

contract for the construction of Lateral Sewer 6921 in Right-of-Way West of Schaefer South of Fullerton, Contract PW-2175, with Mole Construction Company, in the amount of \$8,274.00, and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, the vouchers to include the cost of advertising, inspection, and minor contingencies, as well as the Contract costs and charge them to Account 925-2383-923.

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 25, 1956.

Honorable Common Council:

Gentlemen—On July 24, 1956, JCC Page 1540, your Honorable Body authorized the sale of \$3,350,000 Motor Vehicle Highway Fund Bonds to provide funds for the Street Betterment program of the Department of Public Works.

The Municipal Finance Commission of the State of Michigan approved the issuance of these bonds under date of September 18, 1956, and bids for the purchase will be opened on October 2, 1956.

Pending the printing and delivery of these bonds and availability of funds from the sale thereof—funds will be needed to make payments to contractors for work done under the Street Betterment program.

It is therefor requested that your Honorable Body authorize the City Controller to advance the sum of \$1,000,000.00 from 4th Quarter allotment of Account 144-2421-121 to Fund 952 for this purpose, which sum will be repaid when funds are available from sale of the Motor Vehicle Highway Fund Bonds.

Respectfully submitted, GLENN C. RICHARDS, Commissioner.

Approved:

E. P. RIEHL, Deputy Controller.

By Councilman Wise:

Whereas, it appears that within the Public Works Sanitation Fund, certain moneys are not at this time necessary or required for the purposes specified, and further that said moneys will not be required for the service or fund specified until June, 1957, and is therefore available for loan to the Motor Vehicle Highway Bond Fund (1956) and

Whereas, Said Public Works—Sanitation Fund shall hereafter be reimbursed, should said moneys be necessary or essential to meet the requirements of said fund prior to June, 1957. Now, therefore, be it Resolved, That the sum of \$1,000,-

000.00 be temporarily loaned from Public Works 144-2421-121, Wages, to 952 Motor Vehicle Highway Bond Fund (1956) in order to pay current expenditures of the re-surfacing program, which loan will be repaid from proceeds of bond sale authorized July 24, 1956, J.C.C. 1504-1545; and be it further

Resolved, That the City Controller and the City Treasurer be and they are hereby authorized and directed to effect the necessary transfer to carry out the intent of this resolution.

Approved:

F. T. DWYER, Corp. Counsel.

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 19, 1956.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Department of Parks and Recreation requesting the vacation of Brewster Avenue, east of St. Antoine Avenue, and the vacation of certain alleys north and south of Brewster Avenue, east of St. Antoine Avenue. The request was approved by the City Plan Commission and the petition was then referred to this office by your Committee of the Whole for investigation and report.

Our investigations are completed and they disclose that several City Departments are affected by the vacation of said street and alleys.

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

On May 11, 1956, the petitioners issued an interdepartmental purchase order No. 2352, in the amount of \$4,000.00 in favor of the Public Lighting Commission to cover the costs of relocating P.L.C. facilities necessitated by the vacation of said street and alleys.

The petitioners on August 2, 1956, issued an interdepartmental purchase order No. B-2650, in the amount of \$800.00 in favor of the Detroit Fire Department to cover the cost of relocating two fire hydrants located in the portion of Brewster Avenue to be vacated.

The petitioners have requested that the paved returns at the entrance of the street and alleys to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed to pay all costs incidental to the removal of said returns at such time in the future as the removal becomes necessary. This meets with the approval of the Department of Public Works.

A proper provision is incorporated

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Resolved, That the City Controller and the City Treasurer be and they are hereby authorized and directed to effect the necessary transfer to carry out the intent of this resolution.

Approved:
P. T. DWYER, Corp. Counsel.
Adopted as follows:

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Nays—None.

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into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

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

As the vacation of the street and alleys is necessary for the proper utilization of the recreational site, we recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Wise:

Resolved, That all that part of Brewster Avenue 50 feet wide east of St. Antoine Avenue, as platted in the Plat of the Subdivision of Charles Moran Farm, between Gratiot and Indiana Streets, City of Detroit, as recorded in Liber 1, Page 254 of Plats, Wayne County Records, and the Plat of Crane and Wesson's Section of the Antoine Beaubien Farm, north of Elizabeth Street, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 9 of Plats, Wayne County Records, lying north of and adjoining the north line of lots 181 to 184 both inclusive, north of and adjoining the north line of the north-south alley 13.52 feet wide lying between lots 181 and 182, south of and adjoining the south line of lots 185 to 188 both inclusive, and south of and adjoining the south line of the north-south public alley 13.52 feet wide lying between lots 187 and 188 of the last mentioned subdivision, lying south of and adjoining the south line of lots 3 to 7 both inclusive, said lots lying on the north side of Brewster Avenue, and north of and adjoining the north line of lots 3 to 7 both inclusive, said lots lying on the south side of Brewster Avenue, of the above mentioned Plat of the Subdivision of Charles Moran Farm.

Also all of the north-south public alley 13.52 feet wide, east of St. Antoine Avenue, between Brewster and Alfred Streets, as platted in said Plat of Crane and Wesson's Section of the Antoine Beaubien Farm, as recorded in Liber 1, Page 9 of Plats, Wayne County Records, lying east of and adjoining the east line of lots 175 to 181 both inclusive, west of and adjoining the west line of lots 174 and 182, and west of and adjoining the west line of the east-west public alley lying between lot 174 and 182 of the last mentioned subdivision.

