

concrete driveway, which will encroach 10 feet into the 10-foot easement.

Mr. Snead has a 9-foot easement located at the side of his lot. He plans to utilize this space for construction of a side drive for his garage. There are no obstructions located near said easement.

We find that granting the petitioners' requests would not be detrimental to the interests of the City and an appropriate resolution granting same is attached for your Honorable Body's adoption.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Carey:

Resolved, That the Department of Public Works is hereby authorized and directed to issue permit to:

Mrs. Peter Schwaller, No. 10388, to construct a garage encroaching 3.97 feet into the 3.97-foot easement in the rear of Lot 821 of Yorkshire Woods Subdivision No. 4, located on the west side of Alstead Avenue south of Moross Avenue, commonly known as 18959 Alstead Avenue;

Jacob Rabb, No. 10572, to construct a concrete driveway encroaching 10 feet into the 10-foot easement located at the side of Lot 202 of Diegel's Homestead Park Subdivision located on the south side of Young Avenue west of Hayes Avenue, commonly known as 15090 Young Avenue;

Charles M. Snead, Jr., No. 10573, to construct a concrete driveway encroaching 9 feet into the 9-foot easement located at the side of Lot 195 of C. W. Harrah's Redford Subdivision, located on the west side of Braille Avenue, south of Clarita Avenue, commonly known as 18509 Braille Avenue,

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded by and at the permittee's expense in the Office of the Register of Deeds for Wayne County, and further

Provided, That no right in the public easement shall be considered waived by this permission which is granted expressly on the condition that the garage, driveway, building and all obstruction 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 Depart-

ment 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, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.

Nays—None.

Department of Public Works

June 30, 1961.

Honorable Common Council:

Gentlemen—We wish to advise that in carrying out the Neighborhood Betterment Plan in the Mack-Concord Conservation Project Michigan R-1, the Detroit Housing Com'n. (10884), has requested the vacation of portions of Baldwin and Seyburn Avenues north of Sylvester Avenue, and certain alleys north of Sylvester Avenue, between Baldwin and Seyburn Avenues. The vacation of said streets and alleys was approved by the City Plan Commission, with the recommendation that sufficient land be set aside for a new street outlet between Baldwin and Seyburn Avenues. 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. In reply to our inquiries, all City departments and privately-owned utility companies reported that they will be unaffected by the vacation of said streets and alleys, provided easements for public utilities are reserved for underground installations in Seyburn Avenue and a portion of east-west alley west of Seyburn Avenue that are to be vacated.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Carey:

Resolved, That all that part of Baldwin Avenue, 66 feet wide, north of Sylvester Avenue as platted in E. C. VanHusan's Subdivision of the Easterly 61.07 Acres of P.C. 16 between Mack and Gratiot Avenues, City of Detroit and Township of Hamtramck, Wayne County, Michigan, as recorded in Liber 11, Page 65 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 35 to 49, and east of and adjoining the east line of the south 15.40 feet of Lot 50, all of the above-mentioned Subdivision; also

All that part of the east-west public alley, 18 feet wide, north of Syl-

vester Avenue, and east of Baldwin Avenue, which was deeded for alley purposes on November 27, 1906, J.C.C. Page 1329, being more particularly described as the north 18 feet of Lot 1 of William C. Engel's Subdivision of part of Back Concession of P.C. 390, City of Detroit, Wayne County, Michigan, as recorded in Liber 20, Page 11 of Plats, Wayne County Records,

Be and the same are hereby vacated as a public street and alley to become a part and parcel of the adjoining property, and further

Resolved, That all that part of the north-south public alley, 18 feet wide, north of Sylvester Avenue, east of Baldwin Avenue, as platted in William C. Engel's Subdivision of Part of Back Concession of P.C. 390, City of Detroit, Wayne County, Michigan, as recorded in Liber 20, Page 11 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 2 to 11, both inclusive, east of and adjoining the east line of the north 18 feet of Lot 1, west of and adjoining the west line of Lots 36 to 45, both inclusive, and west of and adjoining the west line of the north 18 feet of Lot 46, 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:

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

Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipes of the same size, rerouted or enclosed 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

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

Provided, That in the event that the sewer located in said alley, 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 all that part of Seyburn Avenue, 66 feet wide, north of Sylvester Avenue, of which the north 330 feet of the west 33 feet of said street was platted in William C. Engel's Subdivision of Part of Back Concession of P.C. 390, City of Detroit, Wayne County, Michigan, as recorded in Liber 20, Page 11 of Plats, Wayne County Records, lying east of and adjoining the east line of Lots 36 to 46, both inclusive, all of the above-mentioned Subdivision; the south 147 feet of the west 33 feet of said Seyburn Avenue which was deeded for street purposes on November 27, 1906, J.C.C. Page 1329, being in fact the easterly 33 feet of that part of the west half of P.C. 390 bounded as follows:

