

## Department of Public Works

November 19, 1952  
Honorable Common Council:

Gentlemen—Contract PW-1428 is for the construction of the Powell Avenue Sewer Extension. Mancini-Miller-Thompson Company is the contractor. The contract price was \$212,000.00.

The sewer was to have been built in tunnel, but very bad ground conditions were encountered so that it was necessary to construct approximately 1100 feet of the sewer in open cut.

The Contractor agreed to perform the open cut work at no extra cost unless he was ordered to leave steel sheeting in place.

It was found necessary to use steel sheeting across Dix Avenue because of the existence of 6 in. and 12 in. water lines, Detroit Edison conduit and manhole, basin drainage lines and the pavement on Dix Avenue. Due to these conditions on a heavily traveled street, it was decided that the bracing should be left in place and the Contractor was so ordered. The cost of the steel sheeting left in place amounts to \$1,980.00. It is respectfully recommended that this cost be added to the contract price.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Connor:

Resolved, That the additional cost of \$1,980.00 for leaving the steel sheet piling in place across Dix Avenue in connection with the construction of the Powell Avenue Sewer Extension, Contract PW-1428 be and is hereby added to the contract price in accordance with the foregoing communication; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented covering this additional cost.

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 Van Antwerp then moved that the motion to reconsider

be indefinitely postponed, which motion prevailed.

The regular order was resumed.

## Department of Public Works

November 20, 1952.  
Honorable Common Council:

Gentlemen—The petitions of Henry E. Simecek, et al (No. 1376), Edmund J. Wertz, et al (No. 1378), William Donnithorne, et al (No. 1903), H. L. Connors, et al (No. 2007), Louis F. Miller, et al (No. 2376), Comfortbilt Homes, et al (No. 3140), George Coleman, et al (No. 3141), Walter S. Pakula, et al (No. 3218), and Violet M. O'Day, et al (No. 3300), requesting the conversions 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 reported 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 Connor:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Rosemont, Ashton, Orangelawn and Elmira Avenues, as platted in Emerson Park Subdivision as recorded in Liber 55, Page 45 of plats, Wayne County Records, lying west of and adjoining the west line of Lots 267 to 288, both inclusive, east of and adjoining the east line of Lots 291 to 294, both inclusive, and Lots 297 to 311, both inclusive, and east of and adjoining the east line of the 18 foot east-west alley, hereinafter described; Also, all of east-west alley, 18 feet wide, in the block bounded by Rosemont, Ashton, Orangelawn and Elmira Avenues, as platted in said Emerson Park Subdivision, lying south of and adjoining the south line of Lot 297 and north of and adjoining the north line of Lots 294, 295 and 296, all lots mentioned being the same as platted in said Emerson Park Subdivision, (Petition of Henry E. Simecek, No. 1376);

Also, all of north-south public alley, 18 feet wide, in the block south of West Chicago Avenue be-

tween Terry and Lauder Avenues, as platted in Plymouth Park Subdivision as recorded in Liber 42, Page 75 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 75 to 87, both inclusive, and west of and adjoining the west line of Lots 88 to 100, both inclusive, of last mentioned subdivision, (Petition of Edmund J. Wertz, No. 1378);

Also, all of north-south public alley, 18 feet wide, in the block bounded by Chapel, Bentler, Fargo and Trojan Avenues, as platted in Lahser Avenue Super Subdivision as recorded in Liber 53, Page 53 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 333 to 347, both inclusive, and west of and adjoining the west line of Lots 381 to 395, both inclusive, of last mentioned subdivision, (Petition of William Donnithorne, No. 1903);

Also, all of north-south public alley, 18 feet wide, in block bounded by Pierson, Braile, Elmira and Plymouth Avenues, as platted in Western Rouge Park Subdivision as recorded in Liber 55, Page 93 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 64 to 79, both inclusive, and west of and adjoining the west line of Lots 162 to 177, both inclusive, of last mentioned subdivision, (Petition of H. L. Connors, et al, No. 2007);

Also, all that part of east-west public alley, 20 feet wide, in the block south of Moross Road and west of Roxbury Avenue as platted in Park Drive Subdivision No. 4 as recorded in Liber 54, Page 11 of plats, Wayne County Records, lying north of and adjoining the north line of Lot 1345, south of and adjoining the south line of Lots 1339 to 1344, both inclusive, and south of and adjoining the south line of the east 1 foot of Lot 1338, of last mentioned subdivision, (Petition of Louis F. Miller, et al, No. 2376);

