

**Department of Public Works**

February 6, 1962.

Honorable Common Council:

Gentlemen — Contract PW-3951 is for the West McNichols Relief Arm, Hubbell to Lesure. Fattore Company, Inc., is the Contractor. The Contract price is \$132,000.00.

All work under the Contract, with the exception of permanent pavement replacement and lawn restoration, has been completed, and the sewer is now in operation. The uncompleted work cannot be properly done until weather conditions are suitable. The value of the work fully completed and acceptable is \$130,689.00.

The Contractor has now requested that the amount being retained from progress payments, in accordance with the Contract provisions, be reduced from the \$6,600.00 presently held. The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

In view of the above, it is respectfully recommended that the amount retained on subsequent progress payments be reduced to \$2,500.00.

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

Approved:

G. J. SAAM,

Deputy Controller.

By Councilman Patrick:

Resolved, That in future progress payments to the Contractor on Contract PW-3951, West McNichols Relief Arm, Hubbell to Lesure, the amount retained from the value of completed work be \$2,500.00 in accordance with the foregoing communication; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers for progress payments based on the retention of said amount of \$2,500.00.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

**Reconsideration**

Councilman Beck 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 Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

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

The regular order was resumed.

**Department of Public Works**

February 7, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 11347, requesting the vacation of Vassar and Frisbee Avenue west of Berg Road, and the 25-foot east-west public alley south of Frisbee Avenue west of Berg Road. The vacation of said streets and 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 issued a Purchase Order No. 78259, in the amount of \$1,990.00, in favor of the Department of Public Works, Street Maintenance Division, to cover the costs of removing the concrete street returns, constructing new curb and walk, and backfilling where necessary.

The petitioner also issued a Purchase Order No. 78260, in the amount of \$1,152.52, in favor of the Department of Public Works, Street Design Bureau, said amount being the original cost of paving the streets at the intersection of the streets to be vacated.

Proper provisos are incorporated into the vacating resolution, protecting the City's interests in the sewers located in the street to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by said vacations, 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 of Vassar Avenue, 50 feet wide west of Berg Road, which was deeded for street purposes on August 14, 1919, being more particularly described as follows: Beginning at a point distant N. 1d 54m W., 1234.15 feet and S. 88d 06m W. 33.00 feet from the S.E. corner of the S.W. ¼ of Section 4, T. 1 S., R. 10 E., thence S. 88d 06m W., 1185.52 feet to the center of the Rouge River; thence N. 1d 54m W., 50.00 feet; thence N. 88d 06m E., 1185.52 feet; thence S. 1d 54m E., 50.00 feet to the place of beginning;

Also, all of the east-west public alley, 25 feet wide, south of Frisbee Avenue, west of Berg Road, which was deeded for alley purposes on January 15, 1926, being in fact the southerly 25.00 feet of Lots 11 to 16, both inclusive, of Leslie Heights Subdivision of part of the east one-half of the S.W. ¼ of Section 4, T. 1 S., R. 10 E., Redford Township (now City of De-

troit), Wayne County, Michigan, recorded in Liber 40, Page 5 Wayne County Records;

Be and the same are hereby vacated as a public street and alley a part and parcel of the property; and further

Resolved, That all of Frisbee Avenue, 50 feet wide, west of Berg Road, as platted in Leslie Heights Subdivision of part of the east one-half of the S.W. ¼ of Section 4, T. 1 S., R. 10 E., Redford Township of Detroit), Wayne County, Michigan, as recorded in Liber 40, Page 1, Wayne County Records, south of and adjoining the line of Lots 1 to 6, both south of and adjoining the line of Lot 8, and lying north of and adjoining the line of Lots 11 to 16, both north of and adjoining the line of Frisbee Avenue, 66 feet wide, all of the above mentioned

Also, all that part of Frisbee Avenue, 66 feet wide, south of and adjoining the line of Frisbee Avenue, 66 feet wide, as platted in Leslie Heights Subdivision of part of the east one-half of Section 4, T. 1 S., R. 10 E., Redford Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 40, Page 1, Wayne County Records, south of and adjoining the western line of Lot 16, of the above mentioned division;

Be and the same is hereby vacated as a public street and parcel of the adjoining property, subject to the following:

1) Provided, That by the vacation of the above streets, the City of Detroit waive any rights to the same therein and at all times the right to enter upon the same if found necessary, on account of sewers to repair, alter, or and further

2) Provided, That if to be constructed over the sewers shall be provided as specified by the City of Detroit, under the supervision of the Department of Public Works, and all costs entailed to the petitioners, their assigns; and further

3) Provided, That the same shall be constructed over the sewers without the prior approval of the City Engineer and the Department of Buildings and Safety and further

4) Provided, That if the sewers located thereon shall be damaged by any construction, the petitioners and their assigns shall be held liable for the acceptance of the pert