

Wise, Youngblood, and President Miriani—9.

Nays—None.

**Department of Public Works**

June 17, 1955.

Honorable Common Council:

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

MH-23D, Henry and Edsel Ford Auditorium, Projection Equipment, National-Simplex-Bludworth, Inc., (National Theater Supply Division).

Respectfully submitted,

M. F. WAGNITZ,

City Engineer.

By Councilman Wise:

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**

June 20, 1955.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education (5394) requesting the vacation of Merrick Avenue, between Second and Cass Avenues. The vacation of said street 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.

In making our usual investigations, we found the following departments affected by the vacation of Merrick Avenue:

a) Fire Department: This department maintains a fire hydrant in the section of Merrick Avenue to be vacated. As the continued maintenance of this fire hydrant is essential for the protection of the adjoining buildings in case of fire, the Board of Education requested that the removal and relocation of the fire hydrant be deferred until such time as actual construction of new buildings will necessitate its removal. An easement is, therefore, reserved in the vacating resolution for the Fire Department for the maintenance of said fire hydrant. The Board of Education has agreed by letter on file with the original petition, to pay all costs incidental to the removal and relocation of the hydrant at such time in the future as such relocation becomes necessary.

b) Department of Water Supply: This department acknowledged receipt of a purchase order in the amount of \$82,255.00 to cover the cost of aban-

doning, rerouting and increasing the capacity of water mains in the vicinity of Wayne University and has no objection to the vacation of said Merrick Avenue.

c) Department of Public Works: The sum of \$890.07 was paid into the City Treasury (credited to Account 143-6221-1) to reimburse the City for the original cost of paving Second and Cass Avenues at the intersection of Merrick Avenue. The Board of Education requested that the paved returns at the entrance to Merrick Avenue remain in their present status as the Board of Education plans on utilizing them, and has agreed, by letter filed with the original petition, to pay all costs incident to the removal of the returns at such time in the future as their removal becomes necessary.

Proper provisions are incorporated in the vacating resolution protecting the City's interests in the sewer located in the street to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street or that they would remove their installations at no cost to the Board of Education.

We recommend the adoption of the attached resolution.

Respectfully submitted,

S. G. GENTILE,

Acting Commissioner.

By Councilman Youngblood:

Resolved, That all of Merrick Avenue 70 feet wide, between Second and Cass Avenues as platted in Cass Farm Co. Ltd. Subdivision of blocks 103, 105, 107, and 109 of the Cass Farm as recorded in Liber 18 of plats, Page 81, 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:

As easement is hereby reserved in and through Merrick Avenue for the Detroit Fire Department which easement shall be subject to the following agreements, covenants, uses, reservations, and regulations which shall be observed by the Board of Education and/or its assigns forever, to-wit:

1) Said Board of Education hereby grants to and for the use of the Detroit Fire Department an easement or right-of-way in and through said Merrick Avenue for the purpose of installing, maintaining, repairing, removing, or replacing any installations usually placed or located in public streets in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth;

2) Said Board of Education further agrees that no buildings or structures

of any nature whatsoever, except such as may be approved by the Detroit Fire Department, shall be built or placed upon said easement or any part thereof, so that said easement shall be forever of easy access for the purposes named above.

3) Provided, That by reason of the vacation of the above-described street 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

4) 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

5) 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

6) 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, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

**Purchases and Supplies**

June 21, 1955.

Honorable Common Council:

Gentlemen—We submit for confirmation the contracts entered into as authorized and directed by your formal proceedings dated below:

April 12, 1955—Adrian Grain Co., Feed and Forage.

May 17, 1955—General Electric Co., Electronics Div., Radio Communication Systems.

May 24, 1955—Westinghouse Electric Corp., Transformers; Standard Coffee Co., Coffee.

May 31, 1955—Great Lakes Electric Supply Co., Cable, Signal, Copper; Viking Sprinkler Co., Valves; Enterprise Oil & Gas Co., Oils, Fuel, Heavy;

Reliable Linen Service, Service, Laundry Rental, on Towels; Automobile Equipment Co., Automotive Parts Co., Inc., Knorr-Maynard, Inc., National Truck Equipment & Supply Co., Inc., Ramco Automotive Parts Co., Parts, Automotive.

June 7, 1955—Brophy Engraving Co., Engraving Service Halftone and Line; Detroit Creamery Co., Ice Cream and Sherbet; Argo Chemical Co., Trichlorethylene; The Detroit Legal News Co., Official City Publishing; Detroit Blood Service, Inc., Blood—Whole, Human Citrated.

Respectfully submitted,

HAZEN L. FUNK,

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.

**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, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

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

The regular order was resumed.

**Purchases and Supplies**

June 21, 1955.

Honorable Common Council:

Gentlemen—In response to our advertisements, the following awards are recommended. These bids are the lowest on purchases and the highest on sales, except those which deviate from our specifications.

**FILE NO. 5017**

Six bids were received as a result of twenty-nine solicitations:

For furnishing all City Departments except D.S.R. and Board of Education with Automobiles, Passenger and Station Wagons.

To: Chevrolet Div. of General Motors Corp. of Detroit.

4 Automobiles, Station Wagons, Less Tires, 6 Cylinders, Automatic Transmission, Black Color, Chevrolet Model 1529, at \$1,269.73 Each.

No Federal Excise Tax included in above prices.

Price is Firm, F.O.B. delivered.