

May 4

1954

The vacation of said portion of easement was previously approved by the City Plan Commission.

We wish to advise that our investigations are completed.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the easement to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of the above-mentioned easement or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Acting Commissioner.

By Councilman Rogell:

Resolved, That all that part of north-south public easement 12 feet wide, south of Grove Avenue, between Southfield Road and Fenmore Avenue, as platted in B. E. Taylor's Rainbow Subdivision, lying north of Grand River Avenue, being a part of the N.W. $\frac{1}{4}$ of Section 13, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 41, Page 75 of plats, Wayne County Records, lying in the rear of Lots 83, 84, 85, 170, 171 and 172, of last mentioned subdivision, be and the same is hereby vacated as a public easement 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 if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted 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 sewer 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 peti-

tioners 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 and repair of such broken sewer.

Adopted as follows:

Yeas — Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.
Nays—None.

Department of Public Works

April 23, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Department of Parks and Recreation for the vacation of a portion of the alley in the block bounded by Arlington, Mackay, Modern and Jerome Avenues, within the limits of a playground site. The vacation of said alley was approved by the City Plan Commission with the recommendation that land be provided for alley widening and dead-end alley turnaround.

We wish to advise that our investigations are completed.

As per our request, an interdepartmental purchase order was issued by the Department of Parks and Recreation in favor of the Public Lighting Commission, Fund Code No. 123-9400, in the amount of \$1,000.00 to cover costs of rerouting Public Lighting Commission facilities from the alley to be vacated.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated. The resolution also provides for the allocation of land for alley widening and turnaround purposes as per City Plan Commission's recommendation.

In reply to our inquiries, all other City departments reported that they will be unaffected by the vacation of the alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Acting Commissioner.

By Councilman Rogell:

Resolved, That all that part of north-south public alley 16 feet wide, in block bounded by Arlington, Mackay, Modern and Jerome Avenues, as platted in Raynold's and Harasvey's Subdivision of the W. $\frac{1}{2}$ of the E. $\frac{1}{4}$ of $\frac{1}{4}$ Section 2, T. T. A. T., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 15, Page 5 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 180 to 185 both inclusive and west of and adjoining the west line of Lots 329 to 334 both inclusive of last mentioned subdivision, be and the same is hereby va-

cated as a public alley to become a part and parcel of 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 if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted 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 sewer without prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further,

4. Provided, That in the event 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 damages to such construction and agree to pay all costs incident to the repair of such broken sewer; and further,

Resolved, That the west 14 feet of Lot 328 and the west 4 feet of Lots 326 and 327 of Raynold's and Harvey's Subdivision as recorded in Liber 15, Page 5 of Plats, Wayne County Records, be and the same is hereby allocated and dedicated for alley widening and turnaround purposes.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.
Nays—None.

Department of Public Works

March 15, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of H. M. Seldon, et al (No. 5788), requesting the vacation and conversion into easements of certain alleys bounded by Marbud, Mohican Avenues, Edmore Drive, and Eight Mile Road.

The granting of the petition was approved by the City Plan Commission with the recommendation that the petitioner dedicate land for the extension of Carlisle and Collingham Avenues and the relocation of a cer-

tain 20 foot east-west alley, all in the area south of Eight Mile Road between Marbud and Mohican Avenues.

We wish to advise that our investigations are completed.

As per our directive, on March 15, 1954 the petitioner deposited with the Permit Division of the Department of Public Works, the sum of \$1,800.00, Receipt No. 53266, said amount being the estimated cost of grading and stoning newly deeded streets and alleys.

We are in receipt of a Warranty Deed and a Quit Claim Deed to land to be used for streets and alley purposes in accordance with the City Plan Commission's recommendation. Said deeds were approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and are attached hereto for your Honorable Body's acceptance.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alleys, or that they have reached satisfactory agreements with the petitioner.

We recommend the adoption of the attached resolution.

Respectfully submitted,

CARL D. WARNER,

Commissioner.

