

Department of Public Works

October 2, 1961.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Dominic Severini, No. 10950, requesting the vacation of a portion of Old Harper Avenue west of Bedford Avenue. The area of street right-of-way that the petitioner wishes to have vacated is no longer used for street purposes as it has been replaced by a new Harper Avenue which was built as a part of the Edsel Ford Expressway. The vacation of said portion of old Harper Avenue 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 said portion of street right-of-way to be vacated.

The Department of Water Supply has existing water mains of 24-inch and 8-inch size in the portion of Harper Avenue to be vacated and will have no objection to the vacation provided this Department is granted an easement over the entire portion of the street to be vacated. This resolution should provide that no structures of any nature be built over the easement so that this Department may have easy access to the mains for the purpose of maintaining, repairing, replacing or removing the water mains or its appurtenances.

The petitioner has agreed to substantially develop the vacated portion of street right-of-way as per Drawing No. 61-8, dated July 5, 1961, prepared by J. P. Noble, Consulting Engineer, a copy of which is filed with the original petition.

All other City Departments and privately owned utility companies reported that they will be unaffected by the vacation of said portion of street right-of-way 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 Rogell:

Resolved, That all that part of old Harper Avenue, 86 feet wide, west of Bedford Avenue as platted in East Detroit Development Company's Subdivision No. 2 of part of Private Claim 379, Gratiot Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 86, page 20 of Plats Wayne County Records and Morang's Three Mile Drive Annex being a Subdivision of part of Lot 71 of Plat of Subdivision of

the Back Concession of Private Claims 262 and 272, Gratiot Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 47, page 72 of Plats Wayne County Records, being more particularly described as follows: "Beginning at the southeasterly corner of Lot 48 of said Morang's Three Mile Drive Annex Subdivision, thence westerly along the northerly line of Harper Avenue, 86 feet wide, 124.00 feet to the southwesterly corner of Lot 43 of said Morang's Three Mile Drive Annex Subdivision; thence southeasterly along a line to a point in the southerly line of said Harper Avenue, 86 feet wide, said point also being in the northerly line of Lot 1379 of East Detroit Development Company's Subdivision No. 2, 8.48 feet westerly from the northeasterly corner of said Lot 1379 of East Detroit Development Company's Subdivision No. 2; thence easterly along the southerly line of said Harper Avenue, 86 feet wide, 49.78 feet to a point; thence along a line N. 53d 43m 10s E., 43.50 feet to a point in the easterly line of Lot 48 of Morang's Three Mile Drive Annex Subdivision extended southerly; thence northerly along the easterly line of said Lot 48 of Morang's Three Mile Drive Annex Subdivision extended southerly to the point of beginning", 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 assigned; and further

3) Provided, That no building 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 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; and further

5) Provided, An easement or right-of-way the full width of portion of Harper Avenue to be vacated is hereby reserved for the purpose of maintaining, repairing, replacing or removing of the presently installed water mains; and further

6) Provided, No building or structures shall be constructed over said easements unless prior approval is obtained from the Department of Water Supply; and further

Resolved, That the petitioner, his successor, heirs or assigns substantially develop the vacated portion of street right-of-way as per Drawing No. 61-8, dated July 5, 1961, prepared by J.P. Noble, Consulting Engineer, a copy of which is filed with the original petition; and further

Resolved, That no curb cuts be made in relocated Harper Avenue for ingress or egress to the portion of vacated old Harper Avenue.

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 14, 1961.

Honorable Common Council:

Gentlemen—Your Honorable Body authorized the acquisition by condemnation of a right-of-way across land owned by the Detroit and Toledo Shore Line Railroad Company, (J.C.C., 1804, '60), for the purpose of establishing a discharge conduit to serve the Oakwood Pumping Station.

During the course of the contemplated condemnation, negotiations were conducted with the Railroad Company through the office of our Corporation Counsel. These negotiations have resulted in the consummation of a right-of-way agreement that is satisfactory in its terms to accomplish the sewer construction. The agreement has been approved by the Corporation Counsel as to form and execution.

Therefore, it is my recommendation that your Honorable Body approve this agreement in lieu of the proposed condemnation. The following resolution is submitted herewith for your consideration in this matter.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That the Corporation Counsel be and is hereby directed to discontinue condemnation proceedings in the matter of acquisition of permanent and temporary construction rights-of-way for storm sewer purposes (Oakwood Pumping

Station); and be it further

Resolved, That right-of-way agreement with the Detroit and Toledo Shore Line Railroad Company, a Michigan Corporation, setting forth the terms for the construction of the Oakwood Pumping Station discharge conduit under the tracks and roadbed of the Shore Line be and 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.

Purchases and Supplies

October 3, 1961.

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. 1953

One bid was received as a result of six solicitations, for furnishing the Election Commission with Printing, Instruction Ballots and Labels.

To: Safran Printing Company of Detroit—

3,435 Only—Voting Machine Labels at \$5,955.75 Lot.

2,290 Only—Precinct Instruction Ballots at \$368.54 Lot.

10,000 Only—Sample Voting Machine Instruction Ballots, at \$435.00 Lot.

This purchase totals \$6,759.29.

Prices are Firm and F.O.B. Vendor's Plant, except Voting Machine Instruction Ballots which is F.O.B. delivered.

Terms: 1%—30 Days.

FILE NO. 1960

One bid was received as a result of four solicitations, for furnishing the Department of Health with Fruits and Vegetables, Fresh and Frozen.

Items and prices as are on file in the Office of the City Clerk.

To: Cusumano Bros. of Detroit—

28 Items—All to be U.S.D.A. Graded except Frozen Foods for delivery October 5 through October 11, 1961.

This purchase totals approx. \$1,200.00.

Prices are Firm and F.O.B. delivered.

Terms: Net—30 Days.

FILE NO. 1898

Three bids were received as a result of seventeen solicitations, as per tabulation for furnishing the Housing Commission with Insurance, Owners', Landlords', and Tenants' for Project Mich. R-35 for a period of 1 Year starting September 29, 1961 and ending September 29, 1962.

To: Edwin S. Karrer, Inc. of Detroit—Insurance, Owners', Landlords', and