

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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Councilman Carey then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

July 3, 1958.

Honorable Common Council:

Re: Contract: PW-2852

For: Removal and Replacement of Curbs and Sidewalks

Adjusted Contract Price:

\$81,904.00

Contractor: J. J. Barney.

Gentlemen—This is to certify that all work required of the Contractor in the performance of this Contract 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 above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is therefore recommended that the total value of the work, as above stated, less the total amounts previously paid on all progress payments, be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

Respectfully submitted,

JOHN S. PERCIVAL,

Engineer of Tests & Inspection.

M. F. WAGNITZ,

City Engineer.

GLENN C. RICHARDS,

Commissioner.

By: Councilman Connor:

Whereas, from the foregoing communication, it appears that all work required to be performed by the Contractor under the Contract therein named has been fully completed; and

Whereas, the completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Reconsideration

Councilman Van Antwerp 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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Councilman Smith then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

July 3, 1958.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting conversion into easements of the alleys described in the attached resolution.

The conversion of the alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are completed. In reply to our inquiries, all City Departments and privately owned utility companies reported that they will be unaffected by the changes or that they have no objections to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Connor:

Resolved, That all of the north-south public alley, 20 feet wide, in the block bounded by Ethel, Bassett, Miami and Downing Avenues, as platted in Marion Park No. 1 being a Subdivision of part of P.C.'s 669 and 75, City of Detroit, Wayne County, Michigan as recorded in Liber 55, Page 25 of Plats Wayne County Records lying east of and adjoining the easterly line of lots 186 to 204 both inclusive and west of adjoining the westerly line of lots 205 to 223 both inclusive, of the above-mentioned subdivision: James R. Tolston, et al, Petition No. 13980.

Also all of the north-south public alley, 20 feet wide, north of Clarita Avenue between Lahser and Greydale Avenues, as platted in Burgess Sub-

division No. 1 a Resubdivision of Lots 1 to 25 inclusive and vacated Dempster Avenue of Grand View Subdivision of a part of the W. 1/2 of the N.W. 1/4 of Section 10, T.1, S. R.10 E. Redford Township, Wayne County, Michigan as recorded in Liber 58, Page 76 of Plats Wayne County Records and in Burgess Subdivision No. 2 a Resubdivision of the Weed Subdivision and Outlot A of Burgess Subdivision No. 1 being part of the W. 1/2 of the N.W. 1/4 of Section 10, T.1 S. R.10 E., City of Detroit, Wayne County, Michigan as recorded in Liber 61, Page 87 of Plats Wayne County Records, lying east of and adjoining the east line of lots 111 to 126 both inclusive of the last mentioned subdivision, east of and adjoining the east line of lots 95 to 100 both inclusive, and west of and adjoining the west line of lots 83 to 94 both inclusive of the above - mentioned Burgess Subdivision No. 1 Kathleen Gilbert, et al, Petition No. 930.

Also all that part of the north-south public alley, 18 feet wide, south of Ellis Avenue between Abington and Grandmont Avenues as platted in Mayday Minors Estate Subdivision of part of the E. 1/2 of the S.W. 1/4 of Section 36, T.1 S., R.10 E., Redford Township, Wayne County, Michigan as recorded in Liber 53, Page 75 of Plats Wayne County Records, lying west of and adjoining the west line of lots 135 to 138 both inclusive, east of and adjoining the east line of lots 145 and east of and adjoining the east line of the north 140 feet of lot 146 all of the last mentioned subdivision. Erin E. Biscup, et al, Petition 13779.

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations which shall be observed by the owners of the lots abutting on said alleys 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 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 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, 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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

July 1, 1958.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated 6-17-58 except as shown:

PW-2178K, Pavement for Parking Lot General Garage and Shop, Barton-Malow Company.

PW-3020, Lateral Sewer 6967, In Sherwood, Hildale to Nevada, Dean Monagin, Inc., Authorized 6-3-58.

Alley Pavings

PW-3429F, Meyers, Manor, Puritan, Florence; Colwell Construction Co.

PW-3430F, Livernois, Warrington, McNichols, Santa Maria; Colwell Construction Co.

PW-3431F, Livernois, Warrington, Curtis; Colwell Construction Co.

PW-3432F, Ardmore, Stansbury, Seven Mile, Cambridge; A. J. Smith Contracting Company, Incorporated.

PW-3433F, Mark Twain, Freeland, James Couzens, Cambridge; A. J. Smith Contracting Company, Incorporated.

PW-3434W, Winthrop, Greenfield, Florence, Verne; A. J. Smith Contracting Company, Incorporated.

PW-3435F, Woodward, Charleston, Nevada, Erle; A. J. Smith Contracting Company, Incorporated.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By: Councilman Van Antwerp:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Reconsideration

Councilman Carey 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