

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

August 6, 1954.

Honorable Common Council:

Gentlemen—Contract PW-2424F is for the paving of Gladys Street from Tarnow to Chopin. J. C. Sachs Contractor is the Contractor. The total amount of the accepted proposal was \$4,777.00, of which \$2,711.60 was in the assessment portion and \$2,065.40 was in the City intersection portion. The assessment roll was based on the amounts stated in the assessment portion of the accepted proposal or \$2,711.60.

Under the provisions of the resolution authorizing the Contract, any deductions or additions in the assessment portion exceeding 1 percent must be approved by the Common Council before the adjustment of the difference was applied to the City intersection portion.

When the final measurements based on actual construction were made, a deduction of \$40.00 resulted in the assessment portion because two trees that were included in the unit price quantities were not removed. This results in a deduction of \$40.00 in the assessment portion final cost. This amounts to approximately 1.6 percent of the original assessment portion. It is recommended that the adjustment be made by deducting \$40.00 from the City intersection portion and that the assessment portion remain the same.

Respectfully submitted,

GLENN C. RICHARDS,
Acting Commissioner.

By Councilman Beck:

Resolved, That the adjustment in the constructed quantities in the assessment portion amounting to a deduction of \$40.00 in connection with the paving of Gladys Street from Tarnow to Chopin, Contract PW-2424F, be credited to the City intersection portion and that the final assessment cost for the construction remain at \$2,711.60, the same as was in the original accepted proposal.

Adopted as follows:

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

Department of Public Works

August 5, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the Packard Motor Car Company, No. 5158, requesting the vacation of a portion of east-west public alley east of Mt. Elliott Avenue, between Geor-

gia and Newhall Avenues. The vacation of said portion of alley 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 alley to be vacated.

In reply to our inquiries, all other 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 petitioners regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Acting Commissioner.

By Councilman Beck:

Resolved, That all that part of east-west public alley 20 feet wide, east of Mt. Elliott Avenue, between Georgia and Newhall Avenues, as platted in Howe's Subdivision of part of the E. ½ of the S.W. ¼ of Section 21, T. 1 S. R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 13, Page 24 of Plats, Wayne County Records, lying north of and adjoining the north line of Lots 21 to 23 both inclusive, and south of and adjoining the south line of Lots 58 to 60 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 abovescribed alley, the City of Detroit does not waive any rights to the sewer located therein and at all times shall have the 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

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sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioners and its 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, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—

8. Nays—None.

Department of Public Works

August 9, 1954.

Honorable Common Council:

Gentlemen—We are returning herewith the petitions of M. M. Robinson, et al (No. 6411), Frank J. Ortman, et al (No. 7312), and Anthony Jane-sick, et al (No. 1307), requesting the vacation of Fox, Bush, and St. Aubin Avenues, and the alleys, in the area south of Eight Mile Road, between Dequindre and Lumpkin Avenues. The vacation of said streets and alleys was approved by the City Plan Commission with the recommendation that the petitioners dedicate land to widen the north-south alley first easterly of Lumpkin Avenue and provides a new east-west outlet for same. The petition was then 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, on August 10, 1954, the petitioners deposited into the City Treasury the sum of \$840.48. Receipt No. B-9278, credited to Department of Water Supply Fund Code No. 601-9300-0-6290-908, said amount being the estimated cost of abandoning the water mains in the streets to be vacated, and reimbursement for their remaining equity in the water mains.

The petitioners, on August 10, 1954, also deposited with the Permit Division of the Department of Public Works the sum of \$963.82, said amount being the estimated cost of stoning newly deeded land for alley widening and outlet.

We are in receipt of a Quit Claim Deed to land to be used for alley purposes in accordance with the 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 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 streets and alleys or that they have reached satisfactory agreements with the petition-

ers regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Acting Commissioner.

By Councilman Beck:

Resolved, That all of Fox Avenue 50 ft. wide, as platted in Fox and O'Connor's Subdivision of the N. 32.50 acres of the N.W. $\frac{1}{4}$ of Sec. 6, lying E. of Conant Road, T.1S.R.12E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 35, Page 47 of Plats, Wayne County Records, lying north of and adjoining the north line of lot 296 to 304 both inclusive, south of and adjoining the south line of lots 305 to 314 both inclusive, south of and adjoining the south line of the 16 ft. north-south public alley lying west of and adjoining the west line of lot 314, and north of and adjoining the north line of the 16 ft. north-south public alley lying west of and adjoining the west line of 296, all of the above mentioned subdivision.

Also, all that part of St. Aubin Ave. 75 ft. wide lying south of Eight Mile Rd. as now established, as platted in said Fox and O'Connors Subdivision, lying west of and adjoining the west line of lots 276 to 288 both inclusive, east of and adjoining the east line of lots 289, 304, and 305, east of and adjoining the east line of Fox Ave. 50 ft. wide, east of and adjoining the east line of Bush Ave. 24.5 ft. wide, and east of and adjoining the east line of the 16 ft. east west public alley lying between lots 289 and 304, all of the last mentioned subdivision.

Also, all that part of Bush Ave. 24.5 ft. wide as platted in said Fox and O'Connors Subdivision, lying south of and adjoining the south line of lots 289 to 295 both inclusive, and south of and adjoining the south line of the 16 ft. north-south public alley lying west of and adjoining the west line of lot 295, all of the last mentioned subdivision.

