

By Councilman Lincoln:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, upon the descriptions of property heretofore described in the above set forth communications, therefore;

Resolved, That the Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them The Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

**Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.**

**Nays—None.**

**Department of Public Works**

September 26, 1955.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are alley paving contracts entered into as authorized and directed by your formal proceedings dated below:

PW-2614F, Outer Drive, Kensington, Warren, Frankfort, A. N. Marando & Son, 8-16-55.

PW-2616F, Beniteau, St. Jean, Goethe, Mack, to A. N. Marando and Son, 8-16-55.

PW-2622F, Marlborough, Philip, Warren, Frankfort, to A. N. Marando and Son, 8-16-55.

PW-2624F, Philip, Manistique, Warren, Frankfort, to A. N. Marando and Son, 8-16-55.

PW-2625F, Outer Drive, Kensington, Cornwall, Warren, to A. N. Marando & Son, 8-16-55.

PW-2626F, Three Mile Drive, Courville, Warren, Frankfort, to A. N. Marando & Son, 8-23-55.

PW-2630F, Audubon, Outer Drive, Warren, Frankfort, to A. N. Marando and Son, 8-23-55.

PW-2637F, Devonshire, Bedford, Warren, Frankfort, to Colwell Const. Co., 8-23-55.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Youngblood:

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

Adopted as follows:

**Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.**

**Nays—None.**

**Department of Public Works**

September 28, 1955.

Honorable Common Council:

Gentlemen—Contract PW-2546W is

for the paving of Bentler from the north property line of Lyndon to the south property line of Outer Drive. Ministrelli Brothers is the Contractor.

The total amount of the accepted proposal was \$22,801.60, of which \$18,596.00 was in the Assessment Portion and \$4,204.70 was in the City Intersection Portion.

Subsequently, Contract Changes were issued which would have changed the distribution as follows:

Assessment Portion, \$18,265.70.

City Intersection Portion, \$4,234.50.

However, the Assessors had previously made an adjustment reducing the Assessment Portion of the original Contract to \$17,905.21 and increasing the City Intersection Portion of the original Contract to \$4,896.39.

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 difference is applied to the City Intersection Portion.

The final measurements based on actual construction resulted in a reduction of \$331.20. This amounts to approximately 1.8 per cent of the revised Assessment Portion. It is recommended that the adjustment be made by deducting \$331.20 from the City Intersection Portion, and that the Assessment Portion remain the same.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Rogell:

Resolved, That the adjustment in the constructed quantities in the Assessment Portion amounting to \$331.20, in connection with the paving of Bentler from the north property line of Lyndon to the south property line of Outer Drive, Contract PW-2546W, be applied to the City Intersection Portion, and that the final Assessment cost for the construction remain at \$17,905.21, the same as in the revised Assessment Roll.

Adopted as follows:

**Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.**

**Nays—None.**

**Department of Public Works**

September 28, 1955.

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 investigations are completed. In reply to our inquiries, all City departments

and privately owned utility companies reported that they will be unaffected by the changes or that they have no objection to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolutions protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Rogell:

Resolved, That all of the north-south public alley, 18 feet wide, in block bounded by Mark Twain, Free-land, Thatcher, and Outer Drive, as platted in Marygrove Outer Drive Park Subdivision, as recorded in Liber 55, Page 58 of Plats, Wayne County Records, lying east of and adjoining the east line of lot 291 to 298 both inclusive, and west of and adjoining the west line of lots 361 to 370 both inclusive of the above-mentioned subdivision. (Dorothy Petok, et al; 5391);

Also, all of the north-south public alley, 18 feet wide, in block bounded by Strathmoor, Mark Twain, St. Martins, and Vassar Drive, as platted in San Bernardo Park Subdivision, as recorded in Liber 48, Page 61 of Plats, Wayne County Records, lying west of and adjoining the west line of lots 1 to 10 both inclusive, and east of and adjoining the east line of lots 43 to 52 both inclusive of the above-mentioned subdivision. (Samuel B. Lucas, et al; 2210); ;

Also, all of the north-south public alley, 18 feet wide, east of Chandler Park Drive, between Lannoo and Gateshead Avenues, as platted in Mack-Seven Mile Subdivision, as recorded in Liber 55, Page 97 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 168 to 170 both inclusive, 244 to 247 both inclusive, and west of and adjoining the west line of lots 171 and 243 of the above-mentioned subdivision. (Brown-Neff Corp., et al; 5574).

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants, agreements, uses, reservations and regulations which shall be observed by the owners of the lots abutting on said alleys, and by their grantees and assigns, and their heirs, administrators, and assigns forever, to-wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alleys hereinabove described for the purpose of installing, maintaining, repairing, removing, or replacing 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 any time to and over said easements for the purposes above set forth;

Second, said owners for their heirs, and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easements;

Third, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners upon whose property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

**Department of Public Works**

September 29, 1955.

Honorable Common Council:

Gentlemen — Contract PW-2609F is for the paving of Hillview from Ward to Meyers. Julius Porath & Son Company is the contractor. The original contract price based on estimated quantities in the Proposal is \$23,972.00.

During the excavation for the pavement, it was discovered that the sub-base consisted of fill-in material deemed unsuitable to serve as a foundation for the pavement, which will serve a district zone for heavy industry. Accordingly, it was necessary to excavate to firm soil and the space below the subgrade level back-filled with sand-gravel thoroughly compacted.

The increased cost for this work based on unit prices and quantities obtained from the field measurements amounts to \$4,432.00. It is recommended that this additional work be added as an extra to the existing Contract PW-2609F.

It is our understanding that the Board of Assessors are preparing a revised assessment roll properly allocating the increased cost to the assessment portion and the City portion.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Rogell:

Resolved, that the additional excavation and fill required for the construction of the pavement of Hillview from Ward to Meyers, Contract PW-2609F, be added to this contract in the amount of \$4,432.00 in accordance with the foregoing communication; and be it further