

Your Honorable Body authorized the Parks and Recreation Commission to enter into a contract with Nor-Les Sales for furnishing cigarette vending machine service.

At its meeting on October 22, 1951, this Commission approved the cancellation of this contract and forfeiture of the contractor's performance bond due to numerous violations of contract provisions by the concessionaire and his failure to maintain adequate records as required by the contract.

We request approval of the cancellation and transfer of the proceeds of the performance bond to our revenue account.

Respectfully submitted,

J. J. CONSIDINE,  
General Superintendent.

By Councilman Beck:

Resolved, That the Dept. of Parks and Recreation be and is hereby authorized and directed to cancel contract with the Nor-Les Sales for furnishing cigarette vending machine service for reasons outlined in the foregoing communication; and further

Resolved, That performance bond of the Nor-Les Sales be and the same is hereby forfeited and proceeds of same are hereby transferred to the revenue account of the Dept. of Parks and Recreation.

Adopted as follows:

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

Nays—None.

**Parks and Recreation**

October 23, 1951.

Honorable Common Council:

Gentlemen — The Department of Parks and Recreation would like to hold street dances in connection with its recreation program and respectfully requests the approval of your Honorable Body to close the following streets on Wednesday, October 31, and hours shown:

Heyden Avenue, between Trojan and Fargo, from 5:00 to 8:00 p. m.

Stansbury Avenue, between Pembroke and Chippewa, from 5:00 to 8:00 p. m.

Palmer Street, between St. Antoine and Hastings, from 7:00 to 11:00 p. m.

Respectfully submitted,

J. J. CONSIDINE, Genl. Supt.

By Councilman Van Antwerp:

Resolved, That subject to approval of the Dept. of Police, the Traffic Engineer be and he is hereby authorized and directed to close to vehicular traffic the streets mentioned in the foregoing communication from the Dept. of Parks & Recreation,

during the hours mentioned on Oct. 31, 1951, for street dances sponsored by that department.

Adopted as follows:

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

Nays—None.

**Department of Public Works**

October 24, 1951.

Honorable Common Council:  
Gentlemen—Your Committee of the Whole referred to this office for investigation and report the request of the Department of Parks and Recreation for the vacation of a portion of Caldwell Avenue between Seven Mile Road and Emery Avenue, within the limits of a playground site. The vacation of the portion of street was approved by the City Plan Commission with a recommendation that turn-arounds be provided to eliminate dead-end conditions at the south end of the playground site.

Our investigations are completed and they disclose that two City departments are affected by said changes. An easement is reserved through the vacated portion of street for the Department of Water Supply to protect its interests in the water main located in said street. The turn-arounds will be improved by the Department of Public Works and the cost thereof will be charged to street betterment funds as per your Honorable Body's resolution of October 3, 1950.

As the playground site consists of property on the east and west sides of Caldwell Avenue, the vacation of the street is necessary for a better utilization of the site and for safety reasons. We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That all that part of Caldwell Avenue 50 feet wide between 7 Mile Road and Emery Avenue, as established by condemnation proceedings, verdict thereof having been confirmed by Court on August 16, 1928, lying between the north line of Mound Subdivision as recorded in Liber 41 of plats, Page 82, Wayne County Records, and the south line of Ossowski Subdivision as recorded in Liber 36 of plats, Page 28, Wayne County Records, excepting the south 40 feet of above described Caldwell Avenue, said portion of Caldwell Avenue being a part of lots 41 and 42 of Wm. J. Waterman's Subdivision as recorded in Liber 6 of plats, Page 63, Wayne County Records, 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 provisions:

1) An easement or right-of-way is hereby reserved in and over the east 30 feet of the above described Caldwell Avenue for the purpose of maintaining, repairing, replacing, or removing of the presently installed water main or its appurtenances, and further,

2) No buildings shall be constructed over said easement, so that it shall be of easy access for the purposes named above, and further,

Resolved, That "the east 68 feet of the west 151 feet of the south 20 feet, and the east 30 feet of the south 40 feet, of that part of lot 41 of Wm. J. Waterman's Subdivision as recorded in Liber 6 of plats, Page 63, Wayne County Records lying between Buffalo and Caldwell Avenues and north of and adjoining the north line of Mound Subdivision as recorded in Liber 41 of plats, Page 82, Wayne County Records; Also, the west 20 feet of the south 40 feet, and the east 68 feet of the west 151 feet of the south 20 ft. of that part of lot 41 of Wm. J. Waterman's Subdivision as recorded in Liber 6 of plats, Page 63, Wayne County Records lying between Caldwell and Syracuse Avenues and north of and adjoining the north line of Mound Subdivision as recorded in Liber 41 of plats, Page 82, Wayne County Records"; be and the same are hereby allocated and dedicated for street and alley turn-around purposes.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

October 26, 1951.

