

Cadillac Asphalt Paving Co., Adjusted Contract Price \$152,380.55.

JOHN S. PERCIVAL,
Engineer of Tests & Inspection.
CLYDE L. PALMER,
Assistant 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 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 Carey, Connor, Lincoln, Patrick, Rogell, Van Antwerp and President Beck—7.

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, Van Antwerp and President Beck—7.

Nays—None.

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

The regular order was resumed.

Department of Public Works

October 6, 1958.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Dick B. Roach, Inc., No. 1724, requesting the vacation of a portion of Fletcher Avenue west of Wesson Avenue and certain alleys north and south of Fletcher Avenue west of Wesson Avenue. The vacation of said portion of street and alleys was approved by the City Plan Commission with the recommendation that sufficient land be deeded to the City for a new alley outlet into Wesson Avenue. The petition 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 \$1,690.51, Receipt No. B-16335, credited to the Department of Water Supply Fund Code No. 600-0000 (6232) 001, said amount being the estimated cost of abandoning a water main

necessitated by the vacation of said Fletcher Avenue. The petitioner has agreed to install a water meter at the petitioner's own expense at the most easterly property line of Fletcher Avenue to be vacated.

The petitioner also deposited with the City Treasurer the sum of \$1,300.00, Receipt No. B-16334, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of removing and rerouting P.L.C. installations necessitated by the vacation of said portion of Fletcher Avenue west of Wesson Avenue.

The petitioner deposited with the Permit Division of the Department of Public Works the sum of \$1,120.00, Receipt No. GR-1217, said amount being the estimated cost of constructing a paved alley return, remove one tree and to grade and stone newly deeded alley.

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

We are in receipt of a Warranty Deed whereby the petitioner dedicates land for a new alley outlet in accordance with the City Plan Commission's recommendation. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and is attached hereto for Your Honorable Body's acceptance.

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

Resolved, That all that part of Fletcher Avenue, 60 feet wide, west of Wesson Avenue as platted in the Plat of Wesson and Ingersoll's Subdivision of P. C. 171, South of Michigan Avenue, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan as recorded in Liber 3, Page 18 of Plats Wayne County Records, lying south of and adjoining the south line of lots 14 to 18 both inclusive, south of and adjoining the south line of the west 20 feet of the vacated alley adjoining the east line of lot 18, north of and adjoining the north line of lots 20 to 24 both inclusive and north of and adjoining the north line of the 20 foot alley lying east of lot 24 all of the above-mentioned subdivision.

Also all that part of the north-

south public alley, 20 feet wide, south of Fletcher Avenue west of Wesson Avenue as platted in said Plat of Wesson and Ingersoll's Subdivision as recorded in Liber 3, Page 18 of Plats Wayne County Records lying east of and adjoining the east line of the north 100 feet of lot 24, west of and adjoining the west line of lots 25 to 27 both inclusive and west of and adjoining the west line of the north 10 feet of lot 28 all of the above-mentioned subdivision.

Also all that part of the east-west public alley, 20 feet wide, west of Wesson Avenue between Michigan and Fletcher Avenues as platted in said Plat of Wesson and Ingersoll's Subdivision as recorded in Liber 3, Page 18 of Plats Wayne County Records lying southerly of and adjoining the southerly line of lots 7 to 10 both inclusive, southerly of and adjoining the southerly line of the easterly 9 feet of lot 11, southerly of and adjoining the southerly line of the westerly 20 feet of lot 6, northerly of and adjoining the northerly line of lots 14 to 16 both inclusive and northerly of and adjoining the northerly line of the west 20 feet of lot 17 all of the above-mentioned subdivision.

Also all of the north-south public alley, 20 feet wide, north of Fletcher Avenue west of Wesson Avenue, which was deeded to the City of Detroit on December 21, 1909, which alley is in fact the west 20 feet of lot 17 of said Plat of Wesson and Ingersoll Subdivision as recorded in Liber 3, Page 18 of Plats Wayne County Records.

Be and the same are hereby vacated as a public street and alleys to become a part and parcel of the adjoining property subject to the following conditions:

Provided, That the petitioner present proof of ownership of all the adjoining property involved and further

Provided, That by reason of the vacation of the above described street and 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 building 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, and 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 sewers 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 the City Controller be and he is hereby authorized and directed to execute a Quit Claim Deed to Dick B. Roach, Inc., a Michigan Corporation to the vacated alley described as follows: The West 20 feet of Lot 17 of the Plat of Wesson and Ingersoll's Subdivision of P.C. 171, South of Michigan Avenue, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan and further

Resolved, That Warranty Deed of Dick B. Roach, Inc., a Michigan Corporation to the City of Detroit, a Municipal Corporation, deeding land for alley purposes, described as follows: The South 20 feet of Lot 28 of the Plat of Wesson and Ingersoll's Subdivision of P.C. 171, South of Michigan Avenue, T. 2 S., R. 11 E., City of Detroit, Wayne County, Michigan as recorded in Liber 3, Page 18 of Plats Wayne County Records, be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Van Antwerp and President Beck—7.

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, Van Antwerp and President Beck—7.

Nays—None.

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

The regular order was resumed.

Department of Public Works
September 29, 1958.

Honorable Common Council:

Gentlemen—Your Committee of the Whole has referred to this office for investigation and report the petitions