

detailed studies of the over-all problem of Rouge River Channel improvements and continues to cooperate with other interested agencies in this vital matter.

At this time it is not possible to accurately delineate the channel for the proposed improvement of the Rouge River, but the property in question lies within the flood-plain of the Rouge River and it appears probable that Petitioner's land will be utilized for the channel improvement.

In all fairness to the Petitioner we cannot deny her lawful right to improve this property prior to an ultimate determination of the future Rouge Channel. It should be pointed out, however, that the major part of Petitioner's property lies within the Rouge flood-plain and cannot be improved without extensively filling in the flood-plain nor provided with sewers without the expenditure of large sums of money. The City would be obliged to pay for all improvements in a later condemnation.

After carefully considering the entire problem, it is my recommendation that the City acquire that part of Petitioner's property that lies within the flood-plain of the Rouge River as shown on City Engineer's Drawing DNW-1-207.

If your Honorable Body concurs with this recommendation, a resolution to commence the appropriate action accompanies for your consideration.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:
E. P. RIEHL, Deputy Controller.

By Councilman Van Antwerp:
Resolved, That the Corporation Counsel be and he is hereby directed to prepare the proper resolution for the acquisition of the land described in the foregoing communication from the Department of Public Works, as shown on City Engineer's drawing DNW 1-207, for the purpose of Rouge River flood control, and submit same to this body for approval.

Adopted as follows:
Yeas—Councilman Carey, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—8.
Nays—None.

Department of Public Works
February 25, 1958.

Honorable Common Council:
Gentlemen — This Communication refers to Petition No. 305 of Mr. Ercel F. Turner, who owns property at 15349 Illiad Avenue, described as lots 56 and 57, B. E. Taylor's Brightmoor-Wolfram Subdivision. The land is situated within the natural flood-plain of the Rouge River and was completely submerged during the 1947 flood.

For many years the City has been acquiring Rouge Valley property for flood control purposes and has discouraged the filling of private property in the flood-plain. The City has previously acquired the property to the North and South of Lots 56 and 57.

If Mr. E. Turner makes his improvement now, the natural flood-plain would be reduced to the detriment of other land-holders, and to permit the extensive filling required would be contrary to past City Policy.

After considering the problem thoroughly, it is my recommendation that this property be acquired for flood-control purposes. If your Honorable Body concurs, the appropriate resolution accompanies for your consideration.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:
E. P. RIEHL, Deputy Controller.

By Councilman Van Antwerp:
Resolved, That the Corporation Counsel be and he is hereby directed to prepare the proper resolution for the acquisition of lots 56 and 57, B. E. Taylor's Brightmoor-Wolfram Subdivision, as shown on City Engineer's drawing DNW-1-208, for the purpose of flood control of the Rouge River, and submit same to this body for approval.

Adopted as follows:
Yeas—Councilman Carey, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise and President Beck—8.

Department of Public Works
March 20, 1958.

Honorable Common Council:
Gentlemen—We are returning herewith the petition of the Wayne County Board of Supervisors No. 13310, requesting the vacation of the alleys in the block bounded by Beaubien, Raynor, Gratiot and Clinton Avenues. The vacation of said alleys 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 deposited with the City Treasurer the sum of \$1,150.00, Receipt No. C-29461, credited to the Street Maintenance Division of the Department of Public Works, said amount being the estimated cost of removing paved alley returns and constructing straight curbs and sidewalks incident to such removal necessitated by the vacation of said alleys.

The petitioner also paid into the City Treasurer the sum of \$329.01, Receipt No. C-29461, credited to Street Maintenance Fund Code No. 143-0000(6241), said amount being the original cost of paving the streets

at the intersections of the alleys to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

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

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
 Commissioner.

By Councilman Van Antwerp:

Resolved, That all of the east-west public alley, 20 feet wide, north of Clinton Avenue between Beaubien and Raynor Avenues, as platted in the Plat of part of the Beaubien Farm in the City of Detroit as surveyed into Town Lots for the Proprietors by John Mullett Surveyor, as recorded in Liber 6, Page 475 City Records, lying north of and adjoining the north line of lots 155 to 158 both inclusive and south of and adjoining the south line of lots 159 to 162 both inclusive of the above-mentioned subdivision.

Also, all of the east-west alley, 7.24 feet wide, west of Raynor Avenue and south of Gratiot Avenue, as platted in the Plat of Langley's Subdivision of Lot 159 of the Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 14 of Plats Wayne County Records, lying south of and adjoining the south line of lots 2 and 3 and north of and adjoining the north line of the east 41.64 feet of lot 4 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:

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

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

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

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

Nays—None.

Department of Public Works

March 19, 1958.

Honorable Common Council:

Gentlemen—Contract PW-2178E is for the Automotive Lifts—General Garage and Shop, and the Lincoln Engineering Company is the Contractor.

All work required of the Contractor has been substantially, but not entirely, completed, and full completion has been delayed through no fault of the Contractor. The work remaining consists of some piping which is to be laid when the general contractor pours the concrete floor which will not be done until the frost is out of the ground.

As a result of this delay, the Contractor has requested that the retained percentage be reduced to a lump sum of \$300.00. The total value of the work fully completed is \$31,028.96, and it is recommended that the Contractor be paid the above-stated amount, less the \$300.00 retained and less all previous payments.

The \$300.00 to be retained is in excess of the value of the uncompleted work.

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

JOHN G. PERCIVAL,
 Eng. of Tests & Inspection.
M. F. WAGNITZ,
 City Engineer.
GLENN C. RICHARDS,
 Commissioner.

By Councilman Van Antwerp:

Resolved, that on future progress payments for Contract PW-2178E, Automotive Lifts—General Garage and Shop, the amount retained shall be reduced to a lump sum of \$300.00, for the reasons stated in the foregoing communication; and be it further

Resolved, That the Controller shall honor vouchers when presented covering progress payments and charge them to the proper accounts.