

the Contract provisions covering final payment.

Alley Paving:

(Price is Adjusted Contract Price.)

PW-3335F—17th St., 16th St., Michigan, Pine; Fort Wayne Coal and Construction Co.; \$3,302.40.

PW-3338—Livernois, Military, Federal, Ranspach; Fort Wayne Coal and Construction Co.; \$6,063.20.

PW-3452F — Lakepointe, Roxbury, Britain, Morang; Leo's Grand & General Contracting Co.; \$2,911.95.

PW-3453F — Hoyt, Anvil, Carlisle, Eight Mile Rd.; Leo's Grand & General Contracting Co.; \$5,597.46.

PW-3326W — John R, Coventry, Emery, Lantz; J. C. Sachs Company; \$7,423.30.

PW-3374W — St. Marys, Mansfield, Whitlock, Warren; J. C. Sachs Company; \$9,794.85.

PW-3370F — Hasse, Davison, McNichols; A. J. Smith Contracting Co., Inc.; \$1,745.30.

PW-3434W — Winthrop, Greenfield, Florence, Verne; A. J. Smith Contracting Co., Inc.; \$6,140.00.

Street Paving:

PW-3288F—Kirkwood from Larkins to Braden; A. J. Smith Contracting Co., Inc.; \$5,381.30.

PW-3290FW — St. Martins from James Couzens to Strathmoor; G. Toccalino & Sons; \$9,050.70.

PW-3301W — Ellis from Forrer to Greenfield; G. Toccalino & Sons; \$14,445.10.

PW-3306F—Cathedral from Coyle to Robson; G. Toccalino & Sons; \$4,825.75.

PW-3357F—Keeler from 105 Ft. W. of Dale to Dale; G. Toccalino & Sons; \$1,391.75.

Paving Concrete Sidewalks and Driveways:

PW-2374—In District EEW; Suburban Cement Co.; \$11,261.09.

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

By Councilman Wise:

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, Smith, Van Antwerp, Wise, and President Beck—9.

Nays—None.

Reconsideration

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

The regular order was resumed.

Department of Public Works

October 31, 1958.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Benjamin D. Burdick, et al, No. 2086, requesting the vacation of Rouge Avenue between Ormond and Sanders Avenues and the alleys first east and west of Rouge Avenue. The vacation of said street and alleys was approved by the City Plan Commission with the recommendation that sufficient land be deeded for a new alley outlet into Fordson 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 and they disclose the following City departments affected by the vacation of said street and alleys.

Department of Water Supply: The petitioners deposited with the City Treasurer the sum of \$2,439.78, Receipt No. C-14775, credited to the Department of Water Supply Fund Code No. 600-0000-(6232)001, said amount being the remaining equity and the estimated cost of abandoning an existing 6-inch water main in Rouge Avenue to be vacated.

Detroit Fire Department: The petitioners deposited with the City Treasurer the sum of \$1,250.00, Receipt No. A-16993, credited to the Detroit Fire Department Fund Code No. 990-9406, said amount being the estimated cost of removing and relocating two fire hydrants located in said Rouge Avenue to be vacated.

Street Maintenance Division D.P.W.: The petitioners deposited with the Permit Division of the Department of Public Works the sum of \$1,650.00, Receipt No. GR-1419, said amount being the estimated cost of constructing alley return, curb and sidewalk and grading and stoning newly deeded alley.

Sewer Design Division, D.P.W.: Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer lo-

cated in the alley to be vacated first easterly of Rouge Avenue.

We are in receipt of a Quit Claim Deed wherein the petitioners dedicate land to the City of Detroit for alley purposes 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 it 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 street and alleys or that they have reached satisfactory agreements with the petitioners regarding their installations therein.

We Recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Wise:

Resolved, That all of Rouge Avenue, 60 feet wide, between Ormond and Sanders Avenue as platted in G. W. Zanger's Oakwood Subdivision of Part of Private Claims 667 and 37, Village of Oakwood, Wayne County, Michigan, as recorded in Liber 43, Page 40 of Plats, Wayne County Records lying easterly of and adjoining the easterly line of Lots 332 to 365 both inclusive and westerly of and adjoining the westerly line of Lots 412 to 445 both inclusive of the above-mentioned subdivision.

Also all that part of the north-south public alley, 20 feet wide, northerly of Sanders Avenue between Fordson and Rouge Avenues as platted in said G. W. Zanger's Oakwood Subdivision as recorded in Liber 43, Page 40 of Plats, Wayne County Records lying easterly of and adjoining the easterly line of Lots 271 to 306 both inclusive and westerly of and adjoining the westerly line of Lots 332 to 355 both inclusive of the above-mentioned subdivision.

Be and the same are hereby vacated as a public street and alley to become a part and parcel of the adjoining property; and further.

Resolved, That all of the north-south public alley, 10 feet wide, easterly of Rouge Avenue between Ormond and Sanders Avenues as platted in said G. W. Zanger's Oakwood Subdivision as recorded in Liber 43, Page 40 of Plats, Wayne County Records lying easterly of and adjoining the easterly line of Lots 412 to 445 both inclusive 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:

Provided, That by reason of the

vacation of the above-described alleys 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 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 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 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 Quit Claim Deed of the petitioners to the City of Detroit, a Municipal Corporation, deeding land for alley purposes, said land being described as "Lot 270 of G. W. Zanger's Oakwood Subdivision of part of Private Claims 667 and 37, Village of Oakwood, Wayne County, Michigan, as recorded in Liber 43, Page 40 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, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works
November 3, 1958

Honorable Common Council:
Gentlemen—We are returning herewith the petition of Irving Fox, et al, Nov. 1904, requesting the vacation of Bellevue Avenue between East Grand Boulevard and Palmer Avenue. The vacation of said street was approved by the City Plan Commission and was then referred to this office by your Committee of the Whole for investigation and report.