

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 said contracts be and the same are hereby accepted.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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

November 3, 1953.

Honorable Common Council:

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

PW-2115—Lateral Sewer No. 6819, in Florence, Hazelton, S. Riverdale, Frank Morelli, Authorized 8-25-53.

PW-2402FP—Paving Glendale from Auburn to Artesian, Julius Porath & Son Company, Authorized 10-13-53.

PW-2421F—Paving Manor from Santa Maria to Santa Clara, G. Toccalino & Sons, Authorized 10-13-53.

PW-2422F—Paving Santa Clara from Manor to Pinehurst, G. Toccalino & Sons, Authorized 10-13-53.

PW-2427P—Paving Tyrone from Moross to Kingsville, G. Toccalino & Sons, Authorized 10-13-53.

PW-2430W—Paving Ashton from Dayton to Paul, G. Toccalino & Sons, Authorized 10-13-53.

PW-2431P—Paving Westfield from Decatur to Schaefer, G. Toccalino & Sons, Authorized 10-13-53.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Beck:

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

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Smith, Van Antwerp,

Youngblood, and President Miriani—8.

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, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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

November 2, 1953.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education (6259), requesting the vacation of the alley in the block bounded by Stahelin, Brace, Dayton and Paul Avenues. 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.

As per our directive, the Board of Education has issued an open purchase order in favor of the Department of Public Works to cover all expenses involved in closing the paved returns at the entrance to the alley being vacated.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alley or that they will relocate their equipment at no expense to the Board of Education.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER, Commissioner.

By Councilman Beck:

Resolved, That all of north-south public alley, 18 feet wide, in block bounded by Stahelin, Brace, Dayton and Paul Avenues, as platted in Hitchman's Warrenlawn Subdivision of part of the N.W. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Sec. 11, T.2S., R.11E., as recorded in Liber 39, Page 93 of plats, Wayne County Records, lying east of and adjoining the east line of lots 45 to 57 both inclusive, and west of and adjoining the west line of lots 76 to 88 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 alleys, the City of Detroit does not waive any rights to the sewers 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 if a building is to be constructed over said sewers, the sewers shall be replaced with cast iron pipe of the same size, rerouted or encased in six inches of Class A concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further,

3) Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering, and further,

4) Provided, In the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioners and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damage to such construction and agree to pay all costs incident to the repair of such broken sewer.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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
November 3, 1953.

Honorable Common Council:
Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of

Trumbull Chevrolet Sales Company, Incorporated (No. 7547), requesting the vacation of a portion of the dead-end alley south of Leverette Avenue, between Eighth Street and Brooklyn Avenue. The vacation of said portion of alley was approved by the City Plan Commission in their communication to your Honorable Body of October 14, 1953.

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 vacation of said portion of alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Beck:

Resolved, That all that part of east-west public alley first south of Leverette Avenue, between Eighth Street and Brooklyn Avenue, as platted in plat of the Farm of Col. D. Baker as divided into City lots as recorded in Liber 17, Page 272 and in Liber 25, Page 424 of Deeds, Wayne County Records, described as follows: Beginning at a point in the northeast corner of Lot 9 of last mentioned subdivision; thence along the extended east line of said Lot 9, N. 30 d W., 16.08 ft. to a point; thence along a line N. 8d 45m W., 4.89 ft. to a point in the north line of said alley; thence along the north line of said alley, S. 80d 03m 40s W., 11.26 ft. to a point; thence along a line S. 22d 48m E., 20.51 ft. to a point in the south line of said east-west alley; thence along the south line of said alley, N. 80 d 03m 40s E., 11.26 ft. to the place of beginning, be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

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, Kronk, Smith, Van Antwerp, Youngblood, and President Miriani—8.

Nays—None.

Councilman Van Antwerp then