

Court for the County of Wayne, State of Michigan, petitioning the court to order the alleys described above vacated; and be it further

Resolved, That the Corporation Counsel is directed to petition the court to include in the order vacating the above described alleys provisions for retention of a public easement the width of the present alley, for the purpose of all public utilities now situate or which may hereafter be installed or placed in such vacated alleys, with the right of ingress and egress thereto for the purpose of installation, construction, operation and maintenance of such utilities.

Adopted as follows:

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

Nays—None.

Municipal Parking Authority

June 28, 1955.

Honorable Common Council:

Gentlemen—On March 30, 1955, the Municipal Parking Authority deposited \$296,542.54 with the City Treasurer as payment for land located in the block bounded by First, Abbott, Second, and Howard Streets to be used for the construction of a parking garage. It is anticipated that construction drawings for this structure will be completed before November 1, 1955. Demolition and site preparations will required from 45 to 60 days.

In order to avoid any possible delays in the development of this facility, may we respectfully request that your Honorable Body authorize the Real Estate Bureau of the Corporation Counsel's Office to serve notices on tenants to vacate these premises on or before September 15, 1955.

Respectfully submitted,
JOHN D. MCGILLIS, Director.

By Councilman Smith:

Resolved, That the Corporation Counsel, Bureau of Real Estate, be and is hereby directed to notify the tenants in the parking facility site bounded by First, Abbott, Second and Howard Streets to vacate said premises by September 15, 1955.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 7, 1955.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated 7-5-55:

PW-2329 — Sidewalk Paving Group

SW-55-2 District VW, Fort Wayne Coal and Construction Company.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 11, 1955.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are paving contracts entered into as authorized and directed by your formal proceedings dated 5-31-55.

PW-2457W—Otsego—Burlingame to S.P.L. of Burlingame — Fort Wayne Coal & Construction.

PW-2603F—Curtis — Rosemont to Southfield — G. Toccalino & Sons.

PW-2604W — Alpha — Conant to Ryan — G. Toccalino & Sons.

PW-2606F—Robson — Ellis to Westfield — G. Toccalino & Sons.

PW-2607W—Mark Twain—Mackenzie to S.P.L. of Mackenzie — G. Toccalino & Sons.

PW-2610W—Stout — Grand River to Verne — G. Toccalino & Sons.

PW-2608W—Rockdale — Acacia to Lyndon — Julius Porath & Son Co.

PW-2609F — Hillview — Ward to Meyers — Julius Porath & Son Co.

Respectfully submitted,
GLENN C. RICHARDS,
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 Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

Nays—None.

Department of Public Works

July 8, 1955.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the request of the Department of Parks and Recreation for the vacation of Tuscola Avenue between John C. Lodge Expressway and Fourth Avenue and the vacation of the alleys north and south of Tucola Avenue within the limits of the recreational site. The vacation of said street and alleys was previously approved by the City Plan Commission.

We wish to advise that our investigations are completed.

As per our request an interdepartmental purchase order, No. B-4117.

issued by the Department of Parks and Recreation in favor of the Department of Public Works in the amount of \$6,000.00 to cover costs of removing paved returns at the entrance to the street and alleys to be vacated and the construction of straight curbing and sidewalks incidental to such removal.

An interdepartmental purchase order, No. B-4116, was issued by the Department of Parks and Recreation in favor of the Department of Water Supply in the amount of \$2,317.72, said amount being the estimated cost of abandoning water mains, plugging of tees and other incidental work necessitated by this vacation.

An interdepartmental purchase order, No. B-4115, in favor of the Public Lighting Commission, in the amount of \$620.00 was also issued to cover the cost of relocating poles and wires from the vacated area.

A proper provision is incorporated into the vacating resolution protecting the City's interest in the sewers located in the alleys to be vacated.

In reply to our inquiries, all other City Departments reported that they will be unaffected by the vacation of said street and alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Resolved, That all of Tuscola Avenue between the John C. Lodge Expressway and Fourth Avenue as platted in Plat of Bronswor and Scott's Subdivision of Blocks 2 and 3 of the Crane Farm, as recorded in Liber 3, Page 69½ of plats, Wayne County Records and Subdivision of Lots 2, 3, and 4 of the Subdivision of the Rear of Forsyth Farm, Connors Estate as recorded in Liber 1, Page 219 of plats, Wayne County Records, lying south of and adjoining the south line of lots 8 to 11, both inclusive, north of and adjoining the north line of lots 18 to 21, both inclusive of the last mentioned subdivision, south of and adjoining the south line of the 20 foot north-south public alley lying west of and adjoining the west line of lot 9, north of and adjoining the north line of lot 10, and north of and adjoining the north line of the 10 foot north-south public alley lying west of and adjoining the west line of lot 10, of the above mentioned Plat of Bronswor and Scott's Subdivision.