Honorable Common Council:

Gentlemen—The petitions of Lester W. Tuch, et al (No. 5984), W. McPhee, et al (No. 6081), Kurt Singer, et al (No. 6083), Robert S. Schoener, et al (No. 6326), Joseph F. Garon, et al (No. 6403), Esther L. Fox, et al (No. 6480), Clarence L. Pozza, et al (No. 6483), E. Moskowitz, et al (No. 6872), and Philip Erezner, et al (No. 7009), requesting the conversion into easements of the alleys at the various locations described in the attached resolution, were referred to this office by your Committee of the Whole for investigation and report and are returned herewith.

The conversion of said alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are completed. In reply to our inquiries, all City departments and privately owned utility companies re-

ported that they will be unaffected by the changes or that they have no objection to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
CARL D. WARNER,  
Commissioner.

By Councilman Beck:

Resolved, That all of north-south public alley, 20 feet wide, in block bounded by Lahser Road, Graydale, Fargo, and Trojan Avenues, as platted in Lahser Avenue Super Subdivision as recorded in Liber 53 of plats, Page 53, Wayne County Records, lying east of and adjoining the east line of lots 31 to 60, both inclusive, and west of and adjoining the west line of lots 102 to 116, both inclusive, of last mentioned subdivision, (Petition No. 5984);

Also, all of east-west public alley, 16 feet wide, south of Pembroke Avenue between Appoline Avenue and Meyers Road, as platted in Greenwich Park Subdivision as recorded in Liber 41 of plats, Page 28, Wayne County Records, lying south of and adjoining the south line of lots 1004 to 1009, both inclusive, and north of and adjoining the north line of lots 1003 and 1010, and north of and adjoining the north line of the easement lying between lots 1003 and 1010, (Petition No. 6081);

Also, all of north-south public alley, 18 feet wide, in block bounded by Strathmoor, Mark Twain, Thatcher and Curtis Avenue, as platted in Marygrove-Outer Drive Park Subdivision as recorded in Liber 55 of plats, Page 58, Wayne County Records, lying east of and adjoining the east line of lots 170 to 180, both inclusive, and west of and adjoining the west line of lots 261 to 269, both inclusive, of last mentioned subdivision, (Petition No. 6083);

Also, all that part of north-south public alley, 20 feet wide, west of Regent Drive, between Collingham and Carlisle, as platted in Drennan and Seldon's Regent Park Subdivision No. 3 as recorded in Liber 59 of plats, Page 88, Wayne County Records, lying east of and adjoining the east line of lot 1754 of said subdivision, (Petition No. 6326);

Also, all of north-south public alley, 18 feet wide, in block bounded by Braile, Patton, Elmira and Plymouth, as platted in Edgar C. Cox Park Subdivision as recorded in Liber 52 of plats, Page 81, Wayne County Records, lying east of and adjoining the east line of lot 15 to 30, both inclusive,

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and west of and adjoining the west line of lots 55 to 70, both inclusive, of last mentioned subdivision, (Petition No. 6403);

Also, all that part of north-south public alley, 18 feet wide, in block bounded by Hazelton, West Parkway, Glendale and Davison Avenues, as platted in Castleford Subdivision as recorded in Liber 56 of plats, Page 97, Wayne County Records, lying west of and adjoining the west line of lots 118 to 134, both inclusive, and east of and adjoining the east line of lots 135 to 151, both inclusive, of last mentioned subdivision, (Petition No. 6480);

Also, all of east-west public alley, 18 feet wide, south of Curtis Avenue between Shaftsbury and Warwick Roads, as platted in Palmer Boulevard Outer Drive Subdivision as recorded in Liber 46 of plats, Page 2, Wayne County Records, lying south of and adjoining the south line of lots 274 to 286, both inclusive, and north of and adjoining the north line of lots 132 and 133 of last mentioned subdivision, (Petition No. 6483);

