

financing, and minor contingencies.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

Approved:

R. S. REASON, Deputy Controller.

By Councilman Patrick:

Resolved, That the bids of the foregoing recommended lowest responsible bidders for the respective paving contracts be and are hereby approved and accepted; and be it further

Resolved, That said bids shall remain firm until the special assessment district for the respective paving has been created by the Common Council; and be it further

Resolved, That thereupon the Commissioner of Public Works be and he is hereby authorized and directed to enter into contract with said respective lowest responsible bidders, subject to approval and confirmation by the Common Council; and be it further

Resolved, That in the preparation of the City Engineer's final cost statement for payment of the contract cost of the new paving, any deductions from or additions to the original contract costs shall be adjusted in the City portion of the Contract, so that the original assessment roll previously confirmed and levied shall remain unchanged;

Provided, That when the amount of such deduction from or addition to the assessment portion of the contract exceeds \$100.00 or one percent of the original contract amount, whichever is greater, this procedure must be approved by the Common Council; and be it further

Resolved, That the City Controller be and is hereby authorized to encumber these paving contracts against 1959-60 appropriations before July 1, 1959, provided that no payments on such contracts be made until after that date.

Adopted as follows:

Yeas—Councilmen Connor, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Department of Public Works

June 12, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Wabash Railroad Company, No. 2332, requesting the vacation of a portion of Rouge Drive, Marshall Avenue and certain alleys south of Rouge Drive and east of Fordale Avenue. The vacation of said streets and alleys was approved by the City Plan Commission with the recommendation that sufficient land be deeded to the City of Detroit for the opening of the remainder of Rouge Drive into Mellon 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 \$3,583.23, Receipt No. C-28611, credited to the Department of Water Supply Fund Code No. 600-0000(6232)-001, said amount being the estimated cost of abandoning two water mains in the streets to be vacated and the remaining equity is the water mains to be abandoned.

The petitioner also deposited with the City Treasurer the sum of \$150.00, Receipt No. C-28610, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of removing and relocating one P.L.C. pole necessitated by the vacation of said portions of streets and alleys.

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

We are in receipt of a Warranty Deed from the petitioner to the City of Detroit deeding land for the opening of the remainder of Rouge Drive into Mellon Avenue 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 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 portions of streets and alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That all that part of Rouge Drive, 60 feet wide, as platted in Oakwood Boulevard Manor, Subdivision No. 1 of part of Private Claim 671, City of Detroit, Wayne County, Michigan as recorded in Liber 59, Page 65 of Plats Wayne County Records, lying between the easterly line of Fordale Avenue, 50 feet wide extended northerly, and a line extended northerly from a point is the northerly line of Lot 275 of said Oakwood Boulevard Manor Subdivision No. 1 said point in Lot 275 being 60 feet northwesterly by rectangular measurement from the southeasterly line of said Oakwood Boulevard Manor Subdivision No. 1.

Also, all that part of Marshall Avenue, 50 feet wide, south of Rouge Drive as platted in Oakwood Boulevard Manor Subdivision No. 1 of part of Private Claim 671, City of Detroit, Wayne County, Michigan as recorded

in Liber 59, Page 65 of Plats Wayne County Records, lying west of and adjoining the westerly line of lots 283 to 286 both inclusive and east of and adjoining the easterly line of lots 287 to 292 both inclusive of the above-mentioned subdivision.

Also, all of the north south public alley, 18 feet wide, south of Rouge Drive between Fordale and Marshall Avenues as platted in said Oakwood Boulevard Manor Subdivision No. 1 as recorded in Liber 59, Page 65 of Plats Wayne County Records, lying west of and adjoining the westerly line of lots 287 to 292 both inclusive and east of and adjoining the easterly line of lots 293 to 298 both inclusive of the above-mentioned subdivision.

Also, all of the north south public alley, 18 feet wide, south of Rouge Drive east of Marshall Avenue as platted in said Oakwood Boulevard Manor Subdivision No. 1 as recorded in Liber 59, Page 65 of Plats Wayne County Records, lying west of and adjoining the westerly line of lot 282 and east of and adjoining the easterly line of lots 283 to 286 both inclusive of the above-mentioned subdivision.

Also, all that part of the east west public alley, 20 feet wide, north of Mellon Avenue and east of Marshall Avenue as platted in Oakwood Boulevard Manor Subdivision of part of Private Claim 671, City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 89 of Plats Wayne County Records, lying north of and adjoining the northerly line of lots 51 to 64 both inclusive and north of and adjoining the northerly line of the westerly 1.14 feet of lot 65 of the last mentioned subdivision and south of and adjoining the southerly line of lots 279 to 283 both inclusive, south of and adjoining the southerly line of the westerly 0.86 feet of lot 278 and south of and adjoining the southerly line of the 18 foot public alley, lying between lots 282 and 283 of Oakwood Boulevard Manor Subdivision No. 1 as recorded in Liber 59, Page 65 of Plats Wayne County Records.

