

Department of Public Works  
September 17, 1957.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of the Wayne State University, No. 9725, requesting the vacation of the alleys in the block bounded by John C. Lodge Expressway, Fourth Avenue, Reed Place and Merrick Avenue. 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.

We wish to advise that our investigations are completed.

As per our directive the petitioner paid into the City Treasury the sum of \$109.53, Receipt No. C-12341, credited to the Public Works Maintenance Fund Code No. 143-0000 (6241), said amount being the original cost of paving the south one-half of Reed Place and the north one-half of Merrick Avenue at the intersection of the alley to be vacated west of Fourth Avenue.

The petitioner requested that the paved alley returns at the entrances to the vacated alley remain in their present status as the petitioner plans to utilize same, and has agreed, by letter filed with the original petition, to pay all costs incidental to the removal of the returns at such time in the future as the removal becomes necessary.

An easement is reserved in the vacating resolution for the Public Lighting Commission for the maintenance of its installations located in the alleys to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers 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 alleys 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 Wise:

Resolved, That all of the north-south public alleys, 15 feet wide west of Fourth Avenue between Reed Place and Merrick Avenue, the east ½ of said alley being platted in McGovern's Subdivision of the south 228.18 feet of O.L. 32 of Cranes' Subdivision of the Rear Concession of P.C. 247 known as the Jones Farm as recorded in Liber 12, Page 20 of Plats Wayne County Records lying west of and adjoining the west line of lots 1 to 7 both inclusive of the above mentioned subdivision, the west ½ of said alley being platted

in G. W. Reeds' Subdivision of Lot 19 of the Connor Subdivision of the Forsyth Farm as recorded in Liber 7, Page 25 of Plats Wayne County Records lying east of and adjoining the east line of lots 14 and 15 and east of and adjoining the east line of the 15 foot east-west alley lying between lots 14 and 15 of the last mentioned subdivision.

Also all that part of the east-west public alley, 15 feet wide, west of Fourth Avenue between Reed Place and Merrick Avenue as platted in G. W. Reeds' Subdivision of Lot 19 of the Connor Subdivision of the Forsyth Farm as recorded in Liber 7, Page 25 of Plats Wayne County Records lying south of and adjoining the south line of lots 11 to 14 both inclusive and north of and adjoining the north line of lots 15 to 18 both inclusive of the last mentioned subdivision.

Be and the same are hereby vacated as public alleys 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 vacated alleys heretofore mentioned for the purpose of maintaining, repairing, removing, or replacing the Public Lighting Commission's facilities located in said alleys;

2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval therefor is obtained from the Public Lighting Commission;

3) Provided, That by reason of the vacation of the above-described alleys, 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, 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 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, That in the event that the sewers 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 sewers waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewers.

Adopted as follows:

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

#### Department of Public Works

September 17, 1957.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Wayne State University, No. 9724, requesting the vacation of the north-south alley in the block bounded by Fourth, Third, Kirby and Merrick Avenues, The petition was approved by the City Plan Commission and referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

As per our directive the petitioner paid into the City Treasury the sum of \$111.68, Receipt No. 12342, credited to the Public Works Maintenance Fund Code No. 143-0000 (6241), said amount being the original cost of paving the south one-half of Kirby Avenue and the north one-half of Merrick Avenue at the intersection of the alley to be vacated.

The petitioner requested that the paved alley returns at the entrances to the vacated alley remain in their present status as the petitioner plans to utilize same, and has agreed, by letter filed with the original petition, to pay all costs incidental to the removal of the returns at such time in the future as the removal becomes necessary.

An easement is reserved in the vacating resolution for the Public Lighting Commission for the maintenance of its installations located in the alley to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers 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 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 Wise:

Resolved, That all of the north-south public alley, 16.9 feet wide, in the block bounded by Fourth, Third, Kirby and Merrick Avenues, the north 193.70 feet of said alley being deeded

to the City of Detroit on January 15, 1891 and being described as, the east 16.9 feet of the west 111.9 feet of the south 193.70 feet of Block 34 of the Plat of the Subdivision of the Crane Farm being Rear Concession of P.C. 247 known as the Jones Farm as recorded in Liber 1, Page 117 of Plats Wayne County Records, the remaining portion of said alley being platted in the Plat of the Subdivision of Part of Block 31 Crane Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 9, Page 83 of Plats Wayne County Records lying east of and adjoining the east line of lots 1 to 8 both inclusive, west of and adjoining the west line of lots 9 to 12 both inclusive and west of and adjoining the west line of the north 135 feet of lot 31 of the last 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) An easement or right-of-way is hereby reserved in and over the vacated alleys heretofore mentioned for the purpose of maintaining, repairing, removing, or replacing the Public Lighting Commission's facilities located in said alleys;

2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval therefor is obtained from the Public Lighting Commission;

3) Provided, That by reason of the vacation of the above-described alleys, 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, That in the event that the sewers 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 sewers waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewers.

Adopted as follows:

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

**Department of Public Works**  
September 20, 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.

Alley:

PW-2960F, John R., Coventry, Winchester, Eight Mile Rd., A. J. Smith Contracting Company, Adjusted Contract Price, \$2,131.70.

PW-2961F, Coventry, Keating, Winchester, Eight Mile Rd., A. J. Smith Contracting Company, Adjusted Contract Price \$2,297.65.

PW-2963W, John R., Acreage, Goldengate, Robinwood, A. J. Smith Contracting Company, Adjusted Contract Price, \$2,273.30.

PW-2964F, Livernois, Warrington, Chesterfield, St. Martins, A. J. Smith Contracting Company, Adjusted Contract Price \$5,904.65.

Streets:

PW-2957W, Paving Intersections—  
A) Return at Eight Mile and Alley Portion of Chapel from Hessel to Eight Mile, B) Alley Return at Lahser of Alley Bounded by Lahser, Eight Mile, Chapel, and Hessel, The Thomas E. Currie Company, Adjusted Contract Price \$3,577.55.

Respectfully submitted,

JOHN S. PERCIVAL,  
Engineer of Tests & Inspection.

CLYDE L. PALMER,  
Asst. City Engineer.

GLENN C. RICHARDS,  
Commissioner.

By Councilman Youngblood:  
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.

**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**

September 19, 1957.

Honorable Common Council,

Gentlemen—The paving petitions listed below, which were referred to this office for report, are majority petitions upon which no prepayment has been made.

Existing Charter limitations on Forced Paving will not permit prompt processing of petitions in circulation during the fiscal year, thereby seriously delaying or curtailing a very essential public service.

It is, therefore, recommended that your Honorable Body invoke the waiver clause in the Special Assessment Ordinance, providing for a 25% prepayment and tax history. This action, if taken, will remove this group from the Forced Paving category and permit the work to proceed. The suggested procedure has the approval of the Corporation Counsel.

It is further recommended that these streets be paved with one course concrete, in accordance with the attached resolution.

Harry Slatkin Subdivision No. 4  
Redfern, Trojan to 8 Mile Road, 30 ft. wd.

Alderton, Trojan to Hessel, 30 ft. wd.

Beaverland, Trojan to Hessel, 30 ft. wd.

Archer, Trojan to Hessel, 30 ft. wd.  
N. 1/2 of Trojan, Berg to 92 ft. E. of Alderton, 15 ft. wd.

Hessel, Archer to Alderton, 30 ft. wd.