On the west by the easterly line of Baldwin Avenue; on the north by the southerly line of William C. Engel's Subdivision of part of the west half Back Concession P.C. 390 extended easterly to the centerline of P.C. 390; on the east by the centerline of said P.C. 390 and on the south by the northerly line of Sylvester Avenue; the north 243.12 feet of the east 33 feet of said Seyburn Avenue, which was platted in Rindskoff's Van Dyke Avenue Subdivision of part of P.C. 390, City of Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 67 of Plats, Wayne County Records, lying west of and adjoining the west line of Lots 21 to 27 both inclusive and west of and adjoining the west line of the south 25.97 feet of Lot 28, all of the above-mentioned Rindskoff's Subdivision; the south 233.96 feet of the east 33 feet of said Seyburn Avenue which was condemned for street purposes on December 22, 1908, J.C.C. Page 1649, being in fact all that part of P.C. 390 described as follows: Commencing at the intersection of the intersection of the easterly line of Seyburn Avenue as proposed to be opened with the northerly line of Sylvester Avenue; thence N. 27d. 3m. 00s. W. 233.96 feet; thence S. 62d. 00m. 00s. W. 35 feet; thence S. 27d. 03m. 00s. E. 232.74 feet; thence N. 64d. 00m. 00s. W. 33.02 feet to the place of the beginning.

Also, all that part of the east-west public alley 18 feet wide, north of Sylvester Avenue, west of Seyburn Avenue, which was deeded for alley purposes on November 27, 1906, J.C.C. Page 1329, said alley being in fact the north 18 feet of Lot 46 of William C. Engel's Subdivision of part of Back Concession of P.C. 390, City of Detroit, Wayne County, Michigan, as recorded in Liber 20, Page 11 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public street and alley, subject to the following reservations:

1) Underground easements are hereby reserved within the right-of-way of said street and alley hereinabove described for public utility purposes.

2) The right of ingress and egress to and over said easements for the purpose of installing, maintaining, repairing, removing, or replacing public utilities.

3) Public utilities shall not be installed on surface but only underground and no buildings or structures of any nature whatsoever (except necessary fence lines) shall be built or placed upon said easements; and further

Resolved, That Lots 12, 13, 34, and 35 of William C. Engel's Subdivision of part of Back Concession of P.C. 390, City of Detroit, Wayne County, Michigan, as recorded in Liber 20, Page 11 of Plats, Wayne County Records, be and the same are hereby allocated for street purposes.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.
Nays—None.

Department of Public Works
July 7, 1961.

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated 6-6-61: PW-3962—Concrete & Structural Repairs—E. Grand Boulevard Bridge over G.T.R.R., Barton - Harbourne Company.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

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

Adopted as follows:
Yeas—Councilmen Carey, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood 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, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—8.
Nays—None.

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

The regular order was resumed

Department of Public Works
July 6, 1961.

Honorable Common Council:
Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by

your formal proceedings dated 6-20-61:

Alley Paving in Block Bounded By: PW-3851F—Pinehurst, Iene, McNichols, Santa Maria, A. J. Smith Contracting Company, Incorporated.

PW-3852F—Monica, Livernois, Chalfonte, Ellsworth, A. J. Smith Contracting Company, Incorporated.

PW-3855F—Burnette, Livernois, Linsdale, A. J. Smith Contracting Company Incorporated.

PW-3857F—Livernois, Nardin, Tuxedo, Elmhurst, A. J. Smith Contracting Company, Incorporated.

PW-3858F—Prest, Audrey, Norfolk, Eight Mile, A. J. Smith Contracting Company, Incorporated.

PW-3860F—Westbrook, Blackstone, Seven Mile, Cambridge, A. J. Smith Contracting Company Incorporated.

PW-3854F—Monica, Livernois, Burlingame, Webb, John Carlo, Inc.

PW-3856F—Carbondale, Military, Linsdale, Livernois, A. N. Marando & Son.

PW-3859F—Stoepel, Livernois, Cortland, Fullerton, A. N. Marando & Son.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Connor:

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

Adopted as follows:
Yeas—Councilmen Carey, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood 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, Rogell, Smith, Van Antwerp, Youngblood and President Beck—7.
Nays—None.

Councilman Van Antwerp 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—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated 6-20-61: PR-155—Service Building, Rouge Park, R. Stewart Co., Inc.

Respectfully submitted,
CLYDE L. PALMER,
City Engineer.

By Councilman Connor:
Resolved, That contract as listed in the foregoing communication be and