

PW-3630W—Pinewood, Rowe to Annott.

PW-3631W—Reno, Manning to State Fair.

PW-3632W—Yorkshire, Duchess to Kelly.

No bids were received on three of the contracts: PW-3628W, PW-3629W, and PW-3632W. A tabulation of bids on each of the other contracts is attached.

Bids on these contracts are on a unit price basis. On Contracts PW-3630 and PW-3631W, only one bid was received. The price bid on each of these contracts for the major item of 8:6:8 paving is the same as the highest price bid on other contracts. This resulted in a total price which is considered too high, and it is therefore recommended that the single bid on each of these two contracts be rejected.

The low bid on each of the three remaining contracts is regular in all respects and in accordance with the contract requirements. It is, therefore, recommended that the contracts be awarded to the low bidder in the amounts listed below. The total funds required include the cost of advertising, inspection, engineering, financing, and minor contingencies as well as the contract costs.

Tony Angelo Cement Construction Company—

PW-3547W — \$33,918.00; Funds Required, \$38,295.00.

PW-3626W—\$32,629.55; Funds Required \$35,759.00.

PW-3627W—\$22,919.05; Funds Required, \$25,948.00.

It is recommended that the Controller be authorized and directed to set up the necessary accounts to cover these contracts and the cost of advertising, inspection, engineering, financing, and minor contingencies.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

Approved:

R. S. REASON,

Deputy Controller.

By Councilman Patrick:

Resolved, That the single bid received on August 25, 1959, for Contract PW-3630W for the paving of Pinewood from Rowe to Annott and PW-3631W for the paving of Reno from Manning to State Fair be and is hereby rejected for the reason stated in the foregoing communication; and be it further

Resolved, That the bid of the foregoing recommended lowest responsible bidder 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 is hereby authorized and directed to enter into contract with the said respective lowest responsible bidder, 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.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

September 4, 1959.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Dr. S. J. Moroun, et al, No. 4323, requesting the vacation of a portion of the east-west public alley west of Parker and north of Jefferson Avenues. The vacation of said alley was approved by the City Plan Commission and 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 alley.

Department of Water Supply: The petitioner deposited with the City Treasurer the sum of \$500.00, Receipt No. C-11462, 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 water main in the alley to be vacated.

Public Lighting Commission: The petitioner deposited with the City Treasurer the sum of \$575.00, Receipt No. D-1645, credited to the Public Lighting Commission Fund Code No. 990-9423, said amount being the estimated cost of rerouting P.L.C. installations necessitated by the vacation of said alley.

Street Maintenance Division, D.P.W.: The petitioner deposited with the Permit Division of the Department of Public Works the sum of \$1,008.00, Receipt No. CR-3010, said amount being the estimated cost to remove paved alley return at the entrance of the

alley to be vacated west of Parker Avenue and north of Jefferson Avenue and constructing new curb and walk incident to such removal.

Street Maintenance Division, D.P.W.: The petitioner paid into the City Treasury the sum of \$93.91, Receipt No. C-11461, credited to the Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the west one-half of Parker Avenue at the intersection of the alley to be vacated.

Sewer Design Division, D.P.W.: Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the above-mentioned alley to be vacated.

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 Patrick:

Resolved, That all that part of the east-west public alley, 20 feet wide, west of Parker and north of Jefferson Avenues, as platted in Parker's Re-Subdivision of Lots 77, 78, 79, 80 and 81, Van Dyke Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 21, Page 99 of Plats, Wayne County Records, lying south of and adjoining the south line of Lot 27, and north of and adjoining the north line, of Lots 25 and 26 and north of and adjoining the north line of the east 15.77 feet of Lot 24, all 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:

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 in 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 sewer with-

out 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.

Adopted as follows:

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

Nays—None.

Department of Public Works  
August 31, 1959

Honorable Common Council:

Gentlemen — We are returning herewith the petition of Eugene Washick No. 4545, requesting permission to maintain a partially constructed patio encroaching over the entire 10 foot easement in the rear of his lot. This office recommended a denial of the petition because the resolution previously adopted by your Honorable Body prevented us from making a recommendation granting the request.

On August 12, 1959, your Honorable Body directed this office to view the premises, discuss the matter with the petitioner, and to make a further report to you.

An investigation of the premises indicates the existence of a total 20 foot easement, 10 feet thereof being in the rear of the petitioner's lot. Garages in the entire block are constructed off of the easement. The petitioner's patio is just roughed in with wood studding and has no floor and is encroaching into the entire 10 foot easement.

We find that granting the petitioner a permit to encroach the entire 10 feet of the easement would be contrary to the policy adopted by your Honorable Body regarding encroachments, but that a 4 foot encroachment will not be detrimental to the interests of the City and will conform to said policy.

We recommend the adoption of the attached resolution granting petitioner permission to encroach 4 feet into the easement.

Respectfully submitted,  
GLENN C. RICHARDS  
Commissioner

By Councilman Wise:

Resolved, That subject to the provisions below the Department of Public Works is hereby authorized and directed to issue a permit to:

Eugene Washick, No. 4545, to construct and maintain a patio encroaching 4 feet into the 10 foot easement in the rear of Lots 103 and 104 of John Stevensons Park Subdivision,