

into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

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

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all of the north-south public alley 18 feet wide in the block bounded by Chapel, Bentler, St. Martins and Vassar Avenues as platted in the Palmeadows Subdivision No. 2 of part of South 4/5 of North 1/2 of West 5/8 of South 1/2 of Section 3, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 62, Page 54 of Plats, Wayne County Records, lying east of and adjoining the east line of lots 352 to 366 both inclusive and west of and adjoining the west line of lots 367 to 381 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 sewer located therein and at all time shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter, or service same; and further

2) Provided, That if a building is to be constructed over said sewers, the sewer 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 building shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4) Provided, That in the event that the sewer located in said alleys, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewer.

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

Wise, Youngblood, and President Mirani—9.

Nays—None.

Department of Public Works

June 28, 1957.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, Petition No. 7821, requesting the vacation of Patton Avenue between Davison and Tyler Avenues and a portion of north-south public alley north of Tyler Avenue between Braille and Patton Avenues. The petition was approved by the City Plan Commission and 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 alley.

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

On June 21, 1957, the petitioner issued an interdepartmental purchase order No. 34835, in the amount of \$700.00 in favor of the Detroit Fire Department to cover the cost of relocating one fire hydrant located in the portion of Patton Avenue to be vacated.

The petitioner on June 21, 1957, also issued an interdepartmental purchase order No. 34836, in the amount of \$850.00 in favor of the Street Maintenance Division of the Department of Public Works to cover the cost of removing paved street return at the intersection of Patton and Davison Avenues and constructing straight curb and sidewalk incident to such removal, necessitated by the vacation of said street.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the portion of alley 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 alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

As the vacation of said street and alley is necessary for the proper utilization of the school site, we recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all of Patton Avenue 50 feet wide between Davison and Tyler Avenues, as platted in Brightmoor-Rigloulot Subdivision lying

south of Grand River Avenue, being part of the N.E. $\frac{1}{4}$ of Section 27, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 49, Page 14 of Plats Wayne County Records, lying east of and adjoining the east line of lots 233 to 239 both inclusive, east of and adjoining the east line of the north 20 feet of lot 240, west of and adjoining the west line of lots 250 to 256 both inclusive and west of and adjoining the west line of the north 20 feet of lot 249 all of the above mentioned subdivision.

Also all that part of the north-south public alley 16 feet wide north of Tyler Avenue between Braille and Patton Avenues as platted in said Brightmoor-Rigloulot Subdivision, as recorded in Liber 49, Page 14 of Plats Wayne County Records, lying east of and adjoining the east line of the north 19 feet of lot 175 and west of and adjoining the west line of the north 20 feet of lot 240 of the last mentioned subdivision.

Be and the same are hereby vacated as a public street and alley to become a part and parcel of the adjoining property, subject to the following provisions:

1) An easement or right-of-way is hereby reserved in and over the east 30 feet of vacated Patton Avenue, for the purpose of maintaining, repairing, removing or replacing the 6-inch water main located in said street;

2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval is obtained from the Department of Water Supply;

3) Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the sewer located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter, or service same; and further

4) Provided, That if a building is to be constructed over said sewer, the sewer 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 sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

6) Provided, That in the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewer.

Adopted as follows:

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

Nays—None.

Department of Public Works

June 28, 1957.

Honorable Common Council:
Gentlemen—

RE: Contract: PW-2825.

Removal and Replacement of Curbs and Sidewalks.

Contractor: Ministrelli Construction Company.

Total Amount Accepted Proposal, \$61,627.50.

Previously Issued Changes, \$9,800.00.

Reconciling Contract Change, \$5,257.60.

Final Adjusted Contract Price, \$76,685.10.

The above Contract is on a unit price basis, with estimated quantities of the various items of work stated in the Proposal. Subsequent to the award, Contract Changes were issued in the net amount shown above.

After the work was completed and final field measurements taken, the actual quantities of the various items of work performed resulted in a net difference as shown in the Reconciling Contract Change.

It is respectfully requested that the increased cost as shown by the Reconciling Change be approved and that the Controller be authorized to honor vouchers based on the Final Adjusted Contract Price.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

Approved:

E. P. RIEHL,

Deputy Controller.

By Councilman Van Antwerp:

Resolved, That the "Final Adjusted Contract Price" on the above Contract be and is hereby approved; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, based on the Final Adjusted Contract Price as shown in the foregoing communication.

Adopted as follows:

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

Nays—None.