By Councilman Wise:

Resolved, That the north 14 ft. of the east-west public alley 20 ft. wide, west of Mohican Avenue, between Eight Mile Road and Carlisle Drive, as platted in John E. Salter's Gratiot-Eight Mile Subdivision of a part of the E. ½ of the N.W. ¼ of the N.E. ¼ of Section 1, T. 1. S., R. 12 E., as recorded in Liber 60, Page 19 of Plats, Wayne County Records, lying south of and adjoining south line of lots 1 to 21 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;

Also, all of the east-west public alley 18 ft. wide, west of Mohican Avenue, between Carlisle and Collingham Drives, as platted in said John E. Salter's Gratiot-Eight Mile Subdivision, lying south of and adjoining the south line of lots 36 to 47 both inclusive and north of and adjoining the north line of lots 48 to 59 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 reservation by the City of the center 12 feet of said 18 ft. east-west alley for easement purposes, which easement shall be subject to the provisions recited hereinbelow;

Also, all of the east-west public alley 18 ft. wide, west of Mohican

Avenue, between Collingham and Edmore Drives as platted in said John E. Salter's Gratiot-Eight Mile Subdivision, lying south of and adjoining the south line of lots 60 to 71 both inclusive, and north of and adjoining the north line of lots 72 to 83 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 reservation by the City of the center 12 ft. of said 18 ft. east-west alley for easement purposes, which easement shall be subject to the provisions recited hereinbelow;

Also, the north 9 ft. of that part of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, lying south of and adjoining the centerline extended westerly of the 18 ft. east-west public alley as platted in John E. Salter's Gratiot-Eight Mile Subdivision, between the west line, extended southerly, of lot 60 of said subdivision, and the east line of Marbud Avenue 60 ft. wide as now established, be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property on the south, subject to the reservation by the City of the north 6 ft. of said 9 ft. east-west alley for easement purposes, which easement shall be subject to the provisions recited hereinbelow;

The easements above reserved shall be for the purpose of installing, maintaining, repairing, replacing, or removing 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 anytime to and over said easements for the purposes above set forth;

Further, the owners of the lots abutting on said easements shall neither construct or cause to be constructed any buildings or structures of any nature whatsoever (except necessary line fences). If at anytime in the future the owners of any property abutting on said easements shall request the removal and/or relocation of any existing poles or other utilities, such owners shall pay all costs incident to such removal and/or relocation, unless charges are waived by the utility owners; and further

Resolved, That Warranty Deed of Joseph J. Henze, a single man to the City of Detroit deeding the following described property for alley purposes:

The north 14 ft. of lots 24 to 35 both inclusive of John E. Salter's Gratiot-Eight Mile Subdivision, of a part of the east $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 1, T. 1. S., R. 12 E., as recorded in Liber 60, Page 19 of Plats, Wayne County Records.

Also, That Quit Claim Deed of

Herbert L. Hund and Helen M. Hund, his wife, to the City of Detroit a municipal corporation, deeding the following described property for street, alley and easement purposes:

All that part of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, described as follows: Beginning at a point distant S. 0d 11m 50s E., 14.00 ft. from the southwest corner of Lot 1 of John E. Salter's Gratiot-Eight Mile Subdivision, of a part of the E. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1, S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 60 of plats, Page 19, Wayne County Records; thence along a line S. 89d 59m 15s W., 208.84 ft. to a point; thence along a line S. 0d 08m 20s W., 20 ft. to a point; thence along a line N. 89d 59m 15s E., 208.32 ft. to a point; thence along a line N. 0d 11m 50s E., 20.00 ft. to the point of beginning;

Also, all that part of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, described as follows: Beginning at a point in the southwest corner of lot 35 of John E. Salter's Gratiot-Eight Mile Subdivision, of a part of the E. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan as recorded in Liber 60 of plats, Page 19, Wayne County Records; thence along the extended south line of said lot 35, S. 89d 59m 15s W. 208.70 ft. to a point; thence along a line S. 0d 08m 20s W., 60.00 ft. to a point; thence along a line N. 89d 59m 15s E., 208.64 ft. to a point in the northwest corner of lot 36 of last mentioned subdivision; thence along the extended west line of said lot 36, N. 0d 11m 50s E., 60.00 ft. to the place of beginning;

