

that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

July 11, 1958.

Re: Contract PW-3287F, Widening Wayne Street from Jefferson to Fort, Contractor Julius Porath and Son Company. Total Amount Accepted Proposal, \$124,897.25, Previously Issued Changes, \$440.30, Reconciling Contract Change, \$2,209.90, Final Adjusted Contract Price, \$127,547.45.

Honorable Common Council:

Gentlemen—The above Contract is on a unit price basis, with estimated quantities of the various items of work stated in the Proposal. Subsequent to the award, Contract Changes were issued in the net amount shown above.

After the work was completed and final field measurements taken, the actual quantities of the various items of work performed resulted in a net difference as shown in the Reconciling Contract Change.

It is respectfully requested that the increased cost as shown by the Reconciling Change be approved and that the Controller be authorized to honor vouchers based on the Final Adjusted Contract Price.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That the "Final Adjusted Contract Price" on the above Contract be and is hereby approved; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, based on the Final Adjusted Contract Price as shown in the foregoing communication.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 15, 1958

Honorable Common Council:
Gentlemen—We are returning herewith the petition of the Socony Mobil Oil Company, Inc., No. 65, requesting the vacation of the 20-foot east-west alley west of Birwood Avenue north of Puritan Avenue. The vacation of said alley was approved by the City Plan Commission with the recommendation that the petitioner dedicate sufficient land for a new alley outlet into James Couzens Highway. 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 on July 15, 1958, paid into the City Treasury the sum of \$244.42, Receipt No. C-1556, credited to the Public Works Maintenance Fund Code No. 143-0000 (6241), said amount being the original cost of paving the west one-half of Birwood Avenue at the intersection of the alley to be vacated.

The petitioner on July 15, 1958, deposited with the Permit Division of the Department of Public Works the sum of \$2,210.00, Receipt No. GR425, said amount being the estimated cost of removing paved alley return at the entrance to the alley to be vacated, constructing straight curb and sidewalk incident to such removal, constructing new alley return to the newly deeded alley and stoning and grading newly deeded alley.

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

We are in receipt of a Warranty Deed wherein petitioner dedicates land for alley purposes in accordance with the City Plan Commission's recommendation, said deed was approved as to description by the City Engineer and it is attached 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 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 Rogell:

Resolved, That all of the east-west public alley, 20 feet wide, west of Birwood Avenue north of Puritan Avenue as platted in University Court Subdivision of the south ½ of the southeast ¼ of the northeast ¼ of Section 17, T. 1 S., R. 11 E., City of Detroit, Greenfield Township, Wayne County, Michigan, as recorded in Liber 45, Page 9 of Plats Wayne County Records, described as follows: Beginning at the southwest corner of Lot 184 of said University Court Subdivision, thence along a line S. 0d 21m E., 10.00 feet to a point; thence along a line S. 53d 42m 11s W., 11.11 feet to the west line of said University Court Subdivision; thence along the west line of said subdivision S. 0d 21m E., 3.32 feet to the northwest corner of Lot 190 of said University Court Subdivision; thence along the north line of lots 185 to 190 both inclusive of said University Court Subdivision S. 89d 25m E., 118.2 feet to the northeast

corner of said Lot 185; thence along a line No. 0d 5m W., 20.00 feet to the southeast corner of lot 184; thence along the south line of said lot 184 N. 89d 25m W., 109.00 feet to the place of beginning, 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:

(1 Provided that by reason of the vacation of the above described alley, 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 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 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 Warranty Deed of Florence A. Morgan, survivor of William A. Morgan and herself to the City of Detroit, deeding land for alley purposes in accordance with the City Plan Commission's recommendation, said land being described as: "A parcel of land of part of Lot No. 283 and Lot No. 284 of Northwestern Puritan Subdivision as recorded in Liber 46 of Plats, page 31, Wayne County Records and being more particularly described as follows: Beginning at the Northeast corner of Lot No. 283 as platted in the Northwestern Puritan Subdivision and proceeding thence south 53 degrees 42 minutes 11 seconds west and measured along the property line between Lots No. 282 and 283 a distance of 3.71 feet; thence south 0 degrees 21 minutes east and measured along a line which lies 3.0 feet west of and is parallel to the east line of Northwestern Puritan Subdivision a dis-

tance of 51.20 feet; thence south 53 degrees 42 minutes 11 seconds west a distance of 17.30 feet to a point in the Northeasterly line of James Couzens Highway (204.0 feet wide); thence south 36 degrees 17 minutes 49 seconds east and measured along said Northeasterly line a distance of 20.0 feet; thence north 53 degrees 42 minutes 11 seconds east (perpendicular to the Northeasterly line of James Couzens Highway), a distance of 6.51 feet to a point in the east line of Northwestern Puritan Subdivision. It being the intent of said course, if extended Northeasterly, to terminate at the intersection of the east line of a public alley (9.0 feet wide) if extended southerly with the centerline of a 20.0 foot public alley as platted in the University Court Subdivision; thence north 0 degrees 21 minutes west and measured along the east line of Northwestern Puritan Subdivision a distance of 75.91 feet to the point of beginning" 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, subject to the following provision:

Provided, That the above-mentioned deed is approved as to form and execution by the Corporation Counsel.

Adopted as follows:

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

Nays—None.

Reconsideration

Councilman Rogell 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, Wise and President Pro Tem Van Antwerp—8.

Nays—None.

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

The regular order was resumed.

Purchases and Supplies

July 10, 1958.

Honorable Common Council:

Gentlemen—We are submitting herewith a recommendation of a revised award on File No. 8118, Automobiles, Trucks with Packer Bodies.

The original award recommended that the GMC Truck & Coach Division, of Detroit, furnish 55 Chassis and Cabs, mounted with Gar Wood Packer Bodies.

A lower bid, predicated on using