Also all of the east-west public alley 20 feet wide east of St. Antoine Avenue, between Brewster and Alfred Avenues, as platted in said Plat of the Subdivision of the Charles Moran Farm, as recorded in Liber 1, Page 254 of Plats, Wayne County Records, and said Plat of Crane and Wesson's Section of the Antoine Beaubien Farm, as recorded in Liber 1, Page 9 of Plats,

Wayne County Records, lying north of and adjoining the north line of lots 172, 173, and 174, and south of and adjoining the south line of lots 182, 183, and 184 of the last mentioned subdivision, lying south of and adjoining the south line of lot 7, south of and adjoining the south line of the west 30 feet of lot 6 on the south side of Brewster Avenue, north of and adjoining the north line of lot 7, and north of and adjoining the north line of the west 30 feet of lot 6 on the north side of Alfred Avenue of the above mentioned Plat of the Subdivision of the Charles Moran Farm. Also also all of the alley turn around set aside by the Common Council of the City of Detroit on June 13, 1922, being the south 5 feet of the west 30 feet of lot 6 on the south side of Brewster Avenue, and the north 5 feet of the west 30 feet of lot 6 on the north side of Alfred Avenue, as platted in said Plat of the Subdivision of the Charles Moran Farm, as recorded in Liber 1, Page 254 of Plats, Wayne County Records.

Also all of the east-west public alley 20 feet wide in the block bounded by St. Antoine, Hastings, Wilkins, and Brewster Avenues, as platted in said Plat of Subdivision of the Charles Moran Farm, as recorded in Liber 1, Page 254 of Plats, Wayne County Records and the Plat of Crane and Wesson's Section of the Antoine Beaubien Farm, as recorded in Liber 1, Page 9 of Plats, Wayne County Records lying south of and adjoining the south line of lot 197, south of and adjoining the south line of the east 20 feet of lot 196, north of and adjoining the north line of 185, and north of and adjoining the north line of the east 20 feet of lot 186 of the last mentioned subdivision, south of and adjoining the south line of lot 1 to 7 both inclusive on the south side of Wilkins Avenue, and north of and adjoining the north line of lots 1 to 7 both inclusive on the north side of Brewster Avenue of the above mentioned Plat of the Subdivision of the Charles Moran Farm.

Also all of the north-south public alley 20 feet wide east of St. Antoine Avenue, north of Brewster Avenue, said alley being conveyed to the City of Detroit by the United States on June 2, 1936, J.C.C. Pages 1360, 1361, and 1362, which alley is in fact the east 20 feet of lot 186 of said Plat of Crane and Wesson's Section of the Antoine Beaubien Farm, as recorded in Liber 1, Page 9 of Plats, Wayne County Records.

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 provision:

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 there-
in 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 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 as-
signs; and further

3. Provided, That no buildings shall
be constructed over said sewers with-
out the prior approval of such build-
ing 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.

5. An easement or right-of-way is
hereby reserved in and over vacated
Brewster Avenue, for the purpose of
maintaining, repairing, removing, or
replacing the 8 inch water main lo-
cated in said street;

6. No buildings, structures, or ob-
stacles of any nature shall be con-
structed or placed upon the easement
or any part thereof, in order that the
easement shall be accessible at all
time to vehicles and equipment of
this department;

7. 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 8 inch water
main, or from the acts of this de-
partment or its agents in inspecting,
maintaining, operating, repairing or
replacing the water main or its ap-
purtenances.

8. It shall be understood that the
petitioner will assume all responsibility
for and expense of restoring any pave-
ment, lawn, shrubbery, or other im-
provement, located in the easement,
which may be damaged by this de-
partment or its agents in pursuance
of its rights under the provisions of
the easement.

Adopted as follows:
Yeas — Councilmen Beck, Connor,
Lincoln, Rogell, Smith, Van Antwerp,

Wise, Youngblood, and President Mir-
ani—9.

Nays—None.

Department of Public Works

September 26, 1956.

Honorable Common Council:

Gentlemen—We are returning here-
with Petitions Nos. 10565 and 10566 of
the S. Weissman Excavating Com-
pany, Incorporated, to force pave
Keeler from Dale to the westerly City
limits, and to force pave Midland
from Dale to the westerly City limits.

An investigation has been made on
the ground and it is found that these
two streets are direct connecting links
between Telegraph Road and Dale
Avenue, one block to the east which
is a light manufacturing area. Since
the Wayne County Road Commission
is going to pave the half block be-
tween the City limits and Telegraph
Road we believe that it would be
desirable for the City to pave the
other half block easterly of the City
limits extending to Dale which latter
street is now paved. Although this is
a side street, it is zoned entirely for
business and the abutting property
will bear the entire expense of the
assessed portion.

The following resolution is offered
for your consideration if it meets
with your approval.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Wise:

Resolved, That the paving of Mid-
land Avenue from Dale Avenue to
the westerly City limits and the pav-
ing of Keeler Avenue from Dale Ave-
nue to the westerly City limits be
and are hereby declared to be a neces-
sary and are hereby authorized by the
City; and that the Commissioner of
Public Works be and is hereby author-
ized and directed to enter into con-
tracts for the paving of said streets
under the Force Paving Clause of the
City Charter, the cost of the improve-
ment to be assessed to the abutting
property in accordance with the bene-
fits derived.

Adopted as follows:

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

Nays—None.

Department of Public Works
September 28, 1956.

Honorable Common Council:

Gentlemen—In answer to your re-
quest for information, we are sub-
mitting herewith a "Report on the
Effect of Accepting Sanitary Sewage
from Outside of the City on the
Detroit Sewerage System."

We would be happy to supply any

additional in-
desired. Respec-
M. F. WA
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