

that the contract be awarded to the low bidder Greenfield Construction Company, Incorporated, in the amount of \$1,489,000.00.

In addition to the contract price, it is estimated that \$220,000.00 will be required to cover the cost of advertising, inspection, and possible minor changes, making the total funds required \$1,709,000.00 which are available in Account 925-9233-956.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:
H. P. DOWLING,
Controller.

By Councilman Youngblood:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract for the West End Relief Sewer—Section I, Vernor to Dix, Contract PW-3955, with Greenfield Construction Company, Incorporated, in the amount of \$1,489,000.00; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented, the vouchers to include the cost of advertising, inspection, and possible minor changes, as well as the contract costs, and charge them to Account 925-9233-956.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 6, 1961.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of Robert F. Bayer, et al, No. 10436, requesting the conversion into an easement of the alley located south of Moross Road between Peerless and Marne Avenues.

The conversion of said alley into an easement was approved by the City Plan Commission at an earlier date.

We wish to advise that our investigations are complete. In reply to our inquiries, all City departments and privately owned utility companies reported that they will be unaffected by the change or that they have no objection to the conversion of the alley into an easement, provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in said alley.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Youngblood:

Resolved, That all of the east-west public alley, 20 feet wide, south of Moross Road, between Marne and Peerless Avenues, as platted in Park Drive Subdivision No. 4 of part of Private Claim 123, City of Detroit, Wayne County, Michigan, as recorded in Liber 54, page 11 of Plats, Wayne County Records, lying south of and adjoining the southerly line of Lots 1592 to 1603, both inclusive, lying north of and adjoining the northerly line of Lots 1604 and 1591, and north of and adjoining the northerly line of the 18.00 foot public easement lying between Lots 1604 and 1591, all of the above mentioned Subdivision,

Be and the same is vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations, and regulations which shall be observed by the owners of the lots abutting on said alley and by their grantees and assigns, and their heirs, executors, administrators, and assigns forever, to-wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley hereinabove described for the purpose of installing, maintaining, repairing, removing, or replacing any sewer, conduit, telephone, telegraph, electric light or other poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purposes above set forth;

Second, said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built upon said easement;

Third, that if at any time in the future the owners of any lots abutting on said vacated shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners upon whose property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 8, 1961.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition

of Union Steel Stamp and Die Engravers, Inc., No. 10199, requesting the vacation of Oakley Avenue west of Mt. Elliott Avenue. The vacation of said street was approved by the City Plan Commission in its communication to your Honorable Body on June 2, 1961.

We wish to advise that our investigations are completed.

The petitioner deposited with the City Treasurer the sum of \$398.45, Receipt No. B-13017, credited to the Street Maintenance Fund Code No. 143 (6241), said amount being the original cost of paving the west one half of Mt. Elliott Avenue at the intersection of Oakley Avenue to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the existing sewers located in Oakley Avenue to be vacated.

The petitioner requested that the street return at the entrance to the street 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.

All other City departments and privately-owned utility companies reported that they will be unaffected by the vacation of said street; 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 Youngblood:

Resolved, That all that part of Oakley Avenue, 30 feet wide, between the west line of Mt. Elliott Avenue and the east line of the alley first west of Mt. Elliott Avenue, as platted in the Thomas Bros. Oakley Heights Subdivision of the N. ½ of the N.W. ¼ of the S.W. ¼ of Section 4, T.1 S., R. 12 E., Hamtramck Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 37, Page 11 of Plats, Wayne County Records, lying south of and adjoining the southerly line of the westerly 126.19 feet of Lot 170 of the above-mentioned Subdivision.

Be and the same is hereby vacated as a public street 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 street, 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 street, if built upon, shall break causing damage to any construction above, the petitioners 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, and further

Resolved, That at any time in the future the removal of the street return becomes necessary, the entire cost of such removal shall be borne by the Union Steel Stamp and Die Engravers, Inc., their heirs, executors, administrators and assigns.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 7, 1961.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Harry B. Aronow, et al, No. 10319, requesting the vacation of a portion of the north-south public alley, 20 feet wide, west of Widman Place and north of Trombley 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.

As per our directive, the petitioner deposited with the City Treasurer the sum of \$163.48, Receipt No. B-13016, credited to the Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the north one half of Trombley Avenue, at the intersection of the alley to be vacated.