Also, all that part of Bush Avenue, which was deeded to the City of Detroit for street purposes, said deed having been accepted by the Common Council on August 14, 1951, J.C.C. Page 1910, described as:

"All that part of the N.W. $\frac{1}{4}$ of Section 6, T.1S.R.12E., City of Detroit, Wayne County, Michigan, described as follows: Beginning at a point in the southeast corner of lot 1 of Fox and O'Connors Subdivision as recorded in Liber 35 of plats, page 47, Wayne County Records; thence along the south line of said Fox and O'Connors Subdivision, N. 88d 49m 30s E., 294.66 feet to a point in the southwest corner of lot 288 of last mentioned subdivision; thence

along the extended west line of said lot 288, S. 2d 49m 50s E., 40.02 ft. to a point; thence along a line S. 88d 49m 30s W., 75.03 ft. to a point; thence along a line N. 2d 49m 50s W., 14.50 ft. to a point; thence along a line S. 88d 49m 50s W., 207.42 feet in the extended east line of above mentioned lot 1; thence along extended east line of said lot 1, N. 28d 06m W. 28.60 feet to the place of beginning;"

Also, all that part of the north-south public alley 16 ft. wide, south of Eight Mile Road, and east of Dequindre Avenue, as platted in said Fox and O'Connors Subdivision, lying west of and adjoining the west line of lot 314, east of and adjoining the east line of lots 17 to 20 both inclusive, east of and adjoining the east line of the south 7.8 ft. of lot 21 and east of and adjoining the east line of the north 1 ft. of lot 16, all of the above mentioned subdivision.

Also, all of the north-south public alley 16 ft. wide, west of St. Aubin Ave., between Fox and Bush Avenues, as platted in said Fox and O'Connor's Subdivision, lying west of and adjoining the west line of lots 295 and 296 and west of and adjoining the west line of the 16 ft. east west alley lying south of and parallel to Fox Ave.;

Also, all of the east-west public alley 16 ft. wide, west of St. Aubin Avenue, between Fox and Bush Avenues, as platted in said Fox and O'Connor's Subdivision, lying north of and adjoining the north line of lots 289 to 295 both inclusive, and south of and adjoining the south line of lots 296 to 304 both inclusive of last mentioned subdivision.

Also, all that part of north-south public alley 16 ft. wide, south of Eight Mile Road, between St. Aubin and Lumpkin Avenues, as platted in said Fox and O'Connors Subdivision, lying west of and adjoining the west line of lots 264 to 274 both inclusive, west of and adjoining the west line of the south 16.5 ft. of lot 275, east of and adjoining the east line of lots 277 to 287 both inclusive, and east of and adjoining the east line of the south 16.5 ft. of lot 276, all of the above mentioned subdivision.

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the adjoining property, and further

Resolved, That Quit Claim Deed of Huntington Gardens Apartments, Inc., a Michigan Corporation to the City of Detroit, deeding land for alley purposes, said land being described as "Lot 262 and the east 14 feet of Lots 250 to 261 both inclusive and that part of Lot 261 described as: Beginning at a point on the south line of

lot 261, said point being N. 89d 09m 30s W., 14.0 ft. from the southeast corner of lot 261, thence N. 0d 51m 30s W., parallel to the east line of lot 261, 10 ft.; thence S. 44d 59m 30s W. 13.93 ft.; thence S. 89d 09m 30s E., along the south line of lot 261, 10.0 ft. to the point of beginning, all being part of Fox and O'Connor's Subdivision of the north 32.50 acres of the N.W. ¼ of Section 6, lying E. of Conant Road, T.1S., R.12E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 35, Page 47 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, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.

Nays—None.

Department of Public Works

August 5, 1954.

Honorable Common Council:

Gentlemen—In response to the published advertisements, bids were received on August 3, 1954 for Alley Paving Group 54-2A as follows:

PW-2508W, Livernois, Petoskey, Midland, Puritan.

PW-2509P, Turner, Bryden, Elmhurst, Utica.

PW-2510W, Greenfield, Prest, Tyler, Schoolcraft.

PW-2511W, Cavalry, Campbell, Fort, Celeron.

PW-2512W, Winthrop, Greenfield, Grove, McNichols.

PW-2513W, Bentler, Westbrook, McNichols, Santa Clara.

PW-2514P, Roosevelt, 25th, Hudson, McGraw.

PW-2515W, Dale, Riverview, Davison, Schoolcraft.

The tabulation of the bids received on each of the Contracts is attached hereto.

The low bid on each of the Contracts is regular in all respects and in accordance with the contract requirements. It is recommended that the Contracts be awarded to the following bidders in the amounts stated. The total funds required include the cost of advertising, inspection, engineering, financing, and minor contingencies, as well as the contract costs.

Fort Wayne Coal & Constr. Co.—PW-2508W, bid \$10,544.60, total funds required \$13,950.85.

Fort Wayne Coal & Constr. Co.—PW-2509P, bid \$3,101.90, total funds required \$3,846.68.

Fort Wayne Coal & Constr. Co.—PW-2510W, bid \$6,289.50, total funds required \$7,961.69.