

grant to the City a right-of-way for the construction of the sewer, provided he shall be kept harmless and indemnified against any loss or expense by reason of the construction or maintenance of the sewer; provided also that the premises shall be restored to the original condition.

The owner also requests that he receive \$100.00 as compensation for resodding the lawn and replacing the landscaping. These stipulations seem to us very reasonable, and I request your authorization to proceed with the work and accept the right-of-way.

Respectfully submitted,
GLENN C. RICHARDS,
Acting Commissioner.

By Councilman Beck:

Resolved, That the Commissioner of Public Works is hereby authorized and directed to construct a Lateral Relief Sewer in Ray Avenue from Kane Avenue to the Rouge River; and be it further

Resolved, That the Commissioner of Public Works be and is hereby authorized to accept the right-of-way granted to the City by the present owner of Lot 230 of Harry Slatkin's Subdivision; and be it further

Resolved, That the City Controller be and is hereby authorized and directed to draw a warrant on the proper fund in favor of the owner of Lot 230 of Harry Slatkin's Subdivision No. 1, in the sum of \$100.00, said sum to be paid upon surrendering to the City a properly executed right-of-way.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and President Miriani—8.
Nays—None.

Department of Public Works
September 18, 1953.

Honorable Common Council:

Gentlemen—A majority petition (No. 7265) has been filed for the paving of the north and south alley in the block bounded by Stoepel, Livernois, Seven Mile Road and Cambridge, adjoining the new Municipal parking lot.

Not included in the majority petition is a short east and west alley north of Seven Mile Road, which is an important connecting link between the main alley and Stoepel Avenue, and should be paved at the same time.

It is therefore recommended that said east and west alley be force paved with one course concrete, 20 feet wide.

Respectfully submitted,
GLENN C. RICHARDS,
Acting Commissioner.

By Councilman Beck:

Resolved, That the paving of the east and west alley first north of and parallel to Seven Mile Road east of Stoepel Avenue is hereby declared to

be a necessity. The Commissioner of Public Works is authorized and directed to advertise for proposals and award contract for the paving of said alley, with one course concrete, 20 feet wide under the Forced Paving Clause of the City Charter; and be it further

Resolved, That the cost be assessed in accordance with the benefits derived.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and President Miriani—8.
Nays—None.

Department of Public Works
September 16, 1953.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of V. Nowosiadly, et al (No. 7909) (Year 1951), requesting the vacation of Oakley Avenue between Gable and St. Louis Avenues. The vacation of said street was previously approved by the City Plan Commission.

On September 1, 1953, your Honorable Body adopted a resolution vacating the portion of said Oakley Avenue between Gable and Dwyer Avenues. Action on the balance of the street between Dwyer and St. Louis Avenues was deferred as the adjacent owners within said limits were not prepared to pay the costs involved in the vacation of the street. They have, since, paid to the Permit Division of the Department of Public Works the sum of \$678.00, Receipt No. 49294, said amount being the estimated cost of constructing straight curbing and sidewalk at the intersection of the vacated street.

All other City departments and privately owned utility companies reported that they will not be affected by the vacation of said street.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Acting Commissioner.

By Councilman Beck:

Resolved, That all of Oakley Avenue, 30 feet wide, between Dwyer and St. Louis Avenues, as platted in Thomas Brother's Oakley Heights Sub. of the N. ½ of the N. W. ¼ of the S. W. ¼ of Sec. 4, T. 1 S., R. 12 E., as recorded in Liber 37, Page R. 12 E., as recorded in Wayne County Records, 11 of plats, lying south of and adjoining the south line of lots 91 and 130 of last mentioned subdivision (it being the intent hereof not to vacate the portion of Oakley Avenue lying between the extended east line of lot 91 and the extended west line of lot 130), be and the same is hereby vacated as a

public street to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Garlick, Kronk, Rogell, Smith, Van Antwerp, and President Miriani—8.
Nays—None.

Department of Public Works

September 22, 1953.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are paving contracts entered into as authorized and directed by your formal proceedings dated 8-18-53:

PW-2266W—Cranbrook Drive, Outer Drive to Kingswood, Contractor, Julius Porath & Sons Company.

PW-2274W—Kingswood, Wyoming to Cranbrook, Contractor, Julius Porath & Sons Company.

PW-2279W—St. Martins, Cranbrook, Contractor, Julius Porath & Sons Company.

PW-2403P—Laing, Moross to McCormick, Contractor, G. Toccalino & Sons.

PW-2406P—Mt. Olivet, Gilbo to French Road, Contractor, G. Toccalino & Sons.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Connor:

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, Rogell, Smith, Van Antwerp, 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, Rogell, Smith, Van Antwerp, 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

September 14, 1953.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition No. 4464 of Gray Service Company requesting the vacation of the east-west public alley south of Casmere Avenue, between Alpena Avenue and Mound Road. The vacation of said

alley was previously approved by the City Plan Commission.

We wish to advise that our investigations are completed.

The only City departments affected by the vacation of said alley are the Public Lighting Commission and the Sewer Division of the Department of Public Works. Both of said departments reported that they would have no objections to the vacation of the alley provided that a proper provision be incorporated into the vacating resolution protecting said departments interests in their installations. Suitable provisions to that effect are incorporated into the vacating resolution.

All other City departments reported that they would be unaffected by the vacation of said alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Smith:

Resolved, that all of east-west public alley, 18 feet wide, in the block south of Casmere Ave. between Alpena and Mound Aves. as plotted in Eaton Land Company Subdivision No. 1 as recorded in Liber 52, Page 76 of plats, Wayne County Records, lying south of and adjoining the south line of lots 650 to 656, both inclusive, of last mentioned subn., 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, re-routed or encased in 6 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 buildings 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