Also, all that part of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, described as follows: Beginning at the southwest corner of lot 59 of John E. Salter's Gratiot-Eight Mile Subdivision, of a part of the E. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 60 of plats, Page 19, Wayne County Records; thence along the extended south line of said lot 59, S. 89d 59m 15s W., 208.37 ft. to a point; thence along a line S. 0d 08m 20s W., 60.00 ft. to a point; thence along a line N. 89d 59m 15s E., 208.31 ft. to a point in the northwest corner of lot 60 of last mentioned subdivision; thence along the extended west line of said lot 60, N. 0d 11m 50s E., 60.00 ft. to the place of beginning;

AND ALSO

a perpetual easement for the installation and maintenance of public utilities in and over the following described premises situated in the

City of Detroit, County of Wayne, and State of Michigan, to wit:

All that part of the N.E. ¼ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan described as follows: Beginning at a point distant S. 0d 11m 50s E., 3 ft. from the southwest corner of lot 36 of John E. Salter's Gratiot-Eight Mile Subdivision, of a part of the E. ½ of the N.W. ¼ of the N.E. ¼ of Sec. 1, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 60 of plats, page 19, Wayne County Records; thence along a line S. 89d 59m 15s W., 208.51 ft. to a point; thence along a line S. 0d 08m 20s W., 12.00 ft. to a point; thence along a line N. 89d 59m 15s E., 208.49 ft. to a point in the west line of last mentioned subdivision; thence along the west line of said subdivision, N. 0d 11m 50s E., 12.00 ft. to the place of beginning;

Also, all that part of the N.E. ¼ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, described as follows: Beginning at a point distant S. 0d 11m 50s W., 3.00 ft. from the southwest corner of lot 60 of John E. Salter's Gratiot-Eight Mile Subdivision, of a part of the E. ½ of the N.W. ¼ of the N.E. ¼ of Sec. 1, T. 1. S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 60 of plats, Page 19, Wayne County Records; thence along a line S. 89d 59m 15s W., 208.19 ft. to a point; thence along a line S. 0d 08m 20s W., 6.00 ft. to a point; thence along a line N. 89d 59m 15s E., 208.18 ft. to a point in the west line of last mentioned subdivision; thence along the west line of said subdivision N. 0d 11m 50s W., 6.00 ft. to the place of beginning.

Be and the same are hereby accepted and the City Controller be and he is hereby directed to record said deeds in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.
Nays—None.

Department of Public Works

April 30, 1954.

Honorable Common Council:

Gentlemen—In response to published advertisements bids were received on April 27, 1954 for pavement recapping, Group RC-54-1, as shown on the attached tabulation.

The following streets were included in this Group:

- PW-2041—Davison East, McNichols to Syracuse and Dwyer to Mt. Elliott.
- PW-2042—Kercheval, Algonquin to Wayburn.
- PW-2043—Schoolcraft, Schaefer to Manor and Monte Vista to Ewald Circle.
- PW-2044—Seven Mile Rd. E., Outer

Drive to Hoover and Joann to Gratiot. For each Contract bidders were required to submit prices on the following three bases:

- 1) Using all natural aggregates;
- 2) Using all slag aggregates;
- 3) Using slay coarse aggregates and natural fine aggregates.

In each case the low bid was that using slag coarse aggregates and natural fine aggregates.

The low bid for each Contract was regular in all respects and in accordance with the Contract Documents. It is, therefore, recommended that the Contracts be awarded to the following bidders on the basis of using slag coarse aggregates and natural fine aggregates:

PW-2041—Detroit Asphalt Paving Co., \$56,466.25, Funds Required \$58,725.00.

PW-2042—Cooke Contracting Company, \$70,773.25, Funds Required \$73,600.00.

PW-2043—Cadillac Asphalt Paving Co., \$94,239.50, Funds Required \$98,000.00.

PW-2044—Louis Garavaglia, \$65,874.00, Funds Required \$68,500.00.

The total funds required include the cost of advertising, inspection, field engineering, and minor contingencies, as well as the Contract price. Funds are available in Account No. 143-2190-916.

Respectfully submitted,

CARL D. WARNER,
Commissioner.

By Councilman Rogell:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to enter into Contracts for pavement recapping for the Contracts included in Group RC-54-1, with the low bidders and in the amounts stated in the foregoing communication; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, the vouchers to cover the cost of advertising, inspection, field engineering, and minor contingencies, as well as the Contract cost.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.
Nays—None.

Department of Public Works

May 4, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting the conversion into easements of the alleys described in the attached resolution.

The conversion of the alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investi-