

Adopted as follows:

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

Nays—None.

Department of Public Works

August 6, 1954.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Joe E. Babey (No. 733), requesting the vacation of a portion of the east-west public alley west of Foster Avenue, between Miller and Selkirk Avenues. The vacation of said portion of 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.

A proper provision is incorporated in 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 said vacation or that they have reached satisfactory agreements with the petitioner regarding their installations in the alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLEN C. RICHARDS,

Acting Commissioner.

By Councilman Smith:

Resolved, That all that part of east-west public alley, 14 feet wide, west of Foster Avenue, between Miller and Selkirk Avenues, as platted in Koscinszko Subdivision of Lots 11, 12, and 15 of the Plat and Survey of the N. ½ of Sec. 28 and the N.E. fraction of Sec. 29, T. 1 S., R. 12 E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 32, Page 91 of Plats, Wayne County Records, lying north of and adjoining the north line of Lots 145 and 146, and south of and adjoining the south line of Lots 151 and 152 of the 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 assigne; 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 sewers located in said alley, if built upon, shall break causing damage to any construction above, the petitioner 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, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Department of Public Works

August 10, 1954.

Honorable Common Council:

Gentlemen — The low bids for Lateral sewer No. 6842 (Contract PW-2134), Lateral Sewer No. 6855 (Contract PW-2135), Lateral Sewer No. 6846 (Contract PW-2136), and Lateral Sewer No. 6857 (Contract PW-2137), have been accepted by your Honorable Body. The cost of these sewers have been assessed against the abutting properties as set forth on Lateral Sewer Assessment Rolls B-102, B-103, B-104, and B-105. A notice of the completion of these rolls was published in the Detroit Legal News on July 29, 1954, as prescribed by ordinance. Not protests against the assessments have been received. We, therefore, recommend that the Assessment Rolls B-102, B-103, B-104, and B-105 be confirmed.

Respectfully submitted,

GLENN C. RICHARDS,

Acting Commissioner.

By Councilman Wise:

Resolved, That Lateral Sewer Assessment Rolls B-102, B-103, B104, and B-105 in the amounts of \$3,500.00, \$3,305.00, \$3,670.00, and \$9,675.00 respectively for defraying the cost of constructing Lateral Sewer No. 6842 (Contract PW-2134), Lateral Sewer No. 6855 (Contract PW-2135), Lateral Sewer No. 6846 (Contract PW-2136), and Lateral Sewer No. 6857 (Contract PW-2137), be and the same are hereby approved and confirmed.

Adopted as follows:

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

Nays—None.