

in Liber 19, Page 72 of Plats Wayne County Records, lying west of and adjoining the west line of Lots 171 to 174 both inclusive, west of and adjoining the west line of the south 10 feet of Lot 170 and west of and adjoining the west line of the north 3.70 feet of Lot 175 all of the above mentioned subdivision.

Be and the same is vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement 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 the alley 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 alley hereinabove described for the purpose of installing, maintaining, repairing, removing or replacing any sewer conduit, telephone, telegraph, electric light, gas main, 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 easement 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; and further

Resolved, That Quit Claim Deed of American Metal Products Company, a Michigan corporation to the City of Detroit, a municipal corporation, deeding the following described land for alley purposes, "The north 20 feet of Lot 170 of Holden Ridge Subdivision of Lots 4, 5, 6, and 7 of Horger's Subdivision of part of Fractional Section 3, T. 2 S., R. 11 E., between P.C. 260 and D.L. and N.R.R., north of Holden Avenue as recorded in Liber 19, Page 72 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 14, 1958.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of Parke, Davis and Company No. 2171, requesting the vacation of a portion of Jos. Campau Avenue north of the U. S. Harbor Line. 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.

We wish to advise that our investigations are completed.

As per our directive petitioner deposited with the City Treasury the sum of \$575.00, Receipt No. B-20097, credited to the Public Lighting Commission, said amount being the estimated costs of removing 4 P.L.C. poles located in said portion of street to be vacated.

The Department of Public Works requested the removal of brick and concrete pavement and D.S.R. rails, adjust pavement with asphaltic concrete, and construct new curb and walks. The petitioners expressed their desire to use said vacated street as a private driveway, and have agreed, by letter filed with the original petition, to pay all costs involved in doing the necessary work requested by this department.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the portion of 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 or that they have reached satisfactory agreements with the petitioner regarding their installations therein. We recommend adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Carey:

Resolved, That all that part of Joseph Campau Avenue, 70 feet wide, between the U. S. Harbor Line and a point 280 feet north of the U. S. Harbor Line, as platted in Theodore J. and Denis J. Campau Plat of Subdivision of Private Claim 609 Joseph Campau Estate as recorded in Liber 2, Page 1 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 successor, 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.

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 10, 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-3368W, Crane, Rohns, Marcus, Edgewood, Colwell Construction Co., Adjusted Contract Price \$3,375.60.

PW - 3365W, Erwin, McClellan, Woodlawn, Traverse, J. C. Sachs Com-

pany, Adjusted Contract Price \$9,-599.00.

PW-3320F, John R., Acreage, Robinwood, Hollywood, A. J. Smith Contracting Co., Inc., Adjusted Contract Price, \$1,442.40.

Street Paving—

PW-3302FW, Heyden from Tireman to Belton, G. Toccalino & Sons, Adjusted Contract Price, \$12,696.65.

PW-3355W, Burgess from Acacia to Lyndon, G. Toccalino & Sons, Adjusted Contract Price \$11,493.45.

PW-3388W, Winthrop from Thatcher to Curtis, G. Toccalino & Sons, Adjusted Contract Price \$10,778.65.

PW-3442, Berg Road from Frisbee to Eight Mile Road, G. Toccalino & Sons, Adjusted Contract Price \$67,-038.00.

Sidewalk Paving—

PW-2389, In District TTW, Suburban Cement Company, Adjusted Contract Price \$10,731.42.

JOHN S. PERCIVAL,

Engineer of Tests & Inspection,

M. F. WAGNITZ,

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

The regular order was resumed.

Department of Public Works

November 10, 1958.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report petitions requesting the conversion into easements of the alleys described in the