Also, all of the east-west public alley 20 feet wide in block bounded by John C. Lodge Expressway, Fourth, Tuscola, and Selden Avenues as platted in Subdivision of Lots 2, 3, and 4 of the Subdivision of the Rear of Forsyth Farm, Connors Estate, as record in Liber 1, Page 219 of plats, Wayne County Records, lying south

of and adjoining the south line of lots 4 to 7, both inclusive, and north of and adjoining the north line of lots 8 to 11, both inclusive, of the last mentioned subdivision.

Also, all of the east-west public alley 20 feet wide in block bounded by John C. Lodge Expressway, Fourth, Brainard, and Tuscola Avenues, as platted in Subdivision of Lots 2, 3, and 4 of the Subdivision of the Rear of Forsyth Farm, Connors Estate, as recorded in Liber 1, Page 219 of plats Wayne County Records, lying south of and adjoining the south line of lots 18 to 21, both inclusive, and north of and adjoining the north line of lots 22 to 25, both inclusive, of the last mentioned subdivision.

Also, all of the north-south public alley 10 feet wide, west of Fourth Avenue, between Tuscola and Brainard Avenues, as platted in Plat of Bronswor and Scott's Subdivision of Blocks 2 and 3 of the Crane Farm, as recorded in Liber 3, Page 69½ of Plats, Wayne County Records, lying west of and adjoining the west line of lots 1 to 5, both inclusive, of Block 2, and west of and adjoining the west line of lots 10 to 12, both inclusive of Block 3, all of the above-mentioned subdivision.

Also, all of the north-south public alley 20 feet wide, west of Fourth Avenue, between Selden and Tuscola Avenues, the east 10 feet of which were platted in the Plat of Bronswor and Scott's Subdivision of Blocks 2 and 3 of the Crane Farm, as recorded in Liber 3, Page 69½ of Plats, Wayne County Records, lying west of and adjoining the west line of lots 1 to 9, both inclusive, of the above-mentioned subdivision, the west 10 feet of the above-mentioned alley being in fact the east 10 feet of lots 7 and 8 of the Subdivision of Lots 2, 3, and 4 of the Subdivision of the Rear of Forsyth Farm, Connors Estate, as recorded in Liber 1, Page 219 of Plats, Wayne County Records, said west 10 feet of alley having been acquired by condemnation proceedings in the year 1875, be and the same are hereby vacated as a public street and alleys 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 sewers 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 encase 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 sewers 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 sewers, waive all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewers.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 12, 1955.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Huntington Gardens Corp., et al, (No. 4999), requesting the vacation of Lumpkin Avenue, south of Eight Mile Road. The vacation of said street was approved by the City Plan Commission in its communication to your Honorable Body of June 9, 1955.

We wish to advise that our investigations are completed.

As per our directive on July 12, 1955, the petitioners deposited into the City Treasury the sum of \$8,500.00, Receipt No. C-890, credited to the Department of Water Supply Fund Code No. 601-9300-0-6290-908, said amount being the estimated cost of abandoning the existing 6-inch water main in Lumpkin Avenue to be vacated and to construct a new 8-inch water main necessitated by the vacation of said street.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

Resolved, That all that part of Lumpkin Avenue 75 feet wide, south of Eight Mile Road as platted in Fox and O'Connor's Subdivision of the North 32.50 Acres of the N. W. ¼ of Section 6, lying East of Conant Road, Hamtramck Township, Wayne County, Michigan, as recorded in Liber 35, Page 47 of Plats, Wayne County Records, lying west of and adjoining the

west line of lots 251 to 260 both inclusive, west of and adjoining the west line of the south 15.91 feet of lot 250, west of and adjoining the west line of the north 9.98 feet of lot 261, east of and adjoining the east line of lots 265 to 274 both inclusive, east of and adjoining the east line of the south 16.14 feet of lot 275, and east of and adjoining the east line of the north 9.98 feet of lot 264, all of the above mentioned subdivision, 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 Connor, Rogell, Smith, 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 Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—7.

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

July 11, 1955.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Snyder Tool and Engineering Company (No. 4653), requesting the vacation of a portion of east-west public alley west of Leib Street, between Fort and Lafayette Avenues. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that the petitioner deed sufficient land for a new alley outlet into Fort Street and Lafayette Avenue, 26 feet in width, to serve the remaining portion of the public alley. 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 July 11, 1955, the petitioner paid into the City Treasury the sum of \$196.36, Receipt No. C-605, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the west one-half of Leib Street at the intersection of the alley to be vacated.

The petitioner also deposited with the Permit Division of the Department of Public Works, the sum of