

July 8

nor any other privileges not expressly stated herein.
 Adopted as Follows:
 Yeas — Councilmen Beck, Kronk, Oakman, Rogell, Smith and Van Antwerp—6.
 Nays—None.

Department of Public Works
 June 25, 1952.

Honorable Common Council:
 Gentlemen—Your Honorable Body has approved the continuance of our sidewalk repair and new work program for the calendar year, 1952, by authorizing the issuance of contracts for this work with private contractors as follows:

- DiBasio & Turchetti—
- P. W. 2004, 5-13-52, J.C.C. 1129-30, Amount \$16,805.00.
- P.W. 2005, 5-13-52, J.C.C. 1129-30, Amount \$13,873.50.
- P.W. 2008, 5-13-52, J.C.C. 1129-30, Amount, \$8,025.00.
- Total, \$38,703.50.
- Colwell Construction Co.—
- P.W. 2009, 5-13-52, J.C.C. 1130, Amount, \$57,212.00.
- P.W. 2011, 5-13-52, J.C.C. 1130, Amount, \$25,451.50.
- P.W. 2012, 5-13-52, J.C.C. 1130, Amount, \$46,804.00.
- P.W. 2014, 5-13-52, J.C.C. 1130, Amount, \$28,222.50.
- P.W. 2015, 5-13-52, J.C.C. 1130, Amount, \$38,374.00.
- Total, \$196,064.00.
- A. & C. Cement Const. Co., P.W. 2016, 5-27-52, J.C.C. 1242, Amount, \$161,981.00.

Summary

DiBasio & Turchetti	\$ 38,703.50
Colwell Construction Co.....	196,064.00
A. & C. Cement Const. Co.	161,981.00
Total	\$396,748.50

In order that the Controller may certify these contracts and have available cash funds to meet contract payments pending issuance of billings and/or assessment rolls, it is requested that you authorize an advance of \$400,000.00 from 143-2190-916 Street Betterments for Sidewalk Construction.

Respectfully submitted,
 CARL D. WARNER,
 Commissioner.

Approved:
 E. P. RIEHL,
 Deputy Controller.

By Councilman Smith:
 Whereas, Contracts for the construction and repair of sidewalks, numbered as follows:
 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016
 have been approved by the Common Council and duly executed subject to certification by the Controller, in accordance with the Charter, and
 Whereas, under the Charter and Ordinances of the City, property im-

mediately adjacent to said improvements are subject to special assessment to provide for the cost of said improvement or improvements; Now, Therefore, Be It

Resolved, That all benefited real estate fronting upon the improvements authorized to be provided for under said above designated contracts, shall constitute a special assessment district against which the costs of said improvements shall be levied, unless otherwise paid in advance by the owners of the respective properties; and Be It Further

Resolved, That pending the levy and collection of the cost of said improvement and/or of the levy and collection of special assessments to be levied, the City Controller be and he is hereby authorized and directed to transfer a sum not to exceed \$400,000.00 from the 143-2190-916 Account of the General Fund to a fund to be designated as "Sidewalk Special Assessment Construction Fund," which said amount is authorized to be temporarily utilized for said above purpose pending the collection of said costs and/or special assessments, and Be It Further

Resolved, That upon the collection of said costs and/or collection of said special assessments, such amounts as are advanced shall be repaid and transferred to the 143-2190-916 Account of the General Fund.
 Approved as to Form:

PAUL T. DWYER,
 Acting Corporation Counsel.

Adopted as follows:
 Yeas — Councilmen Beck, Kronk, Oakman, Rogell, Smith and Van Antwerp—6.
 Nays—None.

Reconsideration

Councilman Oakman moved to reconsider the vote by which the resolution was adopted.

Councilman Smith moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas — Councilmen Beck, Kronk, Oakman, Rogell, Smith and Van Antwerp—6.
 Nays—None.

Councilman Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.
 The regular order was resumed.

