

We recommend the adoption of the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Beck:

Resolved, That all that part of Marcy Avenue, 40 feet wide, west of the John C. Lodge Expressway Service Drive, as platted in the Plat of Dickenson's Section of the Labrosse Farm, being Lot 22, and the Eastern part of Lot 23 North of Grand River, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 124, of Plats, Wayne County Records, lying between a line extended from the southwest corner of Lot 56 to the northwest corner of Lot 55, and a line extended from a point in the southerly line of Lot 56, 40.00 feet easterly from the southwest corner of said Lot 56 and a point in the northerly line of Lot 55, 22.00 feet easterly from the northwest corner of said Lot 55, all 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, and further

Resolved, That all that part of the public alley, 16 feet wide, northerly of Grand River Avenue between Hobson and the John C. Lodge Expressway Service Drive as platted in Albert Crane's Subdivision of the West part of Outlot 23 and the East part of Outlot 24 Labrosse Farm North of Grand River, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 2 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 14 to 26 both inclusive, east of and adjoining the easterly line of the southerly 12.00 feet of Lot 27 and east of and adjoining the easterly line of the northerly 10.4 feet of the vacated alley lying southerly of Lot 14 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 street and 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 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 well 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 petitioner, 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 and 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 Beck, Brickley, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

Department of Public Works

January 10, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Frito-Lay Incorporated, No. 11028, requesting the vacation of a portion of the north-south public alley, 15 feet wide, west of Grandy and north of Hendrie 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 have been completed.

As per our directive, the petitioner deposited with the City Treasurer the sum of \$121.10, Receipt No. A-27592, credited to the Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving the north one-half of Hendrie 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 becomes necessary.

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 Beck:

Resolved, That all that part of the north-south public alley, 15 feet wide, west of Grandy Avenue and north of Hendrie Avenue, as platted in



Charles C. Hopkin's Subdivision of Block 24, Chene Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 8, Page 6 of Plats, Wayne County Records, lying west of and adjoining the west line of Lots 8 to 12 both inclusive, west of and adjoining the west line of the south 20 feet of Lot 7 and east of and adjoining the east line of Lot 13, 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; and further

Resolved, That at any time in the future the removal of the paved alley return at the entrance of the vacated alley becomes necessary, the entire costs of such removal shall be paid by Frito-Lay Incorporated, its heirs, executors, administrators, or assigns.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

**Department of Public Works**

January 10, 1962.

Honorable Common Council:

Gentlemen — On December 26, 1961, JCC Page 2689, a Common Council Resolution was approved to make a special assessment roll in the amount of \$802.31 charging the property of Robert Cavanaugh, Jr. at 18156 Heyden for cost of repairing a sewer cave-in.

Investigation of these costs disclosed that the half-day charge of moving the men, foreman and equipment to the job location; also the charge for a night watchman for four shifts to protect the city's equipment were included in the assessment of \$802.31 in error.

We feel that these charges totaling \$242.34 should not be assessed to the debtor as they are not part of the actual cost of repairing the sewer.

We, therefore, request that an adjustment of \$242.34 be made to the special assessment amount of \$802.31 reducing the special assessment to \$559.97, as provided in Section 5, Chapter 195 of the Compiled Ordinances of 1954, as amended.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

By Councilman Beck:

Resolved, That the Board of Assessors be and is hereby authorized to reduce the special assessment roll as authorized on December 26, 1961, JCC Page 2689 from the amount of \$802.31 to the amount of \$559.97.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

**Department of Public Works**

January 12, 1962.

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 except items specifically listed unpaid. The Surety for each Contractor has given written consent to final payment notwithstanding such unpaid items.

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.

Alley Paving—

PW-4002F, Coyle, Lauder, Fenkell, Keeler, Hartwell Construction Co., Inc., Adjusted Contract Price, \$5,134.55.

PW-4008W, Rangoon, Livernois, Barton, Diversey, A. N. Marando and Son, Adjusted Contract Price, \$7,286.20.

DONALD B. WARD,  
Engineer of Inspection.

CLYDE L. PALMER,  
City Engineer.

GLENN C. RICHARDS,  
Commissioner.

**Department of Public Works**

January 12, 1962.

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, less the total amounts previously paid on all progress payments, 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.