Also, all of east-west public alley, 16 feet wide, north of Pembroke Avenue between Ardmore and Stansbury Avenues, as platted in Manhattan City Park Subdivision, as recorded in Liber 39 of plats, Page 28, Wayne County Records, lying north of and adjoining the north line of lots 297 to 308, both inclusive, south of and adjoining the south line of lots 296 and 309, and south of and adjoining the south line of the easement lying between lots 296 and 309, all lots mentioned being the same as platted in said Manhattan City Park Subdivision, (Petition No. 6872);

Also, all of east-west public alley, 20 feet wide, south of Marygrove Avenue and west of Kentucky Avenue, as platted in Marygrove Drive Subdivision as recorded in Liber 58 of plats, Page 13, Wayne County Records, lying south of and adjoining the south line of lots 8, 9 and 10 of last mentioned subdivision, (Petition No. 7009);

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants, agreements, uses, reservations and regulations which shall be observed by the owners of the lots abutting on said alleys, 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, tele-

phone, 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 and 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 easement, unless permission therefor is obtained from the City Engineer;

Third, that if at any time in the future the owners of any lots abutting on said vacated alleys 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 such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

October 23, 1951.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Max Leichtling, et al (No. 5103), requesting the vacation of a portion of the east-west alley south of Plymouth Road, between Northlawn Avenue and Oakman Boulevard. The vacation of said alley was approved by the City Plan Commission and the petition was referred to this office by your Committee of the Whole for investigation and report.

Our investigations are completed and they disclose that one City department is affected by the vacation. It will be necessary for the Department of Public Works to make some changes in curbing and sidewalk due to the vacation of the alley. The petitioner deposited \$100.00 with the Permit Division of the Department of Public Works (Receipt No. 29970), to cover the cost of the work to be done.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Beck:

Resolved, That all that part of east-west public alley, also designated as a public walk, 10 feet wide, south of Plymouth Road, between Northlawn Avenue and Oakman Boulevard, as platted in Robert Oakman Land Company's Grand River and Oakman Highway Resubdivision as recorded in

Liber 57 of plats, Page 8, Wayne County Records lying south of and adjoining the south line of lot 92 of said 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, Van Antwerp, and the President—9. Nays—None.

**Department of Public Works**

October 26, 1951.

Honorable Common Council:

Gentlemen—We return herewith petition and general order of the Hartland Home Owners' Imp. Assn. (8258), requesting the forced construction of sidewalks at the following described properties:

Lot 144, W.S. Albion bet. Clough and Sauer, Side on Sauer only. 131 lineal feet.

Lot 22, E.S. Teppert bet. Gietzen and Greiner, Side on Gietzen only. 125.61 lineal feet.

Lot 224, W.S. Teppert bet. Clough and Sauer, Side on Sauer only. 130 lineal feet.

Lot 223, W.S. Teppert bet. Sauer and McNichols, Side on Sauer only. 130 lineal feet.

There is approximately 516.61 lineal feet of concrete sidewalks to be constructed; the approximate cost of this new local improvement would be \$1,115.88, the cost and expense to be assessed against the lots or parcels of real estate to be benefitted by such local improvement, in proportion to the probable benefit to be derived therefrom.

As these are original sidewalks and can only be ordered constructed by a formal resolution as a forced account under the provisions of Chapter 264, as amended May 3, 1949, of the Compiled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,

NEAL CUTLIFF, Sec'y.

By Councilman Beck:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the descriptions of property heretofore described in the above set forth communication, therefore;

Resolved, That the Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them the Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

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

Nays—None.

**Department of Public Works**

October 29, 1951.

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

Contract No. BH-25, Bruce Douglas Health Center, Contractor's Name, R. Stewart Co., Inc., Award Authorized, 10-23-51.

Respectfully submitted,  
G. R. THOMPSON,  
City Engineer.

By Councilman Connor:

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, 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.

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

The regular order was resumed.

**Department of Public Works**

October 26, 1951.

Honorable 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 have been paid.

**STREETS**

PW-1565—Strathmoor (Mackenzie to 450 ft. S. of), J. Porath and Son Co., \$6,506.85.

PW-1697—Virgil (Glendale, Schoolcraft), Weir Contracting Co., \$23,989.72.

PW-1689—Clayburn (Majestic to Tireman), Weir Contracting Co., \$18,835.07.