

Fort Wayne Coal and Construction Company:

PW-3621F, Amount of Bid \$3,561.00, Total Funds Required \$4,170.00.

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 changes.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:

R. S. REASON, Deputy Controller.
By Councilman Rogell:

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 the said respective lowest responsible bidders, subject to approval and confirmation of 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, Lincoln, Patrick, Rogell, Smith, Wise and President Beck—8.

Nays—None.

Department of Public Works
August 19, 1959

Honorable Common Council:

Re: Contract: PW-2878. For: Removal and Replacement of Curbs and Sidewalks. Adjusted Contract Price: \$69,522.47. Contractor: Fort Wayne Coal & Construction Company.

Re: Contract: PW-3411W. For: Alley Paving—Oakman, Ohio, Westfield, Oakman. Adjusted Contract Price: \$3,354.30. Contractor: Colwell Construction Company.

Gentlemen—This is to certify that all work required of the Contractor in the performance of this Contract 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 above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is, therefore, recommended that the total value of the work, as above stated, be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

Respectfully submitted,
DONALD B. WARD
Engineer of Test & 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 Contractor under the Contract therein named has been fully completed; and

Whereas, the completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

Adopted as follows:

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

Nays—None.

Reconsideration

Councilman Wise 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 Beck—8.

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
August 31, 1959

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Mimco Steel and Scrap Company, No. 5037, requesting the vacation of a portion of the east-west public alley east of Russell Street and north of Caniff Avenue. 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewers located in the 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 installation therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS
Commissioner

By Councilman Smith:

Resolved, That all that part of the east-west public alley, 16 feet wide, east of Russell Street and north of Caniff Avenue as platted in Oak Park Adolph Sloman's Subdivision of a portion of $\frac{1}{4}$ Section 23, 10,000 A. T. Hamtramck, Wayne County, Michigan as recorded in Liber 13, Page 34 of Plats Wayne County Records, lying north of and adjoining the north line of lots 63 to 66 both inclusive and south of and adjoining the south line of lots 83 to 86 both inclusive 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 sewers, 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 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 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, Wise and President Beck—8.

Nays—None.

Reconsideration

Councilman Wise 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 Beck—8.

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

August 31, 1959.

Honorable Common Council:

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

The conversion of the alleys into easements was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are completed. In reply to our inquiries, all City departments and privately owned utility companies reported that they will be unaffected by the changes or that they have no objections to the conversion of the alleys into easements provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in the alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

Resolved, That all that part of the north-south public alley, 20 feet wide, south of Pfont Avenue and east of Schoenherr Avenue, as platted in Maple View Park Subdivision of part of the W. $\frac{1}{2}$ of S.W. $\frac{1}{4}$ Section 1, T. 1 S., R. 12 E., Gratiot Township, Detroit, Wayne County, Michigan, as recorded in Liber 51, Page 76 of Plats Wayne County Records, lying east of and adjoining the east line of Lots 68 to 72 both inclusive, east of and adjoining the east line of the north 11 feet of Lot 67 and west of and adjoining the west line of Lot 102 of the above mentioned subdivision. (Camillo B. Tress, et al No. 4325)