

available in Account No. 143-2190-901.

Respectfully submitted,
 CARL D. WARNER,
 Commissioner.

Approved:
 E. P. RIEHL, Deputy Controller.

By Councilman Connor:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract for the furnishing and installing of steam boilers and oil burners at the East Side Asphalt Plant, Contract PW-2116A, with the Wayne Boiler and Equipment Company, in the amount of \$82,233.00; and be it further

Resolved, That the Commissioner of Public Works be and is also hereby authorized and directed to enter into contract for the new boiler plant building at the East Side Asphalt Plant, Contract PW-2116B, with the Palmer-Smith Company, in the amount of \$78,167.00; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented and charge them against Account No. 143-2190-901, the vouchers to include the cost of advertising, inspection, minor contingencies, and City owned utilities, as well as Contract costs.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Rogell, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Department of Public Works

March 19, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Ward Memorial Presbyterian Church (No. 8003), requesting the vacation of a portion of the east-west public alley north of Plymouth Avenue and east of Steel Avenue. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioner dedicate land for the purpose of widening the south portion of the 16 foot north-south alley for turn-around purposes at the easterly end of the alley to be vacated.

We wish to advise that our investigations are completed.

As per our directive, on March 22, 1954, the petitioner deposited into the City Treasury the sum of \$100.00, Receipt No. A-41130, credited to Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of relocating Public Lighting Commission's facilities located in the portion of the alley to be vacated.

On March 19, 1954, the petitioner deposited with the Permit Division of the Department of Public Works the sum of \$1,150.00, Receipt No. 53355, said amount being the estimated cost of constructing curb, gutter, concrete walk, remove tree, gut-grade and stone newly deeded turn around.

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

We are in receipt of a Quit Claim Deed from the petitioner whereby land is deeded for alley purposes as per City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and it is 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 alley or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,
 CARL D. WARNER,
 Commissioner.

By Councilman Rogell:

Resolved, That all that part of east-west public alley 16 feet wide, north of Plymouth Avenue and east of Steel Avenue, as platted in Frank B. Wallace Grand River Villas Subdivision of the E. 1/2 of the S.W. 1/4 of Sec. 29, T. 1, S., R. 11 E., Greenfield Twp., Wayne County, Michigan as recorded in Liber 34, Page 22 of Plats, Wayne County Records, lying south of and adjoining the south line of the west 102 feet of lot 329, north of and adjoining the north line of lots 330 to 334 both inclusive and north of and adjoining the north line of the west 2 feet of lot 335 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 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 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 Quit Claim Deed of Elizabeth W. Ward Memorial Presbyterian Church, an ecclesiastical corporation to the City of Detroit, a municipal corporation, deeding land for alley purposes, said land being described as "the east 20 feet of lots 328 and 329, of Frank B. Wallace, Grand River Villas Subdivision of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 29, T. 1, S., R. 11 E., Greenfield Twp., Wayne County, Michigan, as recorded in Liber 34, Page 22 of Plats, Wayne County Records", be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Rogell, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Department of Public Works

March 22, 1954.

Honorable Common Council:

Gentlemen—The petition of the Board of Education (No. 410), requesting the vacation of alleys in the block bounded by Bramell, Chatham, Sawyer, and Tireman Avenues, was referred to this office by your Committee of the Whole for investigation and report. The vacation of said alleys was approved by the City Plan Commission with the recommendation that the Board of Education pay all costs involved in the relocation of public utilities.

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 alleys to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of the alleys 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 Rogell:

Resolved, That all of the north-south public alley 18 feet wide in the block bounded by Bramell, Chatham, Sawyer, and Tireman Avenues as platted in Frischkorn's Park View Subdivision of Part of Lots 3, 4, and 5 of Joseph Coon's Farm, Subdivision of Fractional Sections 3 and 4 and the north part of P. C. 615, T. 2 S., R. 10 E., Dearborn Township, Wayne County, Michigan, as recorded in Liber 41, Page 95 of plats, Wayne County Records and Rouge Park Subdivision No. 2 of Part of Lots 2 and 6 of Joseph Coon Estate, Subdivision of Fractional Sections 3 and 4, T. 2 S., R. 10 E., and north part of P. C. 615 and part of Lots 5 and 6 of Hiram Coon Estate, Subdivision of part of Fractional Sections 4 and 9, T. 2 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 62, Page 70 of plats, Wayne County Records, lying west of and adjoining the west line of Lots 1065 to 1074, both inclusive, east of and adjoining the east line of Lots 1075 to 1084, both inclusive, of last mentioned subdivision, east of and adjoining the east line of Lots 180 to 188, both inclusive, and west of and adjoining the west line of Lots 276 to 284, both inclusive, of above mentioned Frischkorn's Park View Subdivision;

Also, All of the east-west public alley 20 feet wide, south of Tireman Avenue, between Bramell and Chatham Avenues, as platted in said Rouge Park Subdivision No. 2 as recorded in Liber 62, Page 70 of plats, Wayne County Records, lying south of and adjoining the south line of Lots 1158 to 1170, both inclusive, north of and adjoining the north line of Lots 1065 and 1084, and north of and adjoining the north line of the 18 foot north-south public alley lying between Lots 1065 and 1084, all of the above mentioned subdivisions, be and the same are hereby vacated as public alleys 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 alleys 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 alleys, 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.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Rogell, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Department of Public Works

March 12, 1954.

Honorable Common Council:

Gentlemen—This is to certify that in accordance with Article 6 of the Contract Agreement for Contract PW-2118, Sewer Arm in Burgess from Seven Mile Road to Easement North of Cambridge, that work provided for in this Contract has been given final inspection and has been found fully completed and the Contractor, Drainage Contractors, Incorporated, 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, \$11,499.00 (Eleven Thousand Four Hundred Ninety Nine and no/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 and that full payment of the above stated sum of \$11,499.00 less all previous payments as indicated in Estimate No. 2 (Final),

be made at this time with the understanding that such payment is made by the City and accepted by the Contractor under the terms of final payment.

FLOYD C. MORSE,
Engr. of Tests & Inspn.
M. WAGNITZ,
Asst. City Engineer.
GLENN C. RICHARDS,
Acting Commissioner

By Councilman Youngblood:
Whereas, It appears from the foregoing communication that the contract for sewer arm in Burgess from Seven Mile Road to easement north of Cambridge has been duly completed; and

Whereas, Said work has been found to be in accordance with the specifications and contract for the same and has been accepted by the Commissioner of Public Works; therefore, be it

Resolved, That said contract be and the same is hereby accepted.

Adopted as follows:

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

Reconsideration

Councilman Connor moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

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

Councilmen Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

March 15, 1954.

Honorable Common Council.

Gentlemen—We present herewith for your consideration a supplemental agreement between the State Highway Department, Wayne County Road Commission, City of Detroit and the Fort Street Union Depot Company, Chesapeake and Ohio Railroad Company, Pennsylvania Railroad and the Wabash Railroad Company which provides for certain changes in the manner of constructing the John C. Lodge Expressway through the property of the Union Depot Company and the related railroads.

On June 24, 1947, your Honorable Body approved the original agreement between the same parties, dated June 30, 1947, which permitted this construction by an entirely different method. Since that time, considerable thought and study has been