

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 streets, 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.

Adopted as follows:

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

Nays—None.

Department of Public Works

August 14, 1961.

Honorable Common Council:

Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

PW-3776F, Alley Paving, Chatham, Outer Drive, Elmira, Plymouth. A. N. Marando & Sons, Adjusted Contract Price, \$2,462.15.

PW-3806W, Alley Paving, Schaefer, Hartwell, Schoolcraft, Compass. A. N. Marando & Son, Adjusted Contract Price, \$2,746.00.

DONALD B. WARD,
Engineer of Tests & Inspection.

CLYDE L. PALMER,
City Engineer.

GLENN C. RICHARDS,
Commissioner of Public Works.

By Councilman Patrick:

Whereas, From the foregoing communication, it appears that all work required to be performed by the Contractors under the contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the terms and conditions of said contracts by the Department of Public Works; therefore be it

Resolved, That the said contracts be and are hereby accepted.

Adopted as follows:

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

Nays—None.

Reconsideration

Councilman Rogell 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, Wise, Youngblood 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

August 16, 1961.

Honorable Common Council:

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

PW-3939, Demolition of Building, 971-5 Benton, Moon Wrecking Co., Award Authorized 8161.

PW-3959, Curtis Relief Arm, James Couzens to West of Steel, J. Mancinelli Excavating Co., Inc., Award Authorized, 7-25-61.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Smith:

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, Wise, Youngblood 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, Wise, Youngblood and President Beck—8.

Nays—None.

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

The regular order was resumed.

Department of Public Works

August 15, 1961.

Honorable Common Council:

Gentlemen — We are returning

herewith the petition of Walter T. Kostere, et al, No. 8487, requesting the vacation of certain alleys east of Grandview Avenue between Eight Mile Road and Shiawassee Avenue. The vacation of said alleys was approved by the City Plan Commission with the recommendation that the petitioner deed to the City a new alley outlet into Shiawassee Avenue. 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 the alleys to be vacated.

We are in receipt of a Warranty Deed from the petitioner to the City of Detroit deeding land for a new alley outlet. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

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 that part of the eastwest public alley, 26 feet wide, east of Grandview Avenue between Eight Mile Road and Shiawassee Avenue as platted in Banks Subdivision of part of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 10 E., City of Detroit, Wayne County Michigan, as recorded in Liber 82, Pages 42 and 43 of Plats Wayne County Records, lying south of and adjoining the south line of Lots 1 and 2, south of and adjoining the south line of the west 14.00 feet of Lot 3, north of and adjoining the north line of the west 68.00 feet of Lot 16 and north of and adjoining the north line of the 26 foot north-south alley adjoining the west line of said Lot 16 all of the above mentioned subdivision.

Also all of the north-south public alley, 26 feet wide, east of Grandview Avenue between Eight Mile Road and Shiawassee Avenue as platted in said Banks Subdivision, as recorded in Liber 82, Pages 42 and 43 of Plats Wayne County Records, lying west of and adjoining the west line of Lot 16 of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys 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 alleys, the City of Detroit does not waive any rights to the sewers located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewers to repair, alter, or service same, and further

2) Provided, That if a building is to be constructed over said sewers, the sewers shall be replaced with cast iron pipe of the same size, re-routed 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 sewers 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 sewers located in said alleys, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit building over said sewers, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewers; and further

Resolved, That the Warranty Deed of Walter T. Kostere and Shirley M. Kostere, his wife, deeding land to the City of Detroit for alley purposes, said land being described as: The easterly 26.00 feet of Lot 16 of Banks Subdivision of part of the N.E. $\frac{1}{4}$ of Section 5, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 82, Page 42 and Page 43 of Plats Wayne County Records.

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County.

Adopted as follows:

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