

It is further recommended that the Controller be authorized and directed to set up accounts in the amount stated above to cover the contract cost and the cost of advertising, inspection, and contingencies for each of these three contracts.

Respectfully submitted,

GLENN C. RICHARDS,  
Acting 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 the said bids 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 bidders listed 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 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 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 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 sewers, 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; and be it further

Resolved, That the City Treasurer be and he is hereby authorized and directed to refund the 25 percent deposit made on the tentative assessment roll for lateral sewer 6629, Contract No. PW-1409.

Adopted as follows:

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

Nays—None.

Public Works

October 13, 1950.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Saul Sloan, et al (No. 6275), requesting the vacation of the dead-end portion of Cambridge Avenue, a distance of 143 feet west of the west line of Whitcomb Avenue, with the City retaining the westerly 18 feet of said street for easement purposes, and, also the conversion of a portion of the north-south alley west of Whitcomb, north and south of Cambridge Avenue into an easement. These changes were previously approved by the City Plan Commission and the petition was referred to this office by the Committee of the Whole of the Common Council for investigation and report.

Our investigations are completed.

On October 12, 1950, Mr. Sloan deposited with the Permit Division of the Department of Public Works the sum of \$1248.00, Receipt No. 16262, said amount being the estimated cost of removing the paved return on the west side of Whitcomb Avenue at the intersection of Cambridge Avenue, and of constructing new curbing and sidewalks across said intersection.

On October 12, 1950, Mr. Sloan paid into the City Treasury the sum of \$365.85, Receipt No. 22695 credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the west 1/2 of Whitcomb Avenue at the intersection of Cambridge Avenue.

At the request of the Detroit Edison Company we inserted a clause in the resolution vacating Cambridge Avenue granting said utility an easement for the maintenance of its existing installations in the street.

All other City departments and privately owned utility companies reported that they will be unaffected by said changes.

We recommend the adoption of the attached resolution.

Respectfully submitted,

NEAL CUTLIFF  
Acting Commissioner.

By Councilman Garlick:

Resolved, That all of Cambridge Avenue, 50 feet wide, west of Whitcomb Avenue, as platted in Daniel V. Wolf's Avon Boulevard Subdivision of part of the S. W. 1/4 of the S. W. 1/4 of Section 6, T. 1 S., R. 11 E., as recorded in Liber 49 of plats, Page 94, Wayne County Records, lying south of and adjoining the south line of lot 127 and north of and adjoining the north line of lot 128 of said Daniel V. Wolf's Avon Boulevard Subdivision.

Be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property subject to the following provision:

Provided, That an easement and right-of-way is hereby reserved for the Detroit Edison Company its successors and assigns, in and over the north 18 ft. of the above described Cambridge Ave., for the purpose of installing, maintaining, repairing or replacing existing poles, lines, transformers, service drops and other overhead or underground electrical equipment, with the right of ingress and egress at any time to and over said easement for the purpose above set forth, and further,

Resolved, That all that part of Cambridge Avenue, west of Whitcomb Avenue, as platted in above mentioned Daniel V. Wolf's Avon Boulevard Subdivision bounded by the south line, extended of lot 127, the north and west line, extended, of lot 128 and the east line, extended, of lot 165, all lots mentioned being the same as platted in above mentioned subdivision, be and the same is hereby vacated as a public street and is converted into a public easement which easement shall be subject to the same conditions as are the below described alleys which are also converted into public easements, and further,

Resolved, That all that part of north-south public alleys west of Whitcomb Avenue and north of Seven Mile Road, as platted in Daniel V. Wolf's Avon Boulevard Subdivision, heretofore mentioned, lying west of and adjoining the west line of lots 117 to 136, both inclusive, west of and adjoining the west line of the north 3.71 feet of lot 137, east of and adjoining the east line of lots 154 to 177, both inclusive, and east of and adjoining the east line of the north 24.26 feet of lot 153, all lots mentioned being the same as platted in said Daniel V. Wolf's Avon Blvd. Subdivision.

Be and the same are hereby vacated as public alleys and converted into public easements, which easements shall be subject to the following agreements, covenants, uses, reservations and regulations which shall be observed by the owners of said lots 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 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 therein.

Adopted as follows:

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

Nays—None.

Department of Public Works

October 19, 1950.

Honorable 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.

Street, Richard, Limits, Woodmere to 358 ft. N. of Woodmere, Width, 30 ft.

Street, Strathmoor, Limits, 415 ft. S. of Mackenzie to Mackenzie, Width, 30 ft.

Street, Veach, Limits, Milbank to Conner, Width, 26 ft.

Street, Glenco, Limits, Lahser to Bentler, Width, 26 ft.

Street, Teppert, Limits, Sturgis to Manning, Width, 26 ft.

Respectfully submitted,

NEAL CUTLIFF,  
Acting Commissioner.

By Councilman Smith:

Resolved, That the paving recommended in the foregoing communica-