

pend 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, Youngblood and President Beck—9.

Nays—None.

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

The regular order was resumed.

Department of Public Works

July 17, 1961.

Honorable Common Council:

Gentlemen—The low bid for Lateral Sewer No. 7053 (Contract PW-3961) in Filer—Iowa to 260 feet N.; in Iowa—Filer to Mt. Elliott, has been accepted by your Honorable Body on June 20, 1961. The cost of this sewer has been assessed against the abutting properties as set forth on Lateral Sewer Assessment Roll B-130.

A notice of the completion of this roll was published in the Detroit Legal News on June 29, 1961 as prescribed by ordinance. No protest against these assessments have been received. We, therefore, recommend that Assessment Roll B-130 be confirmed.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Carey:

Resolved, That Lateral Sewer Assessment Roll B-130, in the amount of \$4,107.00 for defraying the cost of constructing Lateral Sewer 7053 (Contract PW-3961), be and the same is hereby approved and confirmed.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.

Reconsideration

Councilman Connor 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, Youngblood and President Beck—9.

Nays—None.

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

The regular order was resumed.

Department of Public Works

July 13, 1961.

Honorable Common Council:

Gentlemen—We are returning here-

with the petition of James L. Cullen et al, No. 10060, requesting the vacation of the alley south of Perry Avenue, west of the John C. Lodge Expressway Service Drive. 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.

As per our directive, the petitioner paid into the City Treasurer the sum of \$118.85, Receipt No. A-2210, credited to the Public Works Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the south ½ of Perry Avenue 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 by letter filed with the original petition to pay all costs incidental to the removal of the return 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 sewer 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 installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Carey:

Resolved, That all of the north-south public alley, 17 feet wide, south of Perry Avenue, west of the John C. Lodge Expressway Service Drive, as platted in Block 17 of the Plat of F. J. B. Crane's Subdivision of Part of Blocks 17 and 20, Labrosse Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 252 of Deeds, Wayne County Records, lying east of and adjoining the east line of Lot 6, west of and adjoining the west line of Lots 1 to 4, both inclusive, and west of and adjoining the west line of the north 15.50 feet of Lot 5, 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 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, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.

Department of Public Works

July 12, 1961.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated below:

MH-67, Sign-Henry & Edsel Ford Auditorium, Long Sign Co., 6-13-61.

PD-22, Parking Lot-Eleventh Precinct Police Station, Ajax Asphalt Paving Company, 6-27-61.

Respectfully submitted,

CLYDE L. PALMER,
City Engineer.

By Councilman Van Antwerp:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.

Reconsideration

Councilman Smith 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, Youngblood and President Beck—9.

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 7, 1961.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Cyril T. Mitchell, Number 10062, requesting the vacation of a portion of Santa Maria Avenue right-of-way between McIntyre and Northrop Avenues. The vacation of said portion of right-of-way 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.

All City departments and privately owned utility companies reported that they will be unaffected by the vacation of said portion of street right-of-way.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all that part of Santa Maria Avenue right-of-way, as deeded for street purposes, being in fact a part of Lot 72 of Oak Grove Subdivision of Part of the S.E. ¼ of Section 9, T1S, R10E., Redford Village (now City of Detroit,) Wayne County, Michigan as recorded in Liber 29 of Plats, Page 11, Wayne County Records, more particularly described as follows: Beginning at the southeast corner of Lot 70 of the above mentioned Oak Grove Subdivision; thence northeasterly along the east line of said Lot 70, 14.60 feet to the south line of Lot 73 of said Oak Grove Subdivision; thence southeasterly along the south line of said Lot 73, 35.96 feet to a point; thence northwesterly along a line to the place of beginning, be and the same is hereby vacated as a public street to become a part and parcel of the adjoining property.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.