

into as authorized and directed by your formal proceedings dated 6-21-60:

MH-52W — Concessionaire Equipment, Convention-Exhibit-Cobo Hall-Convention Arena, O. W. Burke Company.

Respectfully submitted,  
M. F. WAGNITZ,  
City Engineer.

By Councilman Rogell:

Resolved, That contract as listed in the foregoing communication be and the same is hereby confirmed.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, 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, Patrick, Rogell, Smith, Van Antwerp, 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 July 12, 1960.

Re: Contract PW-3622F

Paving Alley Bounded by Courville, Audubon, Cornwall, and Warren.

Amount in Assessment Portion:  
\$2,853.80.

Amount in City Intersection Portion: \$745.00.

Total Amount Accepted Proposal:  
\$3,598.80.

Honorable Common Council:

Gentlemen — The Assessment Roll was based on the above Assessment Portion.

Under the provisions of the resolution authorizing the award of the Contract, any deductions from or additions to the Assessment Portion exceeding \$100.00 or one percent of the original Contract amount must be approved by the Common Council before the adjustment of such difference is applied to the City Intersection Portion.

Based on final field measurements, the following difference resulted between the estimated cost of the work in Assessment Portion of the accepted Proposal and that actually constructed:

Deduction of \$306.00, or 11 percent of Assessment Portion of the Construction cost.

It is recommended that the Assessment Portion of the construction costs

remain unchanged from the original amount in the accepted Proposal and that the adjustment of the above difference be made in the City Intersection Portion.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Smith:

Resolved, That the Assessment Portion of the construction costs for the paving included in the above Contract remain unchanged from the original amount in the accepted Proposal, and that the adjustment of the difference described in the foregoing communication be made in the City Intersection Portion.

Adopted as follows:

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

Nays—None.

#### Reconsideration

Councilman Patrick 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, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—8.

Nays—None.

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

The regular order was resumed.

#### Department of Public Works July 12, 1960.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Boulevard Transfer Company, No. 6500, requesting the vacation of the north-south public alley and a portion of the east-west public alley east of Vermont Avenue and north of Mack Avenue.

The vacation of said alleys 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.

As per our directive, the petitioner deposited with the City Treasurer the sum of \$85.00, Receipt No. C-658, credited to the Public Works Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the south one-half of Kirby Avenue (now Edsel Ford Expressway Service Drive) at the intersection of the alley to be vacated.

The petitioner requested that the paved alley return at the entrance to the alley to be vacated remain in its present status as the petitioner plans to utilize same and has agreed



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by letter filed with the original petition to pay all costs incidental to the removal of the retruns at such time in the future as the removal of the return becomes necessary.

Proper provisions have been incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alleys 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 Smith:

Resolved, That all of the north-south public alley, 10 feet wide, east of Vermont Avenue and north of Mark Avenue, as platted in Subdivision of Lot 1 of the Subdivision of the Lafferty Farm, north of Grand River Road, as recorded in Liber 1, page 230 of plats, Wayne County Records, lying east of and adjoining the east line of Lot 13 of the above mentioned Subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of Vermont Avenue and north of Mark Avenue, as platted in the Subdivision of William B. Wesson's Section of the Thompson Farm, north of Grand River Road, as recorded in Liber 1, page 31 of plats, Wayne County Records, lying north of and adjoining the north line of Lot 164 and lying south of and adjoining the south line of Lot 176 of the above mentioned Subdivision;

Be and the same are hereby vacated as 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 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 City Engineer 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, 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 repair of said broken sewer; and further.

Resolved, That at any time in the future the removal of the paved alley return at the entrance to the vacated alley becomes necessary, the entire cost of such removal shall be paid by the Boulevard Transfer Company, its executors, heirs, administrators, or assigns.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

July 11, 1960.

Honorable Common Council:

Gentlemen—We return herewith Petition No. 7604 of the St. Joseph Mercy Hospital of Detroit, requesting permission to build privately, at their own expense, a lateral sewer to serve the Mount Carmel Mercy Hospital located at 6071 W. Outer Drive.

The proposed lateral sewer would be built privately in lieu of an assessed sewer and would be built in Lesure from Santa Maria to W. McNichols.

The Mount Carmel Mercy Hospital at present has temporary connections, at four different locations, to the existing lateral sewer system to the south. The existing laterals are inadequate to handle the present hospital drainage, which has resulted in flooded basements in the area bounded by W. McNichols, Santa Maria, Schaefer, and Ardmore.

The hospital would relocate their existing drainage on their property to outlet into the proposed private sewer, at their own expense, thus eliminating basement flooding due to overloaded laterals. The proposed private lateral, built in lieu of an assessed sewer, would provide sufficient capacity for the existing drainage and for the proposed and future expansion of the hospital.

We recommend that the petition be granted in accordance with the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Smith:

Resolved, That the Department of Public Works be and is hereby au-