

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

Provided, That no building 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

Provided, That in the event that the sewer located in said easement, 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 return at the entrance of the easement to be vacated becomes necessary, the entire cost of such removal shall be paid by the petitioners, their heirs, executors, administrators, and assigns.

Adopted as follows:

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

Nays—None.

Department of Public Works

April 3, 1963.

Honorable Common Council:

Gentlemen—A portion of the resolution adopted by your Honorable Body on March 27, 1962, J.C.C. Pages 590-592, vacating certain alleys in the Central Business District Project No. 3, as per request of the Detroit Housing Commission, shall be amended for the purpose of correcting the omission of a portion of the alley to be vacated.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Patrick:

Resolved, That the last two paragraphs of the resolution adopted on March 27, 1962, J.C.C. Pages 590-592, as per request of the Detroit Housing Commission, vacating certain alleys in the Central Business District Project No. 3 be amended to read as follows: All that part of the east-west public alley, 20 feet wide, east of St. Antoine Street, between Larned Street and Congress Street which was opened through condemnation proceedings on December 8, 1869, being in fact the northerly 10.00 feet of Lot 7, the northerly 10.000 feet of Lot 6, except that portion taken for the opening of new Congress Street, 70 feet wide, north of Larned Street, and being the

southerly 10.00 feet of Lot 7, except the portion taken for the opening of new Congress Street, 70 feet wide, south of Congress Street, all of the Plat of the front of the Charles Moran Farm as recorded in Liber 10, Pages 3 and 5 of City Records;

Also, all that part of the east-west public alley, 20 feet wide west of Hastings Street between Larned Street and Congress Street, which was opened through condemnation proceedings on December 8, 1869, being in fact the northerly 10.00 feet of Lots 1 and 2, and the northerly 10.00 feet of Lot 3, except the portion taken for the opening of new Congress Street, 70 feet wide, north of Larned Street, and being the southerly 10.00 feet of Lots 1, 2 and 3, and the southerly 10.00 feet of Lot 4, except the portion taken for the opening of new Congress Street, all of the Plat of the front of the Charles Moran Farm as recorded in Liber 10, Pages 3 and 5 of City Records;

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property.

Adopted as follows:

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

Nays—None.

Department of Public Works

April 2, 1963.

Honorable Common Council:

Gentlemen—On January 29, 1963, your Honorable Body approved the confirmation of certain demolition contracts, among which was Contract PW-4449 (J.C.C. 196).

The location was erroneously listed as 4062 Twenty-third, whereas the correct address is 4062 Thirty-third. This error was not caught until the final payment was approved on March 12, 1963 (J.C.C. 529).

It is requested that the necessary adjustments be made.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Patrick:

Resolved, That resolution adopted January 29, 1963 (J.C.C. p. 196), confirming various building demolition contracts as outlined in the foregoing communication from the Department of Public Works, be and the same is hereby amended for the purpose of correcting location shown as 4062 Twenty-third to read 4062 Thirty-third.

Adopted as follows:

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

Nays—None.

Department of Public Works

April 3, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Edward C. Levy Co. et al, No. 1575, requesting

the vacation of Rouge Drive and the public alleys north of Mellon Avenue. The vacation of said street and 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.

The petitioner has requested that the street return 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.

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

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said street and 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 Patrick:

Resolved, That all that part of Rouge Drive, 60 feet wide, north of Mellon Avenue, which was deeded to the City of Detroit on June 16, 1959, J.C.C. Pages 1219-20-21, being a part of Lots 275 to 278 both inclusive of Oakwood Boulevard Subdivision No. 1 of Part of P.C. 671, City of Detroit, Wayne County Michigan as recorded in Liber 59, Page 65 of Plats Wayne County Records more particularly described as follows: Beginning at a point on the northerly line of Lot 275 distant 60 feet northwesterly by rectangular measurement from the southeasterly line of Lot 275 of the above mentioned subdivision, thence S. 28 degrees 58m 08s W. along a line parallel to and 60 feet northwesterly by rectangular measurement from the southeasterly line and southwesterly prolongation of the southeasterly line of said Lot 275, 154.20 feet, more or less to the northerly line of an east and west alley bounded on the north by the southerly line of Lots 276 to 283 both inclusive, of said Oakwood Boulevard Manor Subdivision N. 1, and bounded on the south by the northerly line of Lots 51 to 65, both inclusive of Oakwood Boulevard Manor Subdivision; thence N. 79 degrees 23m 02s E. along the northerly line of said alley 77.86 feet to the southwesterly prolongation of the southeasterly line of said Lot 275; thence N. 28 degrees 58m 08s E. along the southwesterly prolongation of the southeasterly line of said Lot 275 and along the southeasterly line of said

