

garage, driveway, building and all obstructions in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council, and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement, by the acceptance of this permission, the owners for themselves, their heirs and assigns waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owners' expense, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council, and the grantees by the acceptance of this permission, waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges, not expressly stated herein.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

February 9, 1960.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of the Star Tool and Die Works, No. 6158, requesting the vacation of a portion of the north-south public alley west of Twenty-Third Street and south of Risdon 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 sewer located on the alley to be vacated.

All 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 Wise:

Resolved, That all that part of the north-south public alley 10 feet wide, west of Twenty-Third Street and south of Risdon Avenue, lying west of and adjoining the west line of Lot 27 of

Fisher's Subdivision of the eastern part of Lots 62 and 63 Porter Farm as recorded in Liber 1, Page 38 of Plats Wayne County Records, lying west of and adjoining the west line of Lots 1 to 3 both inclusive of Mrs. May H. Gillett's Subdivision of part of Out Lot 59 Porter Farm south of Chicago Road as recorded in Liber 4, Page 70 of Plats Wayne County Records, lying west of and adjoining the west line of Lot 8 and lying west of and adjoining the west line of the north 14.14 feet of Lot 7 of John Wallace's Subdivision of part of Out Lot 59 Porter Farm as recorded in Liber 4, Page 85 of Plats Wayne County Records, also that portion of alley being a part of Lot 7 of the last mentioned John Wallace's Subdivision which was deeded to the City of Detroit on March 18, 1952 J.C.C. Page 549 described as follows: Beginning at a point in the northwest corner of said Lot 7; thence southerly along the west line of said lot a distance of 10 feet to a point; thence easterly along a line parallel to the north line of said subdivision, a distance of 10 feet to a point; thence northwesterly on a diagonal line to the point of beginning.

Be and the same are 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 buildings 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.

Adopted as follows:

Yeas—Councilmen Carey, Patrick, Rogell, Smith, Van Antwerp, Wise



and President Beck—7.  
Nays—None.

**Department of Public Works**  
February 9, 1960.

Honorable Common Council:  
Gentlemen — We are returning herewith the petition of Roy E. Boomer Family Trust, No. 5460, requesting the vacation of a portion of the east-west public alley south of Forest Avenue and east of the Grand Trunk Railroad Right-of-Way. 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 sewer located in the alley to be vacated.

All 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 Wise:

Resolved, That all of the east-west public alley, 20 feet wide, south of Forest Avenue and east of the Grand Trunk Railroad Right-of-Way, the south 15 feet of said 20 foot alley being platted in Potter's Subdivision of the south 250.43 feet of Out Lot 24, Witherell Farm, as recorded in Liber 10, Page 67 of Plats, Wayne County Records, lying south of and adjoining the south line of the east 68 feet of Lot 6, north of and adjoining the north line of Lots 8 and 9, and north of and adjoining the north line of the west 10 feet of Lot 10, all of the above mentioned subdivision, the north 5 feet of said 20 foot alley, which was deeded to the City of Detroit, said deed having been accepted on July 16, 1929, J.C.C. Page 1992, described as the southerly 5 feet of the easterly 68 feet of Lot 6 of the above mentioned Potter's 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 en-

cased 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, such mentioned to be done under the supervision and inspection of the Department of Public Works and all costs thereof to be borne by the petitioners, their successors, or assigns, and further

3) Provided, That no buildings 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;

Adopted as follows:

Yeas — Councilmen Carey, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—7.  
Nays—None.

**Purchases and Supplies**

February 16, 1960.

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. 0027

Five bids were received as a result of nine solicitations, as per tabulation for furnishing the Department of Health with Canned Citrus, Juice and Fruit.

To: Premier Distributing Corp. of Detroit—

1,667 doz. Juice, Blended Grapefruit and Orange, Unsweetened, U.S. Grade A (Fancy), No. 5 cans (46 liquid oz.). Packers Brand, Mf'd. by DeSoto or Sasson King, at \$3.65 dozen.

1,764 doz. Juice, Grapefruit, Unsweetened, U.S. Grade A (Fancy), No. 5 cans (46 liquid oz.). Packers Brand, Mf'd. by DeSoto or Sasson King, at \$3.35 dozen.

2,330 doz. Juice, Orange, Single strength, Unsweetened, U.S. Grade A (Fancy), No. 5 cans (46 liquid oz.). Packers Brand, Mf'd. by DeSoto or Sasson King at \$3.99 dozen.

154 doz. Grapefruit, U.S. Broken sections, in light syrup, min. drained wt. 27.45 oz. No. 3 cyl. Packers Brand, Mf'd. by Griffin or DeSoto at \$5.90 dozen.

This purchase totals \$22,199.25.  
Prices are firm and F.O.B. delivered.  
Terms: Net—30 days.

FILE NO. 0064

One bid was received as a result of