

Street, between Brush and Beaubien Streets, as platted in Crane and Wesson's Plat of the Subdivision of Outlots 176 and 178 of Lambert Beaubien Farm, as recorded in Liber 37, Page 488 of Deeds, Wayne County Records, and Brush Subdivision of that Part of the Brush Farm, lying east of and adjoining Park Lots 6, 7, 8, and 9, Book of Plats, Page 118, Wayne County Records, be and the same is hereby vacated as a public street 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 street, the City of Detroit does not waive any right 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 encased in 6 inches of Class 2 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 street, 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 sewers, 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 Miri-ani—8.

Nays—None.

**Department of Public Works**  
October 17, 1955.

Honorable Common Council:

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

MH-42 — Demolition of Buildings—205-217 W. Jefferson, Pachoud Wrecking Company, Award Authorized: 9-27-55.

MH-46 — Demolition of Building—

1-5 W. Jefferson Avenue — Union Wrecking Company, 10-4-55.

Respectfully submitted,  
M. F. WAGNITZ,  
City Engineer.

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, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miri-ani—8.

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, Smith, Van Antwerp, Wise, Youngblood, and President Miri-ani—8.

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**  
October 17, 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 a portion of Rockdale Avenue north of Kendall Avenue within the limits of a playground site. The vacation of said street was approved by the City Plan Commission with the recommendation that land be allocated for turn around purposes north of the portion of street to be vacated.

We wish to advise that our investigations are completed.

The Department of Parks and Recreation issued an Interdepartmental Purchase Order (No. 18584) in the amount of \$525.00, in favor of the Department of Public Works, said amount being the estimated cost of constructing sidewalk and curb, north of Kendall Avenue at the intersection of Rockdale Avenue, necessitated by the vacation of the street.

An easement is reserved in the vacating resolution for the Department of Water Supply for the maintenance of its water main located in Rockdale Avenue.

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

As the vacation of the street is necessary for the proper utilization of the recreation site, we recommend the

adoption of the attached resolution.  
 Respectfully submitted,  
**GLENN C. RICHARDS,**  
 Commissioner.

By Councilman Youngblood:  
 Resolved, That all that part of Rockdale Avenue 60 feet wide, north of Kendall Avenue, as platted in B. E. Taylor's Brightmoor-Canfield Subdivision, lying south of Grand River Avenue, being a part of the E. 1/2 of the E. 1/2 of Section 21, T. 1 S. R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 47, Page 63 of Plats, Wayne County Records, lying east of and adjoining the east line of lots 652 to 658 both inclusive, and west of and adjoining the west line of lots 733 to 739 both inclusive 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, subject to the following provisions:

- 1) An easement or right-of-way is hereby reserved in and over the easterly 25 feet of said vacated Rockdale Avenue, for the purpose of maintaining, repairing, removing or replacing the 6 inch water main in said street;
- 2) No buildings, structures, or obstacles, of any nature shall be constructed or placed upon the easement or any part thereof, in order that the easement shall be accessible at all times to vehicles and equipment of this department.
- 3) The petitioner (Department of Parks and Recreation) shall assume full responsibility and shall release and shall assume the defense of and indemnify and save harmless the Board of Water Commissioners from any and all claims for damages which may occur as a result of the existence of, or the failure of the 6 inch water main, or from the acts of this department or its agents in inspecting, maintaining, operating, repairing or replacing the water main or its appurtenances.
- 4) The petitioner shall assume all responsibility for and expense of restoring any pavements, lawn, shrubbery, or other improvement, located in the easement, which may be damaged by this department or its agents in pursuance of its rights under the provisions of the easement, and further

Resolved, That the west 25 feet of Lot 732 of B. E. Taylor's Brightmoor-Canfield Subdivision, as recorded in Liber 47, Page 63 of Plats, Wayne County Records, be and the same is hereby allocated for street turnaround purposes.

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

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

**Department of Public Works**  
 October 14, 1955.

Honorable Common Council:  
 Gentlemen—This is to certify that all work required by the Contractors in the performance of these paving Contracts has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.  
 The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.  
 It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

PW-2604W—Alpha, Conant to Ryan, G. Toccalino & Sons. Adjusted Contract Price, \$7,350.85.

PW-2607W—Mark Twain, Mackenzie to SPL of Mackenzie, G. Toccalino & Sons. Adjusted Contract Price, \$6,425.65.

PW-2541PF—Eaton, Westwood to Glastonbury, Ministrelli Brothers. Adjusted Contract Price, \$22,781.52.

**JOHN G. PERCIVAL,**  
 Engineer of Tests and Inspection  
**M. F. WAGNITZ,**  
 City Engineer  
**GLENN C. RICHARDS,**  
 Commissioner

By Councilman Youngblood:  
 Whereas, from the foregoing communication, it appears that all work required to be performed by the Contractors under the contracts therein named has been fully completed; and  
 Whereas, The completed work has been found acceptable under the terms and conditions of said contracts by the Department of Public Works; therefore be it  
 Resolved, That the said contracts be and are hereby accepted.

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

**Department of Public Works**  
 October 14, 1955.

Honorable Common Council:  
 Gentlemen—In response to the published advertisements, bids were received on October 11, 1955, for Street Paving Group 55-7, and Alley Paving Group 55-7A, as follows:  
 PW-2698P — Stahelin, Trojan to Eight Mile Road.  
 PW-2699P—Avon, Trojan to Hessel.