Lot 275, 290.03 feet, more or less, to a point in the southeasterly line of Rouge Drive, thence southwesterly along a curved line being the southeasterly line of Rouge Drive, 198.12 feet, more or less, to the point of beginning, also, being a part of Lots 60 to 65, both inclusive, of Oakwood Boulevard Manor Subdivision of Part of Private Claim 671, City of Detroit, Wayne County Michigan as recorded in Liber 53, Page 89 of Plats Wayne County Records, more particularly described as follows: Beginning at the intersection of the southerly line of said east and west alley described above with a line parallel to and 60 feet distant northwesterly by rectangular measurement from the southwesterly prolongation of the southeasterly line of said Lot 275 described above; thence S. 28 degrees 58m 08s W. along said parallel line 129.76 feet, more or less, to a point in the northerly line of Mellon Avenue, 86 feet wide, thence N. 79 degrees 23m 02s E., along the northerly line of Mellon Avenue, 77.86 feet to its intersection with the southwesterly prolongation of the southeasterly line of Lot 275; thence N. 28 degrees 58m 08s E., along the southwesterly prolongation of the southeasterly line of said Lot 275, 129.76 feet to the southerly line of said east and west alley, thence S. 79 degrees 23m 02s W., along the southerly line of said east and west alley 77.86 feet, more or less to the point of beginning: and

Also, all that part of Rouge Drive, 60 feet wide, north of Mellon Avenue, as platted in Oakwood Boulevard Manor Subdivision No. 1 of part of P.C. 671 as recorded in Liber 59 Page 65 of Plats Wayne County Records lying between a line extended from a point in the northerly line of Lot 275 of said Oakwood Boulevard Manor Subdivision No. 1, said point in Lot 275 being 60 feet northwesterly by rectangular measurement from the southeasterly line of said Oakwood Boulevard Manor Subdivision No. 1 and the easterly line of the above mentioned subdivision and adjoining Lots 361 to 409 both inclusive of said Oakwood Boulevard Manor Subdivision No. 1: and

Also, all that part of the east-west public alley, 20 feet wide, north of Mellon Avenue, east of Marshall Avenue, as platted in Oakwood Boulevard Manor Subdivision of Part of P.C. 671 as recorded in Liber 53 Page 89 of Plats Wayne County Records lying north of and adjoining the northerly line of the easterly 85.87 feet of Lot 65 of the above mentioned subdivision: and

Also, all of the north-south public alley, north of Mellon Avenue east of Marshall Avenue; as platted in Oakwood Boulevard Manor Subdivision of Part of P.C. 671 as recorded in Liber 53, Page 89 of Plats Wayne County Records lying east of and adjoining the easterly line of Lot 65, east of

and adjoining the easterly line of the public alley adjoining Lot 65, all of the above mentioned subdivision: and

Also, all of the north-south public alley, lying easterly of Rouge Drive and adjoining Lots 410 to 421, both inclusive, of Oakwood Boulevard Manor Subdivision No. 1 of Part of P.C. 671 as recorded in Liber 59 Page 65 of Plats Wayne County Records.

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the adjoining property subject to the following provisions:

Provided, That by reason of the vacation of the above described streets and 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

Provided, That if a building is to be constructed over said sewers, the sewers shall be protected 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

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

Provided, That in the event that the sewers located in said streets and alleys, 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 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 at any time in the future the removal of the street return becomes necessary, the entire cost of such removal shall be paid by the Edward C. Levy Co., its heirs, executors, administrators or assigns.

Adopted as follows:

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

Nays—None.

Department of Public Works
March 28, 1963.

Honorable Common Council:
Gentlemen—On September 13, 1961, the firm of Harley, Ellington, Cowin, and Stirton, Inc., entered into a professional service contract with the City of Detroit, through the Commissioner of Public Works, to prepare the preliminary planning documents and construction documents for the Cultural Center Underground Garage. The total amount of the contract was

\$41,500.00.

After the preliminary planning documents had been completed and approved and the preparation of the construction documents were well underway, changes were required in the site plan and detailed specifications in order to have the surface treatment meet the requirements of the proposed new south wing of the Art Institute.

As the plan for the proposed wing of the Art Institute was being developed, it became apparent that an unloading lane was necessary adjacent to the north portion of the new Farnsworth pavement. This required revision in the drawings and specifications for the Underground Garage.

The approval of the Civic Design Committee of the City Plan Commission of the proposed new south wing of the Art Institute was contingent upon (1) moving the location of Stair No. 1 of the garage one bay to the north so as to be back from the front entrance to the new wing, and (2) modifying the exterior design of the stair enclosure to harmonize with the exterior design of the proposed wing. To comply, requires changes on practically all of the completed detailed drawings of the garage. The City Plan Commission, the Arts Commission, and the Municipal Parking Authority all have approved such changes.

The architect-engineer has submitted the following increase in their fee for making the changes:

Site plan changes	\$ 350.00
Moving of pavement curb and providing unloading lane	180.00
Moving Stair No. 1	2,430.00
Modification of exterior of Stair No. 1	720.00
Total	\$3,680.00

It is respectfully recommended that the above changes be added to the services required to be furnished as a modification of the professional services contract, and that the contract price be increased \$3,680.00, in accordance with the contract provisions, Article 9, "Changes or Modifications of the Contract." Funds are available in Account 844-9660-925 to cover this additional amount.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Recommended:
FRED J. ROMANOFF, Director,
Municipal Parking Authority.

Approved:
G. J. SAAM, Deputy Controller.

By Councilman Ravitz:
Resolved, That the above described changes in the preparation of the construction documents for the Cultural Center Underground Garage be added to the services to be provided