

adoption of the attached resolution.
Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Brickley:
The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways upon the descriptions of the property heretofore described in the aforesaid communication, therefore:

Resolved, That The Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them The Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:
Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.
Nays—None.

Department of Public Works
September 17, 1962.

Honorable Common Council:
Gentlemen—The extended period of street sweeping operations has made it possible for us to pick up more of the leaves than we were able to in the past; however, the large volume of leaves which fall in such a short period of time makes it impossible for us to collect those that fall on the yards and are usually raked into the streets.

For several years your Honorable Body has approved a resolution which allowed controlled burning of leaves without securing a special permit. It is felt that this policy should again be adopted this year.

For the past several years a study has been made of possible damage to the streets by leaf burning and, except for the newly-laid asphalt, the damage is insignificant. Our Street Maintenance Division advises that they had to make only one such repair in recent years and that was due to the fact that flammable liquids were used to start the fire, which caused excessive heat.

The attached resolution sets up the controls upon which we insist if leaves are to be burned.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Whereas, A large volume of leaves fall upon the yards, streets and alleys in a very short period at this time of the year, and

Whereas, Such leaves become a nuisance in the streets and block sewers, which causes the flooding of streets, and

Whereas, It is deemed necessary and

desirable that householders assist the Department in removing the leaves.

Therefore, Be It Resolved, That the Commissioner of Buildings and Safety Engineering, who has heretofore been authorized to issue permits for the burning of leaves in order to alleviate such conditions, be and he is hereby authorized and directed to waive all such requirements of an application for permit by householder, and to authorize the burning of leaves by general permit and without specific permit until November 15, 1962, provided that the householder adheres to the following:

- (1) Such burning of leaves shall be supervised and all precautionary measures used as outlined by the Ordinance of the City of Detroit;
- (2) No leaves shall be burned on asphalt surface which has been installed within the past year;
- (3) Fires shall be kept small so as to avoid high heat;
- (4) No flammable liquids shall be used to start or accelerate the burning;
- (5) Leaves should be dry and ignited from the top.

In order to reduce the nuisance of the smoke from burning leaves, householders are requested to burn leaves only between the hours of 11:00 A.M. and 6:00 P.M.

Adopted as follows:
Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.
Nays—None.

Department of Public Works
September 17, 1962.

Honorable Common Council:
Gentlemen—We are returning herewith the petition of the Hoskins Manufacturing Company, No. 988, requesting the vacation of the alleys between Maybury Grand and Lawton north of Buchanan.

The vacation of said alleys 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 paid into the City Treasury, the sum of \$104.25, Receipt No. B-14724, credited to the Street Maintenance Division Fund Code No. 143-6241, said amount being the original cost of paving the east one-half of Maybury Grand Avenue at the intersection of the alley to be vacated.

The petitioner requested that the paved alley returns at the entrances to the alleys to be vacated remain in their 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 returns at such time in the future as the removal becomes necessary.

Proper provisions will be incorporated into the vacating resolution protecting the City's interests in the sewers located in the alleys to be vacated.

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.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That all of the north-south public alley, 18 feet wide, north of Buchanan Street between Maybury Grand Avenue and Lawton Avenue, which was deeded to the City of Detroit, on July 19, 1927, being in fact the westerly 18.00 feet of Lot 47 of the Resubdivision of Outlot 8, P.C. 729, as recorded in Liber 6, Page 24 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 all that part of the east-west public alley, 18 feet wide, north of Buchanan Street between Maybury Grand and Lawton, as platted in the Resubdivision of Outlot 8, P.C. 729, as recorded in Liber 6, Page 24 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 48 to 54, both inclusive, north of and adjoining the northerly line of the westerly 18 feet feet of Lot 47, south of and adjoining the southerly line of Lot 55, south of and adjoining the southerly line of the westerly 7.98 feet of Lot 58, south of and adjoining the southerly line of the vacated alley lying between Lots 55 and 58, 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 alleys, 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 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 alleys, 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

Resolved, That at any time in the future the removal of the paved alley returns at the entrances of the vacated alleys becomes necessary, the entire costs of such removal shall be paid by the Hoskins Manufacturing Company, its heirs, executors, administrators, as assigns.

Adopted as follows:

Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works

September 24, 1962.

Honorable Common Council:

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

Contract No. BH-100, Description Drilling Water Well—Maybury Sanatorium, Contractor's Name O. O. Corsaut Company, Award Authorized 8-7-62.

Respectfully submitted,

CLYDE L. PALMER,
City Engineer.

By Councilman Connor:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

Yeas—Councilmen Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Reconsideration

Councilman Wierzbicki 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 Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Councilman Brickley then moved