

Antwerp and President Beck—8.**Nays—None.**

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

The regular order was resumed.

Department of Public Works

January 29, 1958.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Daniel Grant, et al, No. 11400, requesting the vacation of the north-south public alley south of Naumann Avenue west of Ryan Avenue. The vacation of said alley was approved by the City Plan Commission.

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 \$75.00, Receipt No. 87178, said amount being the estimated cost of installing a concrete sidewalk across the proposed vacated alley in Naumann Avenue west of Ryan Avenue.

Proper provisions are incorporated 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, 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 the north-south public alley, 15 feet wide, south of Naumann Avenue west of Ryan Avenue, as platted in Naumann and Watko's Subdivision of a portion of the S.E. $\frac{1}{4}$ of Fractional Section 7, T. 1 S., R. 12 E., N.E. of Conant Road, Hamtramck, Wayne County, Michigan, as recorded in Liber 16, page 85 of plats, Wayne County Records, lying east of and adjoining the east line of Lot 40 and west of and adjoining the west line of Lots 37 to 39, both inclusive, all 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 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

2) 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

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 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 Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp and President Beck—8.

Nays—None.

Department of Public Works

January 29, 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 Van Antwerp:

Resolved, That all that part of the north-south public alley, 18 feet wide, south of McNichols Road between Hartwell and Snowden Avenues, as platted in Schwass College Park Subdivision of the N. $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 17, T. 1 S., R. 11 E., City of Detroit, Wayne

County, Michigan, as recorded in Liber 56, page 12 of plats, Wayne County Records, lying east of and adjoining the east line of the south 18 feet of Lot 86, east of and adjoining the east line of Lots 87 to 97, both inclusive, east of and adjoining the east line of the north 20 feet of Lot 98, west of and adjoining the west line of the north 20 feet of Lot 97, west of and adjoining the west line of Lots 100 to 110, both inclusive, and west of and adjoining the west line of the south 18 feet of Lot 111 all of the above mentioned Subdivision. (Patrick H. Norton, et al., 13978)

Also, all of the east-west public alley, 20 feet wide, north of Lyndon Avenue, between Vaughan and Evergreen Avenues, as platted in B. E. Taylor's Coronada Subdivision lying south of Grand River Avenue, being a part of the N.E. $\frac{1}{4}$ of Section 22, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 54, page 84 of plats, Wayne County Records, lying north of and adjoining the north line of Lots 260 to 270, both inclusive, south of and adjoining the south line of Lots 259 and 271 and south of and adjoining the south line of the 20-foot easement lying between Lots 259 and 271 all of the above mentioned Subdivision (Patrick H. Ahern, et al., 14172).

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 and President Beck—8.

Nays—None.

Department of Public Works

January 31, 1958.

Honorable Common Council:

Gentlemen—Your Honorable Body approved sidewalk cancellations applied to sidewalk Roll No. 435-C as listed on pages 84 and 85 of Journal of Common Council proceedings of January 21, 1958.

Since that time, we have discovered that the summary total amount for Roll 435-C as listed is incorrect. Where it reads: Summary: Roll 435-C—\$502.20, it should read \$504.20.

In order to affect the above-mentioned change, we offer the following resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved: That the City Treasurer be and he is hereby authorized to change the summary total amount of cancellations of Sidewalk Roll 435-C from \$502.20 to \$504.20.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp and President Beck—8.

Nays—None.

Purchases and Supplies

February 4, 1958.

Honorable Common Council:

Gentlemen — The Department of Purchases and Supplies recommends that contracts be entered into with the firms or persons as detailed in the following communications.

FILE NO. 7886

Two bids were received as a result of seventeen solicitations, as per tabulation:

for purchasing Wheat, No. 2, White Winter, Feed from the Detroit House of Correction.

To: Adrian Grain Co., of Adrian, Michigan—

72,000 Lbs. Wheat, No. 2, White Winter, Feed (weevil infested) at \$2.54 per Cwt.

This sale totals approximately \$1,-828.80.

Price is firm and F.O.B. Buyer's Pickup at De Ho Co Farms.

Terms: Net.

The approval of your Honorable