

(840) as of June 30, 1955 to the Improvement and Extension Fund (844) in accordance with Ordinance 933E be and is hereby approved.

Approved:

PAUL T. DWYER, Corp. Counsel.

Adopted as follows:

Yeas—Councilmen Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—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 Pro Tem Beck—7.
Nays—None.

Councilmen Van Antwerp then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

June 28, 1955.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the National Bank of Detroit (No. 3741), requesting the vacation of a portion of east-west public alley north of McNichols Road and west of Sorrento Avenue. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioner deed sufficient land to provide an alley turnaround to prevent a dead-end condition in the remaining portion of 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 June 28, 1955, the petitioner paid into the City Treasury the sum of \$217.98, Receipt No. C-29927, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the west ½ of Sorrento Avenue at the intersection of the alley to be vacated.

The petitioner has agreed, by letter filed with the original petition, to pave the newly deeded alley turnaround and has deposited with the Permit Division of the Department of Public Works the sum of \$600.00, Receipt No. 65476, to guarantee such paving. The petitioner requested that the paved entrance to the alley to be vacated remain in its present status as the petitioner plans to utilize same in connection with its drive-in bank and has agreed, by letter filed with the original petition, to pay all costs

incident to the removal of the return at such time in the future as the removal becomes necessary, either at the City's or the petitioner's request.

Proper provisions are incorporated into the vacating resolution to protect the City's interest in the sewer located in the portion of alley to be vacated.

We are in receipt of a Quit Claim Deed from the National Bank of Detroit to the City of Detroit to property to be used for alley turnaround purposes as per 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 it is attached hereto for your Honorable Body's acceptance.

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 petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS
Commissioner.

By Councilman Rogell:

Resolved, That all that part of east-west public alley 20 feet wide, north of McNichols Road and west of Sorrento Avenue, as platted in College Park Manor Subdivision of the S. ½ of the S.W. ¼ of Section 8, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 48, Page 18 of Plats, Wayne County Records, lying south of and adjoining the south line of the east 115.50 feet of lot 292, and north of and adjoining the north line of lots 311 to 316 both inclusive of the above 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 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, 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 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 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; and further

Resolved, That Quit Claim Deed of National Bank of Detroit to the City of Detroit deeding land for alley turn-around purposes, said alley being described as "A parcel of land being part of lots 290 and 292 of College Park Manor Subdivision of the S. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of Section 8, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 48. Page 18 of Plats, Wayne County Records, being more particularly described as follows: Beginning at the southwest corner of Lot 292 of said College Park Manor Subdivision: thence N. 0 d 36 m 50 s W. along the westerly line of Lots 292 and 290, said line also being the easterly line of a public alley 16 feet wide, 45.00 feet to a point; thence S. 53 d 14m 20s E., 42.78 feet to a point; thence S. 0 d 36 m 50 s E., 20.00 feet to a point; thence N. 88d 59m W. along the south line of Lot 292 or the North line of a public alley 20 feet wide to the point of beginning," 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 Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.
Nays—None.

Department of Public Works

June 24, 1955.

Honorable Common Council:

Gentlemen — We return herewith petitions and general orders, requesting the forced construction of sidewalks at the following described locations:

No. 54741, John Paquette (5595), No. 548890,, Outer-Van Dyke Home Assn. (5661):

Lot 354 and Lot 355, E.S. Teppert bet. Manning and State Fair; Fronts only; 70 lineal feet.

Lot 356, E.S. Teppert bet. Manning and State Fair; Front and Side on State Fair; 148.47 lineal feet.

Lot 357, W.S. Teppert bet. State Fair and Manning; Side on State Fair only; 107 lineal feet.

G. O. No. 54757, E. M. Rittinger (5615):

Lot 25, W.S. Kentfield bet. Clarita and Pickford; Side on Clarita only; 144.06 lineal feet.

Lots 2 to 17 incl. and vac. Stout Ave. adj. Exc. E. 30 ft. of S. 40 ft. of Lot 9 and Exc. W. 20 ft. of S. 40 ft. of Lot 17; E.S. Stout bet. Pickford and Clarita; Side on Clarita only; 337.29 lineal feet.

Wayne County Road Commission, Lots 207 to 212 inclusive, Exc. Greenfield as widened, W.S. Greenfield bet. Pickford and Curtis; Fronts only; 120 lineal feet.

There is approximately 926.82 lineal feet of concrete sidewalks to be constructed; the approximate cost of this new local improvement would be \$2,001.93, the cost and expense to be assessed against the lots or parcels of real estate to be benefitted by such local improvement, in proportion to the probable benefit to be derived therefrom.

As these are original sidewalks and can only be ordered constructed by a formal resolution as a forced account under the provisions of Chapter 264, as amended May 3, 1949, of the Compiled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,

NEAL CUTLIFF,

Secretary.

By Councilman Wise:

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 Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Pro Tem Beck—7.
Nays—None.

Department of Public Works

June 24, 1955.

Honorable Common Council:

Gentlemen — Contract PW-1433-34 is for the construction of the Conant-Mt. Elliott Relief Sewer, Sections 2 and 3. Gargaro Company, Inc., is the Contractor.

On April 5, 1955, your Honorable Body authorized the transferring of certain uncompleted items of work on Contract PW-1433-34 to Contract