avenue from Berg Road to Greenview Avenue Extended, Contract PW-1415, with the Greenfield Construction Company in the amount of \$430,000; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, said vouchers to include the cost of advertising, inspection, and minor contingencies, as well as the contract cost and charge same against Account 925-2390-922.

Adopted as follows:

Yeas—Councilmen Beck, Connor,