

August 12

As the work provided for in this contract has been completed, it is accepted by the Commissioner of Public Works under the terms and conditions thereof and it is recommended that it be accepted by your Honorable Body and that full payment of the above stated sum of \$41,455.60, less all previous payments as indicated in Estimate No. 2 (Final), be made by the City and accepted by the Contractor under the terms of final payment.

FLOYD C. MORSE,
Engr. of Tests & Inspn.
G. R. THOMPSON,
City Engineer.
CARL D. WARNER,
Commissioner.

By Councilman Beck:
Whereas, It appears from communications 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 communications be and the same are hereby accepted.

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
July 21, 1952.

Honorable Common Council:
Gentlemen—We are returning herewith the petition of Comfortbilt Homes Co., et al (No. 8548) requesting the vacation of the alleys south of Puritan Avenue, between Southfield Road and Archdale Avenue, and the conversion into an easement of the east-west alley at that location. These changes have been 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 and privately owned utility companies reported that they will be unaffected by the changes proposed.

We recommend the adoption of the attached resolution.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Rogell:

Resolved, That all of north-south public alley, 20 feet wide, south of Puritan Avenue between Southfield Road and Archdale Avenue, as platted in Puritan-Southfield Subdivision as recorded in Liber 62, Page 9 of plats, Wayne County Records, lying west of and adjoining the west line of lot 6 of last mentioned subdivision, be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property and further,

Resolved, That all of east-west public alley, 17.30 feet wide at Archdale Avenue, lying south of Puritan Avenue, between Southfield Road and Archdale Avenue, as platted in Puritan-Southfield Subdivision, heretofore mentioned, lying south of and adjoining the south line of lots 6 to 16, both inclusive, of Puritan-Southfield Subdivision, and south of and adjoining the south line of the 20 foot north-south alley hereinabove described, be and the same is vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement 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 alley, 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 east-west 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 alley 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 location, 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

August 4, 1952.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Gerald J. Sucher, et al (No. 8561), requesting permission to maintain a garage encroachment of 7.30 feet into the easement in the rear of his lot. The request was investigated by this office, and we find that granting such permission would not be detrimental to the interests of the City of Detroit.

We recommend the adoption of the attached resolution granting the permission requested.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Rogell:

Resolved, That permission be and the same is hereby granted to the owner of lot 95 and the south 2 ft. of lot 94 of Blenheim Forest Subdivision located on the east side of Mendota Avenue between Outer Drive and St. Martins Avenue to maintain the existing garage encroachment into the easement in the rear of his lot, not to exceed a distance of 7.30 ft., subject to the following conditions:

1) That no right in the public easement shall be considered waived by this permission which is granted expressly on the condition that the garage and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and further,

2) If, at any time, in the future it becomes necessary to repair or replace the sewer located in said easement, by the acceptance of this permission, the petitioner for himself, his heirs and assigns waives claims for any damages to the garage and agrees to pay the costs incurred in its removal, if its removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owner's expense, and further,

3) This resolution is revocable at the will, whim and caprice of the

Common Council and the petitioners acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 30, 1952.

Honorable Common Council:

Gentlemen—Contract PW-679B is for the architectural and structural alterations to the Fairview Pumping Station. Douglas Cloud Company is the Contractor.

At the time the Contract Drawings were prepared for this Contract some years ago, the existing pavement south of the Pumping Station was considered good enough to last a few more years and was consequently not included with the other pavement replacement in the Contract. The pavement is now in a bad state and needs replacement. It is considered that it would be advisable to have this additional pavement done now at the time the other pavement is being replaced. The Contractor has submitted a price of \$1,978.60 for this additional work which is considered fair and reasonable for the work involved.

It is, therefore, recommended that this additional work be included as an addition to the existing contract in the amount of \$1,978.60.

Respectfully submitted,
CARL D. WARNER,
Commissioner.

By Councilman Smith:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to include as additional work under Contract PW-679B, architectural and structural alterations to the Fairview Pumping Station, the additional pavement replacement described in the foregoing communication in the amount of \$1,978.60; and be it further

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

Adopted as follows:

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

Nays—None.

Department of Public Works

August 6, 1952.

Honorable Common Council:

Gentlemen—The petitions of I. J. Goldstein, et al (No. 991), Lawrence H. Pender, et al (No. 6628 and 994), Mark Bizall and Henry W. Toedebusch, et al (No. 1377), Ralph C. Slade, et al (No. 1645), K. J. Maid-