

PW-1483—Bid, \$251,260.00; Total
 Funds Required, \$264,000.00.
 Respectfully submitted,
 CARL D. WARNER, Comm.

By Councilman Oakman:
 Resolved, That the bids received for the pavement recapping on contract PW-1472 Boston Blvd., in Group RC 52-1, be and are hereby rejected, and the Commissioner of Public Works be and is hereby authorized and directed to readvertise the work after an adjustment of the quantities in the job has been made; and be it further

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract with the respective bidders listed above for Pavement Recapping for contracts included in Groups RC 52-1 and RC 52-2 and in the amounts stated in the foregoing communication; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented, said vouchers to cover the cost of advertising, inspection, field engineering, and minor contingencies, as well as contract costs.

Adopted as follows:
 Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.
 Nays—None.

Department of Public Works

February 20, 1952.

Honorable Common Council:

Gentlemen—The Department of Public Works recommends the cancellation and reduction of the following sidewalk assessment, same having been paid on Accounts Receivable Bill:

Roll 268-C-5, Lot 429, E.S. Northlawn bet. Elmhurst and Cortland, Cancel \$5.00, Partial Payment, Receipt C-2020-29.

Respectfully submitted,
 NEAL CUTLIFF,
 Secretary.

By Councilman Oakman:

Resolved, That on recommendation of the Department of Public Works, that the City Treasurer be and is hereby authorized to cancel sidewalk assessments above set forth in communication of the Secretary.

Adopted as follows:
 Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.
 Nays—None.

Department of Public Works

February 22, 1952.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Effie Waldecker, et al (No. 7216), requesting the vacation of Waveney Avenue, west of Guilford Avenue. The vacation of said portion of street was approved

by the City Plan Commission with the recommendation that the rear 6 ft. of the street be converted into an easement. The petition was then 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 and privately owned utility companies reported that they will be unaffected by the changes as proposed.

We recommend the adoption of the attached resolution.

Respectfully submitted,
 CARL D. WARNER,
 Commissioner.

By Councilman Oakman:

Resolved, That the east 108.46 ft. of Waveney Avenue, 60 ft. wide, west of Guilford Ave., as platted in Grosse Pointe Highlands Subdivision as recorded in Liber 36 of plats, Page 61, Wayne County Records, lying between the north line of lot 57 and south line of lot 58 of last mentioned subdivision, be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property, and further,

Resolved, That the west 6 ft. of said Waveney Ave., 60 ft. wide, west of Guilford Ave., as platted in said Grosse Pointe Highlands Subdivision, lying north of and adjoining the north line of the west 6 ft. of lot 57, and south of and adjoining the south line of the west 6 ft. of lot 58 of last mentioned subdivision, be and the same is hereby converted into a public easement which shall be subject to the following covenants, agreements, uses, reservations and regulations which shall be observed by the owners of the property abutting on said easement 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 west 6 ft. of vacated public street, 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 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 easement, unless permission therefor is obtained from the City Engineer;

Third, that if at any time in the

future the owners of any property abutting on said vacated street 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 incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.
Nays—None.

Department of Public Works

February 22, 1952.

Honorable Common Council:

Gentlemen—We have on file Petition No. 6256 (F. Sandau, et al), dated May 22, 1951 to raise and pave Richard from Woodmere to 358 ft. north of Woodmere. Since the property owners were unwilling at that time to pay for the necessary fill at the north end, the petition was denied.

On February 20, 1952, we received another petition signed by 91% of the owners signifying their willingness to assume the entire cost of their share of the paving of the street. This will include the fill and the replacing of walks.

We, therefore, recommend that the above-mentioned street be paved with one course concrete to a width of 30 feet.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Oakman:

Resolved, That the paving recommended in the foregoing communication be and is hereby declared a necessity and that pursuant to Sec. 4, Chapter 56 of the Compiled Ordinances of 1945, an emergency exists affecting the peace, health, and safety of the people of the City, and further, that the paving be constructed with the material and to the width recommended, and that the Commissioner of Public Works be and is hereby directed to advertise for proposals for doing the work.

The entire cost of paving the street, including fill and replacement of walks, is to be borne by the abutting property owners.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.
Nays—None.

Department of Public Works

February 22, 1952

Honorable Common Council:

Gentlemen—The regular provisions of the Agreement in Contracts for Street Paving provide that payment to the Contractor would only be

made after the street is fully completed and accepted.

Conditions have arisen in connection with the pavement of certain streets where, because of winter weather, full completion of the street was impractical, if not impossible. The Weir Contracting Company has substantially completed work on the following Contracts; the work remaining to be done consisting of final clean-up and the replacement of sidewalks at street intersections.

PW-1763P—Kane South, Bramell to Lamphere.

PW-1713—Rosemont, Weaver to Plymouth.

PW-1759—Barbara, 550 ft. W. Lamphere to Lamphere.

PW-1761—Chatham, Schoolcraft to 402 ft. N. Schoolcraft.

PW-1764 — Kendall, Bramell to Lamphere.

The abutting property owners are receiving full benefit of the pavements.

Under the existing circumstances, it would appear to be equitable to pay the Contractor for the completed work on the same basis as would have normally been done if the Contract provided for partial payment. Under the provisions of partial payments, 90 per cent of the value of the completed work is paid to the Contractor.

It is, therefore, respectfully requested that authorization be granted to make partial payments on the above Contracts at this time. We understand that the money is available or will shortly be made available by the sale of special assessment bonds.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

Approved:

E. P. RIEHL,

Deputy City Controller.

By Councilman Garlick:

Resolved, That partial payments on the Contracts for paving of certain streets as designated in the foregoing communication, be and are hereby authorized and directed to be made at this time, providing that funds are available to make such payments from the sale of special assessment bonds covering these streets; and be it further

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

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Oakman, Rogell, Smith, Van Antwerp, and the President Pro Tem—7.
Nays—None.

Reconsideration

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