Also, all of north-south public alleys, 18 feet wide, in the blocks bounded by Huntington Road, Grandville Road, Trojan Avenue and Eight Mile Road, as platted in Evergreen Gardens Subdivision as recorded in Liber 59, Page 92 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 447 to 461, both inclusive, east of and adjoining the east line of Lots 630 to 638, both inclusive, west of and adjoining the west line of Lots 432 to 446, both inclusive, and west of and adjoining the west line of Lots 639 to 647, both inclusive, of last mentioned subdivision, (Petition of Comfortbilt Homes Company, No. 3140);

Also, all of north-south public alley, 18 feet wide, in the block bounded by Annchester, Huntington, Hessel and Eight Mile Road, as platted in Evergreen Gardens Subdivision as recorded in Liber 59, Page 92 of plats,

Wayne County Records, lying east of and adjoining the east line of Lots 612 to 620, both inclusive and west of and adjoining the west line of Lots 621 to 629, both inclusive, of last mentioned subdivision, (Petition of George Coleman, No. 3141);

Also, all of east-west public alley, 18 feet wide, north of Suzanne Avenue between Kempa and Antwerp Avenues, the south 9 feet of which was platted in House Van Dyke Seven Mile Road Subdivision as recorded in Liber 49, Page 26 of plats, Wayne County Records, and the north 9 feet of which was dedicated for alley purposes by Common Council resolution of September 28, 1948, J.C.C. pages 2575 and 2576, and which dedicated 9 feet is in fact a part of the S. W.  $\frac{1}{4}$  of Section 3, T. 1 S., R. 12 E., said alley lying north of and adjoining the north line of Lots 222 to 233 of last mentioned subdivision, (Petition of Walter S. Pakula, No. 3218);

Also, all of north-south public alley, 20 feet wide, in the block bounded by Hubbell, Strathmoor, McNichols Road and Santa Maria Avenue, as platted in Marygrove Outer Drive Park Subdivision as recorded in Liber 55, Page 58 of plats, Wayne County Records, lying east of and adjoining the east line of Lots 80 to 101, both inclusive, and west of and adjoining the west line of Lots 113 to 123, both inclusive, of last mentioned subdivision, (Petition of Violet M. O'Day, No. 3300);

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, 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 and egress at any time to and over said easements for the purpose 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, unless permission therefore is obtained from the City Engineer;

Third, that if at any time in the future the owners of any lots abut-

ting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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

November 20, 1952.

Honorable Common Council:

Gentlemen—Attached hereto is a petition to vacate and abandon an inter-county drain, known as the Base Line County Drain.

It is the recommendation of the State Highway Department and our own Engineering office that we submit such a petition to the Wayne County Drain Commissioner for immediate action.

I, therefore, recommend that you authorize the signing of this petition.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Connor:

Resolved, That the Commissioner of Public Works be and he is hereby authorized to sign the petition to vacate and abandon the Base Line County Drain.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 21, 1952.

Honorable Common Council:

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

PW-1990F—Paving Alley; McNichols, Gratiot, Pelkey and McNichols, Sachs & Kaufman; Authorized 9-16-52.

PW-2101—Minor Sewers—Erwin Avenue South of Lynch Road, Charles Cair; Authorized 11-12-52.

Respectfully submitted,

CARL D. WARNER,  
Commissioner.

By Councilman Garlick:

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 re-

consider 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 Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

November 21, 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-1933—Archdale, Vasser to St. Martins, T. E. Currie Company, \$7,666.40.

PW-1953—Stahelin, Kirkwood to Paul, Julius Porath & Son Co., \$16,597.40.

PW-1858—Blackstone, Puritan to Grand River, Weir Contracting Co., \$29,530.15.

PW-1931—Mendota, Pilgrim to Puritan, A. J. Smith Contg. Co., \$11,306.15.

PW-1903—St. Louis (370 ft. S. of Dresner to McNichols), A. J. Smith Contg. Co., \$15,750.15.

PW-1774—Darwin (455 ft. E. of Van Dyke to Gilbo), A. J. Smith Contg. Co., \$8,823.00.

PW-1966—Eureka, McNichols to Emery, A. J. Smith Contg. Co., \$9,507.40.

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 Estimated 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 Garlick:

Whereas, It appears from communication from the Dept. of Public