

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, Van Antwerp, Wise, Youngblood and President Beck—9.

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

April 3, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith petition No. 686 from Mrs. Betty Dick, et al, requesting the paving of Chapel from Kendall to Acacia; also petition No. 685 from Mrs. Gary Baker, et al, protesting this paving.

Inasmuch as several signers of the petition to pave changed their minds, and have also signed the protest petition, and since the protest petition represents a majority of the property owners, we recommend that the protest petition be approved.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Van Antwerp:

Resolved, That protest petition No. 685 be and is hereby approved.

Adopted as follows:

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

Nays—None.

Reconsideration

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

The regular order was resumed.

Department of Public Works

April 2, 1962.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 11727, requesting the vacation of a portion of the alley in the block bounded by Garland Avenue, Charlevoix Avenue, St. Clair

Avenue, and Vernor Highway. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that sufficient land be deeded for a new alley outlet into St. Clair 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.

As per our directive, the petitioner issued a purchase order, No. 83089, in the amount of \$4,350.00, in favor of the Department of Water Supply, to cover the costs of abandoning a six-inch main in the alley to be vacated and constructing a new main in the alley to be dedicated.

The petitioner also issued a purchase order, No. 83090, in the amount of \$2,200.00, in favor of the Public Lighting Commission, to cover costs of removing and relocating one street light, four poles, four spans of street lighting wire, and maintaining temporary service during construction of the school addition.

The petitioner also issued a purchase order, No. 83091, in the amount of \$5,767.00, in favor of the Street Maintenance Division, Department of Public Works, to cover the costs of removing the paved alley return, constructing new curb and walk, backfilling when necessary at the entrance to the alley to be vacated, also to remove one tree, construct a new paved alley return, and pave the alley to be dedicated.

The petitioner also issued a purchase order, No. 83092, in the amount of \$192.89, in favor of the Street Design Bureau, D.P.W., said amount being the original cost of paving west one-half of St. Clair Avenue at the intersection of the alley to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

We are in receipt of a Quit Claim 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 said vacation, 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 Wierzbicki:

Resolved, That all that part of the north-south public alley, 20 feet wide,

north of Vernor Highway between Garland and St. Clair Avenues, as platted in Aberle's Subdivision of the Easterly 30 feet of the Westerly one-half and that part of Lots 1, 2, 3, 4, and 5, Subdivision of the Easterly one-half, all of P.C. 725, and lying between Jefferson and Mack Avenues as recorded in Liber 18, Page 83 of Plats, Wayne County Records, lying east of and adjoining the easterly line of the southerly 4.73 feet of Lot 82, east of and adjoining the easterly line of Lots 83 to 91 both inclusive, east of and adjoining the easterly line of the northerly 25.27 feet of Lot 92, west of and adjoining the westerly line of the northerly 10.00 feet of Lot 238, west of and adjoining the westerly line of Lots 239 to 247 both inclusive, and west of and adjoining the westerly line of the southerly 20.00 feet of Lot 248 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 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 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 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 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 of the east-west public alley, 20 feet wide, north of Vernor Highway between Garland and St. Clair Avenues, which was deeded to the City of Detroit for alley purposes on July 15, 1913, being in fact the southerly 20.00 feet of Lot 248 of

Aberle's Subdivision as recorded in Liber 18, Page 83 of Plats, Wayne County Records,

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 the Quit Claim Deed of the Board of Education deeding land to the City of Detroit for alley purposes being described as: The southerly 20.00 feet of Lot 238 of Aberle's Subdivision of the Easterly 30 feet of the Westerly one-half and that part of Lots 1, 2, 3, 4, and 5, all of P.C. 725 and lying between Jefferson and Mack Avenues as recorded in Liber 18, Page 83 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 Beck, Brickley, Connor, Patrick, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Purchases and Supplies

April 10, 1962.

Honorable Common Council:
Gentlemen — The Department of Purchases and Supplies recommends that contracts be entered into with the firm or person as detailed in the following communications:

FILE NO. 2491

One bid was received as a result of four solicitations, for furnishing the Department of Health (Hospitals) with Fruits and Vegetables, Fresh & 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 April 12, 1962, through April 18, 1962.

This purchase totals approx. \$1-400.00.

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

Terms: Net — 30 days.

The approval of your Honorable Body and waiver of reconsideration is requested.

Respectfully submitted,

ARTHUR F. STONE,
Commissioner.

Purchases and Supplies

April 10, 1962.

Honorable Common Council:

Gentlemen — We submit for Confirmation the contracts entered into as authorized and directed by your formal proceedings dated below:

February 20, 1962 — Motorola C