

curb openings to service the garage and yard areas.

Because of an oversight this approval was not previously obtained; therefore, we request that immediate approval be granted and that reconsideration be waived so that the work may proceed without interruption.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That permission be and is hereby granted the Dept. of Public Works for two 28 ft. curb openings on the west side of Livernois, north of Vernor Hwy., for driveways for the new Municipal Garage.

Provided, The work is performed in accordance with approved plans; and further

Provided, This resolution is recocable at the will, whim or caprice of the Common Council.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—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 Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—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 4, 1957.

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.

ALLEYS:

PW-2967F, Conant, Mitchell, Brentwood, Seven Mile Rd., A. J. Smith Contracting Company, Inc., Adjusted Contract Price \$2,712.81.

PW-2979F, Stoepel, Livernois, Lyndon, Eaton, J. C. Sachs Contractor, Adjusted Contract Price \$8,384.70.

PW-2980F, Stoepel, Livernois, Eaton, Chalfonte, J. C. Sachs Contractor, Adjusted Contract Price \$7,780.45.

STREETS:

PW-2953W, Merwin, 170 ft. South of McGraw to McGraw, G. Toccalino & Sons, Adjusted Contract Price \$3,032.50.

PW-2954W, Curtis, Coyle to Lauder, G. Toccalino & Sons, Adjusted Contract Price \$10,716.50.

JOHN S. PERCIVAL,
Engineer of Tests
& Inspection.

M. F. WAGNITZ,
City Engineer.

GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

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

Department of Public Works
October 2, 1957.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report, the petition of Ace Wiping Cloth Company, No. 12463, requesting the vacation of Majestic Avenue west of McDonald Avenue and converting a portion of north-south alley south of Majestic Avenue west of McDonald Avenue into an easement. The petition was approved by the City Plan Commission with the recommendation that sufficient land be dedicated to the City to provide a new street to be known as Majestic Avenue in lieu of the street to be vacated.

We wish to advise that our investigations are completed.

As per our directive the petitioner deposited with the Permit Division of the Department of Public Works, the sum of \$290.00, Receipt No. 84963, said amount being the estimated cost of stoning and grading the newly deeded street and installing 180 square feet of sidewalk necessitated by the vacation of said street.

We are in receipt of a Warranty Deed from the Ace Wiping Cloth Co.

to the City of Detroit deeding land for street purposes in accordance with the City Plan Commission's recommendation. Said deed was approved as to description by the City Engineer, and it is attached hereto for your Honorable Body's acceptance.

Proper provisions are incorporated into the vacating resolution protecting the installations of the City and privately owned utility companies in the alley to be converted into an easement.

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

Resolved, That all of Majestic Avenue 29.5 feet wide, west of McDonald Avenue as platted in Geo. J. Sass Subdivision of the north 149.5 feet of Lot 15 and Lots 16 to 23 both inclusive, also, Lots 1, 2, 3, 40, 39 and the south 149.5 feet of Lot 38 of Fox and O'Quinn Subdivision of the West 49 acres of the S.E. $\frac{1}{4}$ of Section 4 T. 1 S., R. 11 E., Springwells Township, Wayne County, Michigan as recorded in Liber 31, Page 48 of Plats Wayne County Records, lying north of and adjoining the north line of Lot 30 and north of and adjoining the north line of the 8.37 feet wide public alley lying west of Lot 30 all 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, and further

Resolved, That all that part of the north-south public alley, 8.37 feet wide, south of Majestic Avenue and west of McDonald Avenue as platted in said Geo. J. Sass Subdivision as recorded in Liber 31, Page 48 of Plats Wayne County Records, lying west of and adjoining the west line of lots 29 and 30 of the above-mentioned subdivision, be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations which shall be observed by the owners of 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 alley hereinabove described for the purpose of installing, maintain-

ing, repairing, removing or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purposes above set forth:

Second, said owners for their heirs and assigns further agree that no building or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easement.

Third, that if at any time in the future the owners of any lots abutting said vacated alley shall request the removal and or relocation of any existing poles or other utilities in said easement, 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; and further

Resolved, That Warranty Deed of the Ace Wiping Cloth Company, a Michigan Corporation, to the City of Detroit, a Municipal Corporation, deeding land for alley purposes, said land being described as "Lot 28 of Geo. J. Sass Subdivision of North 149.5 feet of Lot 15 and Lots 16 to 23 both inclusive, also, Lots 1, 2, 3, 40, 39 and South 149.5 feet of Lot 38 of Fox and O'Quinn Subdivisions of West 49 Acres of S.E. $\frac{1}{4}$ of Section 4, T. 1 S., R. 11 E., Springwells Township, Wayne County, Michigan, as recorded in Liber 31, Page 48 of Plats Wayne County Records," 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, subject to the following provision:

Provided, That the above-mentioned deed be approved as to form and execution by the Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.

Nays—None.

Department of Public Works

October 7, 1957.

Honorable Common Council:

Gentlemen — Submitted herewith for confirmation are alley paving contracts entered into as authorized and directed by your formal proceedings dated 9-10-57:

PW-3250F—Holmur, Dexter, Tyler, Waverly; A. N. Marando & Son.

PW-3256F — Indiana, Wisconsin, Plymouth, Grand River; A. N. Marando & Son.

PW-3251F — Dexter, Wildemere, Waverly, Davison; J. C. Sachs Contractor.

PW-3252F — Stoepel, Livernois.