Be and the same are hereby vacated as public streets and alleys 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 streets 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

2. 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

3. 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

4. Provided, That in the event that the sewers located in said streets and 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 for all costs incident to the repair of said broken sewers; and further

Resolved, That Warranty Deed of Wabash Railroad Company, an Ohio Corporation to the City of Detroit, a Municipal Corporation, deeding land for street purposes in accordance with the City Plan Commissioner's recommendation, said land being described as:

"A parcel of land 60 feet in width being part of Lots 275 to 278 both inclusive of Oakwood Boulevard Manor Subdivision No. 1 of part of Private Claim 671, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 65 of Plats Wayne County Records and more particularly described as follows: Beginning at a point in the southerly line of Rouge Drive distant 60 feet northwesterly by rectangular measurement from the southeasterly line of Lot 275 in said Oakwood Boulevard Manor Subdivision No. 1: thence S. 28d, 58m, 08s W. along a line parallel to and 60 feet northwesterly by rectangular measurement from the southeasterly line and the southwesterly prolongation of the southeasterly line of said Lot 275, 154.20 feet, more or less, to the northerly line of an east and west alley bounded on the north by the southerly line of Lots 276 to 283 inclusive in said Oakwood Boulevard Manor Subdivision No. 1, and bounded on the south by the northerly line of Lots 51 to 65 inclusive of Oakwood Boulevard Manor Subdivision: thence N. 79d, 23m, 02s, E. along the northerly line of said alley 77.86 feet to the southwesterly prolongation of the southeasterly line of said Lot 275; thence N. 28d, 58m, 08s E. along the southwesterly prolongation of the southeasterly line of said lot 275 and along the southeasterly line of said Lot 275, 290.03 feet, more or less, to a point in the southeasterly line of Rouge Drive, thence southwesterly along a curved line being the southeasterly line of Rouge Drive, 198.12

feet, more or less, to the point of beginning.

Also, a parcel of land 60 feet in width being part of Lots 60 to 65 both inclusive of Oakwood Boulevard Manor, Subdivision of part of Private Claim 671, City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 89 of Plats Wayne County Records, more particularly as follows: Beginning at the intersection of the southerly line of said east and west alley described above, with a line parallel to and 60 feet distant northwesterly by rectangular measurement, from the southwesterly prolongation of the southeasterly line of said Lot 275 described above; thence S. 28d, 58m, 08s W. along said parallel line 129.76 feet, more or less, to a point in the northerly line of Mellon Avenue (86 feet wide); thence N. 79d, 23m, 02s E. along the northerly line of Mellon Avenue 77.86 feet to its intersection with the southwesterly prolongation of the southeasterly line of said Lot 275; thence N. 28d, 58m, 08s E. along the southwesterly prolongation of the southeasterly line of said Lot 275, 129.76 feet to the southerly line of said east and west alley; thence S. 79d, 23m, 02s W. along the southerly line of said east and west alley, thence S. 79d, 23m, 02s W. along the southerly line of said alley 77.86 feet, more or less, to the point of beginning."

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 Connor, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Purchases and Supplies

June 16, 1959

Honorable Common Council:
Gentlemen — The Department of Purchases and Supplies recommends that contracts be entered into with the firms or persons as detailed in the following communications:

FILE NO. 9361

Two bids were received as a result of three solicitations, as per tabulation:

For furnishing the City of Detroit with Fruits and Vegetables — Fresh and Frozen.

Prices as are on file in the office of the City Clerk.

To: Cusumano Brothers of Detroit, Michigan—

35 Items—All to be U.S.D.A. graded, except Frozen Foods for delivery 6-19-59 and 6-23-59.

This purchase totals approximately \$1,809.65.

Prices are Firm and F.O.B. delivered.

Terms: Net 30 Days.

The approval of your Honorable

Body and waiver of reconsideration is requested.

Respectfully submitted,
J. HARRISON KETTLE,
Commissioner.

Purchases and Supplies

June 16, 1959

Honorable Common Council:

Gentlemen—We submit for Confirmation the contracts entered into as authorized and directed by your formal proceedings dated below:

February 24, 1959—National Cash Register Company, Cash Register.

April 7, 1959—The G. A. Ingram Company, Beds, Hospital; M. Stein Company, Textiles, Yard Goods.

April 14, 1959—Splane Electric Supply Company, Trough, Cable and Fittings.

May 12, 1959—The Falk Corporation, Elements, Revolving, Speed Reducer; The Allen - Sherman - Hoff Company, c/o The Coon-De Visser Company, Valves, Allen-Sherman-Hoff.

May 19, 1959 — Neenah Foundry Company, Castings, Handhole.

May 26, 1959—Peerless Distributing Company, Oil, Fuel, Heavy; Diddel-Glaser, Inc., Collator.

June 2, 1959—Recordak Corporation, Industrial Microfilm Company, Microfilm; Cusumano Bros. Produce Company, Fruits and Vegetables; Ace Wiping Cloth Company, Shop Towels, Rental Service; Cyril J. Burke, Inc., Parts, Repair, Misc. Construction; Detroit Mfg. & Supply Company, Gas, Propane; Merck, Sharp & Dohme, Narcotics; Victor Oil Company, Oil, Fuel, Light and Diesel; State Plumbing & Heating Supplies, Inc., Flanges, Blind, Steel; Taylor's, Incorporated. Automobile, Passenger.

June 9, 1959 — Cusumano Bros., Fruits and Vegetables; Zimmer Manufacturing Company, Equipment, Orthopedic and Fracture.

Respectfully submitted,
J. HARRISON KETTLE,
Commissioner.

By Councilman Rogell:

Resolved, That the Dept. of Purchases & Supplies be and is hereby authorized and directed to enter into contract with Cusumano Brothers for furnishing the City of Detroit with Fruits and Vegetables on terms and in accordance with the foregoing communication; and further

Resolved, That contracts listed above be and the same are hereby confirmed.

Adopted as follows:

Yeas—Councilmen Connor, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—7.

Nays—None.

Reconsideration

Councilman Van Antwerp moved to reconsider the vote by which the resolution was adopted.