

Department of Public Works
February 21, 1952.

Honorable Common Council:
Gentlemen—On December 19th, 1951, we submitted to your Honorable Body a list of 19 Street Paving projects which had been completed and recommended acceptance of them. Each project carried the value of the completed contract. A typographical error was made in reporting the value of Contract PW-1673 for the paving of Beaverland Avenue from Tireman to Parkland by Weir Contracting. It was accepted with a value of \$35,300.20 and the correct value should have been \$35,330.20.

We respectfully request your Honorable Body to rescind that portion of the JCC page 2874 and that the correct valuation of \$35,330.20 be stipulated.

CARL D. WARNER,
Commissioner.

By Councilman Smith:

Whereas, It appears from the above communication from the Department of Public Works that an error was made in the reporting of the value of a completed Street Paving Contract.

Resolved, That the acceptance of Contract PW-1673 for the paving of Beaverland Avenue from Tireman to Parkland with a completed valuation of \$35,300.20 be rescinded and that it be accepted with \$35,330.20 as the correct value of completed work.

Adopted as follows:

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

Nays—None.

Department of Public Works
January 10, 1952.

Honorable Common Council:
Gentlemen—The petitions of A. S. Raphael, et al (No. 6329) and Albion Palmer, et al, (No. 7752), 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 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 Smith:

Resolved, That all of north-south public alley, 18 feet wide, west of Pinehurst Avenue, between Thatcher and Curtis Avenues, as platted in Murphy Bros. Loyola Estates Subdivision as recorded in Liber 52 of Plats, Page 35, Wayne County Records, lying west of and adjoining the west line of lots 113 to 126, both inclusive, of last mentioned subdivision; Also, all of east-west subdivision, 20 feet wide, south of Pinehurst Avenue, west of Pinehurst Avenue, as platted in said Murphy Bros. Loyola Estates Subdivision lying south of and adjoining the south line of lots 104 to 112, both inclusive, of last mentioned subdivision, (Petition No. 6329).

Also, all north-south public alley, 9 feet wide, west of Pierson Avenue, south of Clarita Avenue, as platted in C. W. Harrah's Redford Subdivision as recorded in Liber 57 of Plats, Page 80, Wayne County Records, lying west of and adjoining the west line of lots 255 to 265, both inclusive, and west of and adjoining the west line of the 9 foot east-west alley hereinafter described: Also all of east-west public alley, 9 ft. wide, west of Pierson Avenue, south of Clarita Avenue, as platted in C. W. Harrah's Redford Subdivision, heretofore mentioned, lying south of and adjoining the south line of lot 255 of last mentioned subdivision, (Petition No. 7752).

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 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 relocations, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President—8.
Nays—None.

Department of Public Works

February 27, 1952.

Honorable, Common Council:

Gentlemen—Contract PW-1441 is for the construction of Lateral Sewer No. 6681 in block bounded by Lenore, Wormer, Puritan and Florence Avenues. The Contractor is the Coolidge Construction Company. The contract was in the amount of \$8,395.55. The time of completion for the contract is stated as 60 calendar days. Under the terms of the standard lateral sewer contract, partial payments are made only when the time of completion exceeds 60 calendar days.

The actual construction of the sewer has been completed and the sewer was put into service on February 6, 1952. All the work that it was possible to do up to this time has been done. The work remaining consists of replacement of sidewalks, rebuilding of fences, and reshaping of backfill when weather conditions permit. This work may have to be delayed for several months. The estimated cost of such work is \$500.00.

Since the sewer has been placed in service and the abutting property owners are receiving full use of the facility, it is recommended that a progress payment be made at this time to cover the value of the completed work and such progress payment be made in accordance with the provisions contained in the standard lateral sewer contract.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

Department of Public Works

February 27, 1952.

Honorable Common Council:

Gentlemen—Contract PW-1442 is for the construction of Lateral Sewer No. 6751 in block bounded by Cooley, Lahser, Vassar and Pembroke Avenues. The Contractor is the Conant Sewer Construction Company. The contract is in the amount of \$18,-

451.00. The time of completion for the contract is stated as 60 calendar days. Under the terms of the standard lateral sewer contract, partial payments are made only when the time of completion exceeds 60 calendar days.

The actual construction of the sewer has been completed and the sewer was put into service on February 15, 1952. All the work that it was possible to do up to this time has been done. The work remaining consists of rebuilding of fences and reshaping of backfill when weather conditions permit. This work may have to be delayed for several months. The estimated cost of such work is \$500.00.

Since the sewer has been placed in service and the abutting property owners are receiving full use of the facility, it is recommended that a progress payment be made at this time to cover the value of the completed work and such progress payment be made in accordance with the provisions contained in the standard lateral sewer contract.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Van Antwerp:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to make partial payments for the completed work on the contracts specified in the foregoing communications, retaining \$1,000.00 on each contract, and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented covering such partial payments.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President—8.
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, Oakman, Rogell, Smith, Van Antwerp, and the President—8.
Nays—None.

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

The regular order was resumed.

Purchases and Supplies

March 4, 1952.

Honorable Common Council:

Gentlemen—In response to our ad-