

Reconsideration

Councilman Connor 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, Rogell, Smith, Van Antwerp, and the President—7.

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

January 30, 1953.

Honorable Common Council:

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

PL-12 — Maple Street Substation, Killfoile-Wendeln Construction Co., Authorized 1-29-53.

PR-117 — Field House Charles P. Kemeny Playfield, Killfoile - Wendeln Construction Co., Authorized 1-27-53.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Rogell:

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

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Rogell, Smith, Van Antwerp, and the President—7.

Nays—None.

Reconsideration

Councilman Connor 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, Rogell, Smith, Van Antwerp, and the President—7.

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

January 29, 1953.

Honorable Common Council:

Gentlemen—The petitions of Eva Katz, et al (No. 1900), Hazel Madek, et al (No. 2011), Richard H. Welton, et al (No. 2621), Thomas J. Walsh, et al (No. 3953), and Morton W. Garelik, et al (No. 4105), requesting the conversion into easements of the

street and 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 street and 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 department 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 street and alleys into easements provided that proper provisions are incorporated into the vacating resolutions protecting their interests in the installations located in the street and alleys.

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, 16 ft. wide, in the block bounded by Hartwell, Snowden, Cambridge and Vassar Aves., as platted in Greenwich Park Subdivision as recorded in Liber 41, Page 28 of plats, Wayne County Records, lying east of and adjoining the east line of lots 178 to 187, both inclusive, and west of and adjoining the west line of lots 258 to 267, both inclusive, of last mentioned subdivision (petition of Eva Katz, No. 1900);

Also, all of north-south public alley, 16 ft. wide, in the block bounded by Biltmore, Ferguson, St. Martins and Pembroke Aves., as platted in Homelands Subdivision as recorded in Liber 35, Page 12 of plats, Wayne County Records, lying east of and adjoining the east line of lots 795 to 813, both inclusive, and west of and adjoining the west line of lots 935 to 953, both inclusive, of last mentioned subdivision (petition of Hazel Madek, No. 2011);

Also, all of Wilcox Ave., 25 feet wide, between Greenview and Faust Aves., as platted in Hitchman's Warrenlawn Subdivision as recorded in Liber 39, Page 93 of plats, Wayne County Records, lying south of and adjoining the south line of lots 154 and 155 of last mentioned subdivision (petition of Richard H. Welton, No. 2621);

Also, all that part of east-west public alley, 20 ft. wide, south of Moross Road, between Nottingham and Beaconsfield Aves., 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 1412, and south of and adjoining the south line of lots 1413, 1414, 1415, 1416 and

the west 11.41 ft. of lot 1417 of last mentioned subdivision (petition of Thomas J. Walsh, No. 3688);

Also, all that part of east-west public alley, 20 ft. wide, south of Moross Rd. between Whitehill and Laing Aves., 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 1189 and south of and adjoining the south line of lots 1184 to 1188, both inclusive, and south of and adjoining the south line of the east 11 ft. of lot 1183 of last mentioned subdivision (petition of Max H. Mertens, No. 3953);

Also, all of north-south public alley, 8 ft. wide, in the block south of Verdun Ave., between Riverview and Appleton Aves., as platted in Ewers Subdivision as recorded in Liber 40, Page 25 of plats, Wayne County Records, lying west of and adjoining the west line of lots 1 to 11, both inclusive, of last mentioned subdivision (petition of Morton W. Garelik, No. 4105);

Be and the same are vacated as public street and alleys and are hereby converted into a public easement of the full width of the street and 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 street and 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 public street and alley, 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 street and alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements 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 easements, 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 street and 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, Rogell, Smith, Van Antwerp, and the President—7.
Nays—None.

Department of Public Works
January 22, 1953.

Honorable Common Council:
Gentlemen—This is to certify that in accordance with Article 6 of the Contract Agreement for PW-2101, Lateral Sewer No. 6797 in Erwin from Lynch Road to 572 feet south of Lynch Road, that work provided for in this Contract has been given final inspection and has been found fully completed and the Contractor, Conant Sewer Construction Company, has submitted an affidavit that all payrolls, material bills, and other indebtedness connected with the work has been paid.

The completed items and value thereof of this work are:

All Contract Items and Contract Changes, \$4,723.70. (Four thousand seven hundred twenty three and 70-100 Dollars).

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 that full payment of the above stated sum of \$4,723.70 as indicated in Estimate No. 1 (Final), be 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 Smith:

Whereas, It appears from communication from the Dept. of Public Works that the contract therein listed has 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 contract for lateral sewer 6797 in Erwin ave. from Lynch Road to 572 ft. south of Lynch Road, be and the same is hereby accepted.

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

Reconsideration
Councilman Connor moved to reconsider the vote by which the resolution was adopted.
Councilman Garlick moved to suspend Rule 23 for the purpose of in-