

reconstruct cement or concrete side-default thereof by them the Department, crosswalks, or driveways, and in ment of Public Works proceed to construct or reconstruct such side-walks, crosswalks or driveways.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

August 1, 1958.

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 Paving:

PW-3313F — Lesure, Schaefer, Schoolcraft, Out Lot 1, A. J. Smith Contracting Co., Inc., Adjusted Contract Price, \$3,960.55.

PW-3315F—St. Marys, Mansfield, Schoolcraft, Kendall, A. J. Smith Contracting Co., Inc., Adjusted Contract Price, \$2,178.20.

PW-3324W—Eighth, Cabacier, Jefferson, Fort, A. N. Marando & Son, Adjusted Contract Price, \$1,496.50.

PW-3255F—Dexter, Wildemere, Cortland, Sturtevant, J. C. Sachs Contractor, Adjusted Contract Price, \$7,330.05.

JOHN S. PERCIVAL,  
Eng. of Tests & Insp'n.  
CLYDE L. PALMER,  
Asst. City Engineer.  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Smith:

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, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

#### Reconsideration

Councilman Wise 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, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

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

The regular order was resumed.

#### Department of Public Works

August 1, 1958.

Honorable Common Council:

Gentlemen—The Department has been negotiating with Wayne Disposal, Incorporated, a Michigan Corporation, for dumping privileges at a site located in Romulus Township, Wayne County.

May we have the approval of your Honorable Body to enter into a contract with Wayne Disposal, Incorporated for dumping privileges at this location.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Smith:

Resolved, That the Dept. of Public Works be and is hereby authorized to enter into contract with Wayne Disposal, Inc. for dumping privileges in Romulus Township.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

August 4, 1958.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Calumet and Hecla, Inc., No. 1189, requesting the vacation of a portion of Mint Street and a portion of alley first north of Mint Street easterly of Springwells Avenue. The vacation of said portion of street and alley was approved by the City Plan Commission in their letter to your Honorable Body of June 27, 1958.

We wish to advise that our investigations are completed.

As per our directive the petitioner deposited with the City Treasurer the sum of \$800.00, Receipt No. C-5444, credited to the Department of Water Supply Fund Code No. 600-0000 (6232)001, said amount being the

estimated cost of installing a 6-inch valve at the westerly end of the portion of Mint Street to be vacated.

The petitioner also deposited with the City Treasurer the sum of \$120.00, Receipt No. C-5445, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of removing P.L.C. guy stub and installing anchor guy necessitated by the vacation of said portion of Mint Street.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the portion of Mint Street to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said portion of street and 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 Smith:

Resolved, That all that part of Mint Street, 50 feet wide, easterly of Springwells Avenue, as platted in the Subdivision of Property North of the Railroad, Private Claim 718, Springwells, Wayne County, Michigan, as recorded in Liber 12, Page 21 of Plats Wayne County Records, lying south of and adjoining the south line of Lot 24, north of and adjoining the north line of Lot 25 of the above-mentioned subdivision and lying between the westerly line of said Lot 24 extended southerly of the last mentioned subdivision and the westerly line of the subdivision of that part of Lot 16 north of the Wabash Railroad, Private Claim 718 Springwells, Wayne County, Michigan, as recorded in Liber 16, Page 55 of Plats, Wayne County Records, be and the same is hereby vacated as a public street 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 street, 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 street, 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; and further

Resolved, That all that part of the east-west public alley, 20 feet wide, east of Springwells Avenue between Bank and Mint Streets as platted in the Subdivision of Property North of the Railroad, Private Claim 718, Springwells, Wayne County, Michigan, as recorded in Liber 12, Page 21 of Plats Wayne County Records, lying south of and adjoining the south line of Lot 13 and north of and adjoining the north line of Lot 24 of the last mentioned subdivision. Also all of the alley turnaround east of Springwells Avenue between Bank and Mint Streets, which was deeded to the City of Detroit on July 7, 1953, J.C.C. Page 1573 and 1574, said turnaround being in fact the south 20 feet of Lot 13 of the Subdivision of Property North of the Railroad, Springwells, Wayne County, Michigan, as recorded in Liber 12, Page 21 of Plats, Wayne County Records;

Be and the same are hereby vacated to become a part and parcel of the adjoining property.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 30, 1958.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of P. Badalament (No. 2031), requesting permission to maintain a garage encroaching 1.5 feet into the 6-foot easement at the rear of his lot.

An investigation of the premises indicates the existence of a total 12-foot easement, 6 feet thereof being in the rear of the petitioner's lot which is located in the center of the block. A utility pole is located on the center of the 12-foot easement in the rear of petitioner's garage. All of the other garages in the same block are in line with each other and encroach 1.5 feet into the easement.