Department of Public Works
 July 2, 1952.

Honorable Common Council:
 Gentlemen—We are returning herewith the petition of Midland Avenue Brethren, Inc., and Harry Slatkin Builders, Inc. (No. 1070), requesting the vacation of a portion of the 12 foot easement north of Pembroke Avenue, between Trinity Avenue and Burt Road. The vacation of said por-

tion of easement 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.

We wish to advise that our investigations are completed.

In reply to our inquiries all City Departments, except the Sewer Design Division of the Department of Public Works, and privately owned utility companies reported that they will be unaffected by the vacation of said portion of easement. A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the easement.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Smith:

Resolved, That all that part of the 12 foot public easement located north of Pembroke Avenue between Trinity Avenue and Burt Road, as platted in Harry Slatkin's Westbrook Subdivision as recorded in Liber 72 of Plats, Pages 17 and 19, Wayne County Records, lying in the rear of lots 143 to 150, both inclusive, of last mentioned subdivision, be and the same is hereby vacated as a public easement subject to the following provisions:

1) That by reason of the vacation of the above described easement 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 on account of said sewer to repair, alter or service same, and further,

2) No buildings nor structures of any nature whatsoever shall be constructed over said easement unless prior permission therefor is obtained from the City Engineer, and all requirements set forth by him shall be complied with.

Adopted as follows:

Yeas — Councilmen Beck, Kronk, Oakman, Rogell, Smith and Van Antwerp—6.

Nays—None.

Department of Public Works

July 3, 1952.

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 for concrete pavements 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;

PW-1790, Caldwell, Robinwood to

7 Mile Road, Denton Const. Co., \$8,670.30.

PW-1772, Mackay, Conant to 7 Mile Road, Denton Const. Co., \$19,782.00.

PW-1834, Buffalo, Robinwood to 7 Mile Road, Denton Const. Co., \$8,358.50.

PW-1837, Bradford, Greiner to 286½ ft. N., Denton Const. Co., \$4,975.50.

PW-1870, Monitor, Milbank to Conner, Denton Const. Co., \$4,977.00.

PW-1877, Ashton, Hessel to 8 Mile Road, T. E. Currie Co., \$9,246.10.

PW-1788, Glastonbury, Pembroke to Fargo, T. E. Currie Co., \$10,846.25.

PW-1891, Curtis, Greenfield to Coyle, T. E. Currie Co., \$14,720.00.

PW-1831, Stahelin, St. Martins to Pembroke, T. E. Currie Co., \$12,476.95.

PW-1819, Evergreen, Fargo to Trojan, T. E. Currie Co., \$16,961.70.

PW-1843, Pembroke, Lahser to Stout T. E. Currie Co., \$40,646.10.

As the work provided for in these Contracts has been completed they are accepted by the Commissioner of Public Works and he does recommend that they be accepted by your Honorable Body and that full payment of the above stated sums, as indicated in Estimate No. 1 (Final) be made at this time with the understanding that such payment is made by the City and accepted by the contractor under the terms of final payment.

FLOYD C. MORSE,

Engineer of Tests and Inspection.

G. R. THOMPSON,

City Engineer.

CARL D. WARNER,

Commissioner.

By Councilman Kronk:

Whereas, It appears from communication from the Dept. of Public Works that the contracts therein listed have been duly completed, and

Whereas, The completion of said work has been found to be in accordance with the contracts and specifications for the same, and has been accepted by the Commissioner of Public Works, therefore be it

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

Adopted as follows:

Yeas — Councilmen Beck, Kronk, Oakman, Rogell, Smith and Van Antwerp—6.

Nays—None.

Reconsideration

Councilman Oakman moved to reconsider the vote by which the resolution was adopted.

Councilman Smith moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas — Councilmen Beck, Kronk, Oakman, Rogell, Smith and Van Antwerp—6.

Nays—None.

Councilman Van Antwerp then moved that the motion to reconsider