

be rescinded and that a new resolution be adopted giving your approval for the City's participation in this work.

For your convenience, a suggested form of resolution is attached.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:

E. P. RIEHL, Deputy Controller.

By Councilman Beck:

Resolved, That the resolution adopted by this Body on March 27, 1956. (J.C.C. Page 545) approving the City's participation in the cost of improving Schaefer Highway from the Rouge River Bridge to Oakwood Avenue (US-25) be and is hereby rescinded and that the following be substituted in its place:

Whereas, State Trunkline Highway M-39 on Schaefer Road in the City of Detroit is in need of improvement between the Rouge River Bridge and US-25 (Oakwood Avenue), in order to serve traffic in a safe and expeditious manner, such improvement to consist of widening the existing 54 foot pavement to a width of 66 feet with concrete base, plus curb and gutter, and placing a bituminous concrete surface on the existing pavement and the new base; excavation, drainage structures and necessary incidentals; and

Whereas, The City is to participate in the cost of such improvement in accordance with the provisions of Michigan law (see Compiled Laws 1948, Section 250.31 as amended).

Now Therefore, Be it resolved,

(1) That the City hereby requests the State Highway Commissioner to proceed with such improvement.

(2) That the City's share of the estimated cost of such improvement will be paid to the State Highway Commissioner for deposit with the State Treasurer for credit to the State Trunkline Fund when the improvement is placed under contract, from Weight and Gasoline Tax fund made available to the City by statute (see C. L. 1948, Section 250.34, and Acts 51, 54 and 55, P. A. 1951 as amended), or from other funds provided by the City.

(3) That upon determination of the actual cost of the improvement, any adjustment necessary to reconcile the estimated cost with actual cost will be made.

Adopted as follows:

Yeas—Councilmen Beck, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

November 7, 1956.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Wineman Realty Company, et al, Petition No. 10424, requesting the vacation of the two east-west alleys and conversion of the north-south alley into an ease-

ment, said alleys lying between Harper and Berden Avenues, west of Cadieux Avenue. The vacation of said alleys 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.

We wish to advise that our investigations are completed.

A proper provision is incorporated into the vacating resolution protecting the City's and private utility companies' interests in their installations located in the alley to be converted into an easement.

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

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

Resolved, That all of the east-west public alley 20 feet wide north of Berden Avenue and west of Cadieux Avenue, as platted in Martha Blake Subdivision of part of Private Claim 564, City of Detroit, Wayne County, Michigan, as recorded in Liber 79, Page 14 of Plats, Wayne County Records, lying south of and adjoining the south line of lot 3 and north of and adjoining the north line of the east 110.50 feet of lot 4 of the above mentioned subdivision;

Also, all of the east-west public alley 20 feet wide south of Harper Avenue and west of Cadieux Avenue as platted in said Martha Blake Subdivision as recorded in Liber 79, Page 14 of Plats, Wayne County Records, lying north of and adjoining the north line of lot 2 and south of and adjoining the south line of the east 110.50 feet of lot 1 of the above mentioned subdivision;

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property; and further

Resolved, That all of the north-south public alley 20 feet wide north of Berden Avenue, between Harvard and Cadieux Avenues, as platted in said Martha Blake Subdivision as recorded in Liber 79, Page 14 of Plats, Wayne County Records, lying west of and adjoining the west line of lots 2 and 3, west of and adjoining the west line of the 20 feet east-west alley lying between lots 1 and 2, west of and adjoining the west line of the 20 foot east-west alley lying between lots 3 and 4, east of and adjoining the east line of lots 10 to 13 both inclusive, and east of and adjoining the east line of the north 3 feet of lot 9, all of the above mentioned subdivision.

Be and the same is hereby vacated as a public alley and is hereby con-

verted into a public easement of the full width of the alley, which easement 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 alley, and by their grantees and assigns, and their heirs, executors, 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 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, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

November 2, 1956.

Honorable Common Council:

Gentlemen—This is to certify that all work required of the Contractors in the performance of these 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.

Alley Paving—

PW-2732F, Birwood, Griggs, Chalfonte and Fenkell, Ministrelli Con-

struction Company, Adjusted Contract Price, \$2,670.20.

PW-2734F, Warrington, Sheffield, Norfolk and Eight Mile, Ministrelli Construction Company, Adjusted Contract Price, \$3,002.00.

PW-2747F, Prevost, Forrer, McNichols and Santa Maria, Fort Wayne Coal and Construction Company, Adjusted Contract Price, \$3,485.40.

JOHN S. PERCIVAL,
Engineer of Tests & Inspection.
CLYDE L. PALMER,
City Engineer.
GLENN C. RICHARDS,
Commissioner.

By Councilman Wise:

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, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

October 31, 1956.

Honorable Common Council:

Gentlemen—In conformity with our program to force pave all commercial alleys when such pavement is found to be necessary, as outlined in our communication of January 24, 1955, J.C.C. Pages 342-343, we are submitting herewith an additional list of commercial alleys to be placed on next year's schedule.

It is recommended that the following alleys be paved under the Force Paving Clause of the City Charter with one-course concrete and that costs be assessed according to the benefits derived.

Alleys Bounded by:

E. & W.—Sorrento, Steel, Fullerton, Grand River.

E. & W.—Westphalia, Fairport, Collinghama, Eight Mile Road.

E. & W.—Mandalay, Livernois, Tireman, Garden.

N. & S.—Livernois, Warrington, Chesterfield, St. Martins.

E. & W.—Campbell, Junction, Jefferson, Reeder.

E. & W.—Ward, Sorrento, Grand River, Buena Vista.

E. & W.—Barham, Beaconsfield, Mack, Windsor.

N. & S.—Dexter, Wildemere, Waverly, Davison.

N. & S.—Ellery, Mt. Elliott, Trombly, Dane.

E. & W.—Indiana, Wisconsin, Plymouth, Grand River.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.