

waiver clause in the Special Assessment Ordinance, providing for a 25 per cent prepayment and tax history. This action, if taken, will remove this group from the Forced Paving category and permit the work to proceed. The suggested procedure has the approval of the Corporation Counsel.

It is further recommended that these streets be paved with one course concrete, in accordance with the attached resolution.

Ardmore, Lyndon, Chalfonte — 26 Feet.

Kent, Chalmers, Hayes—26 Feet.

Patton, 244 Ft. S. of Capitol, 208 Ft. N. of Capitol—30 Feet.

Patton, Puritan, Grand River — 30 Feet.

Respectfully submitted,  
**CARL D. WARNER,**  
 Commissioner.

By Councilman Connor:

Resolved, That the paving recommended in the foregoing communication be and is hereby declared a necessity, and that pursuant to Section 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.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith and the President Pro Tem—6.

Nays—None.

**Department of Public Works**  
 January 13, 1953.

Honorable Common Council:

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

PW-2095. — Minor Sewer Davison Avenue from Justine to Ryan—Merucci Bros., Authorized 12-9-52.

PW-2098—Minor Sewers Northfield from Martindale to Spokane, etc.—Merucci Bros., Authorized 12-9-52.

PW-2100 — Gasoline Stations N.W. Yard and St. Jean Yard—Petroleum Systems Inc., Authorized 12-9-52.

MH-12 — Demolition of structures, Bates and Detroit River — Union Wrecking Co., Authorized 11-25-52.

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 Connor, Garlick, Kronk, Rogell, Smith and the President Pro Tem—6.

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 Connor, Garlick, Kronk, Rogell, Smith, and the President Pro Tem—6.

Nays—None.

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

The regular order was resumed.

**Department of Public Works**  
 January 12, 1953.

Honorable Common Council:

Gentlemen—On December 8, 1942, your Honorable Body authorized the Commissioner of Public Works to enter into an agreement with the County of Oakland for the use of certain City Sewers to discharge 30 cubic feet per second of sewage from territory located in Oakland County.

The County agreed to pay \$4,596.12 per cubic foot per second of discharged sewage plus \$22.98 per cubic foot per second per year for maintenance. The agreement stipulated that should the County require additional capacity, up to 50 cubic feet per second, it will pay for same at the rates above mentioned. At the present, the Oakland County Drain Commissioner requests that additional 10 cubic feet per second of sewage be granted, and a check for the computed amount has been submitted.

I recommend that the request be granted in accordance with the following resolution.

Respectfully submitted,  
**CARL D. WARNER,**  
 Commissioner.

By Councilman Kronk:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to grant the request of the County of Oakland to discharge into the City of Detroit sewer an additional 10 cubic feet per second of sanitary sewage at the rate of payments agreed upon in the Agreement of 1942. This grant to be effective as of January 1, 1953.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith and the President Pro Tem—6.

Nays—None.

**Department of Public Works**  
 January 13, 1953.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Gargaro Equipment Company, et al (No. 395),

requesting the vacation of a portion of the north-south alley east of John R. Street and south of Seven Mile Road. The vacation of said alley was 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 (except the Sewer Division of the Department of Public Works) and all privately owned utility companies reported that they will be unaffected by the vacation of said alley. A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
**CARL D. WARNER,**  
 Commissioner.

By Councilman Van Antwerp:

Resolved, That all that part of north-south public alley 20 feet wide, south of Seven Mile Road and east of John R. Street, as platted in Blanck and Gargaro Company, Inc. Subdivision of part of the N.W. ¼ of N.W. ¼ of Section 12, T. 1 S., R. 11 E., as recorded in Liber 62, Page 71 of plats; Wayne County Records, lying east of and adjoining the east line of vacated lots 10 to 19, both inclusive 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, subject to the following provisions:

1) Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the sewer located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer, to repair, alter or service same, and further,

2) Provided, That no buildings shall be constructed over said sewer without the prior approval of such construction by the City Engineer, and further,

Resolved, That the City Controller be and he is hereby directed to issue a Quit Claim Deed to Olive Gargaro as owner in fee of the adjoining property.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, and the President Pro Tem—6.

Nays—None.

Department of Public Works  
 January 16, 1953.

Honorable Common Council:

Gentlemen — We return herewith petition of Outer Drive - Van Dyke Home Owners Assn. (4285) G. O.

45096, requesting the forced construction of sidewalk at the following described location.

Lot 123, N. S. Yolanda, between Kempa and Terrell, Side on Terrell only; 110 lineal feet.

There is approximately 110 lineal feet of concrete sidewalk to be constructed; the approximate cost of this new local improvement would be \$237.60, the cost and expense to be assessed against the lots or parcels of real estate to be benefitted by such local improvement, in proportion to the probable benefit to be derived therefrom.

As this is an original sidewalk and can only be ordered constructed by a formal resolution as a forced account under the provisions of Chapter 264, as amended May 3, 1949, of the Compiled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,  
**NEAL CUTLIFF,** Secretary.

By Councilman Van Antwerp:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the description of property heretofore described in the above set forth communication, therefore;

Resolved, That The Department of Public Works be and is hereby instructed to serve notice upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them The Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

Yeas—Councilmen Connor, Garlick, Kronk, Rogell, Smith, and the President Pro Tem—6.

Nays—None.

Department of Public Works  
 January 14, 1953.

Honorable Common Council:

Gentlemen—On January 8, 1952, your Honorable Body authorized the Corporation Counsel to institute the necessary proceedings on behalf of the City of Detroit in the Recorder's Court to acquire title to certain parcels of land as shown on the City Engineer's Drawing No. DFC-14-74, revised December 1, 1951, for the construction of the Essex Avenue sewer and other Municipal Public Purposes.

However, in view of your Honorable Body's recent informal decision to defer the construction of the Essex Avenue sewer and substitute, instead, the Kercheval-Algonquin sewer, and the Grosse Pointe Park Connection, to the Freud Avenue sewer, several parcels of land formerly included in proposed condemnation may be elim-