

Department of Public Works

February 11, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 205, requesting the vacation of Lemay Avenue south of Warren Avenue and certain alleys in the area bounded by Canfield Avenue, Montclair Avenue, Warren Avenue and Fairview Avenue. The vacation of said street and alleys was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Montclair 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. 014428, in the amount of \$718.00, in favor of the Department of Water Supply, said amount being the estimated cost of abandoning an existing water main located in Lemay Avenue to be vacated.

The petitioner also issued a purchase order, No. 014429, in the amount of \$850.00, in favor of the Detroit Fire Department, said amount being the estimated cost of removing and relocating one fire hydrant located in the portion of Lemay Avenue to be vacated.

The petitioner also issued a purchase order, No. 014430, in the amount of \$600.00, in favor of the Public Lighting Division, said amount being the estimated cost of removing the P.L.C. facilities located in the area to be vacated.

The petitioner also issued a purchase order, No. 014432, in the amount of \$7,120.00, in favor of the Department of Public Works, Street Maintenance Division, said amount being the estimated cost of removing the paved street and alley returns, constructing new curb and walk, backfilling where necessary, and stoning and grading the newly deeded alley.

The petitioner also issued a purchase order, No. 014431, in the amount of \$2,853.47, 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 and alleys to be vacated.

An easement is reserved in the vacating resolution for the Public Lighting Commission for the maintenance of its installations located in a portion of Lemay Avenue to be vacated.

Proper provisions are incorporated in the vacating resolution protecting the City's interests in the sewer located in the alleys 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 into Montclair Avenue. 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 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 Lemay Avenue, 60 feet wide, south of Warren Avenue, 86 feet wide, as platted in Warren Park Subdivision of Lots 20, 21, and 22 of the Subdivision of P.C. 724, lying south of Shoemaker Avenue, as recorded in Liber 35, Page 90 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lot 97, east of and adjoining the easterly line of Lots 226 to 241, both inclusive, east of and adjoining the easterly line of the 18.00 foot alley lying between Lots 97 and 226, west of and adjoining the westerly line of Lot 98, west of and adjoining the westerly line of Lots 127 to 142, both inclusive, west of and adjoining the westerly line of the 18.00 foot alley lying between Lots 98 and 142, 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 subject to the following provisions:

- 1) An easement or right-of-way is hereby reserved over the northerly 25 feet of the vacated Lemay Avenue heretofore mentioned for the purpose of maintaining, repairing, removing, or replacing Public Lighting Commission facilities located in said street.
- 2) No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval therefor is obtained from the Public Lighting Commission.
- 3) No fence or other barricade shall be erected which will interfere with the maintenance or emergency servicing of the traffic signals located on said easement.
- 4) If at any time in the future it becomes necessary to remove, relocate or otherwise alter the traffic signal at this location due to action by the Board of Education, the entire costs shall be borne by the Board of Education; and further

Resolved, That all that part of the north-south alley east of Montclair Avenue, south of Warren Avenue, the westerly 9.00 feet of which was platted in St. Clair Heights, Eugene H. Sloman's Subdivision of that part of P.C. 387 lying north of center of Mack Avenue as recorded in Liber 18 Page 50 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lots 84 to 125, both inclusive, east of and adjoining the

easterly line of the northerly 10 feet of Lot 83, all of the above mentioned subdivision; also all that part of the north-south public alley, east of Montclair Avenue, south of Warren Avenue, the easterly 9.00 feet of which was platted in Warren Park Subdivision of Lots 20, 21, and 22 of Subdivision of P.C. 724 lying south of Shoemaker Avenue as recorded in Liber 35, Page 90 of Plats, Wayne County Records lying west of and adjoining the westerly line of Lots 226 to 241, both inclusive, all of the last mentioned subdivision; also all that part of the north-south public alley east of Montclair Avenue south of Warren Avenue, the easterly 9.00 feet of which was deeded to the City of Detroit on June 15, 1926, being in fact the westerly 9.00 feet of Lots 19 and 18 of the Subdivision of Private Claim 724, Delarme Farm as recorded in Chancery File 611 of Wayne County Records more particularly described as lying south of the southerly line of Lot 241 extended westerly of Warren Park Subdivision as recorded in Liber 35, Page 90 of Plats, Wayne County Records and north of the northerly line of the southerly 20.00 feet of Lot 83 extended easterly of St. Clair Heights, Eugene H. Sloman's Subdivision as recorded in Liber 18, Page 50 of Plats, Wayne County Records;

Also, all of the east-west public alley, 18 feet wide, west of Lemay Avenue, south of Warren Avenue as platted in Warren Park Subdivision as recorded in Liber 35 Page 90 of Plats, Wayne County Records lying south of and adjoining the southerly line of Lots 88 to 97, both inclusive, north of and adjoining the northerly line of Lot 226, north of and adjoining the northerly line of the alley adjoining Lot 226, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 18 feet wide, east of Lemay Avenue, first south of Warren Avenue, as platted in Warren Park Subdivision of Lots 20, 21, and 22 of Subdivision of P.C. 724 lying south of Shoemaker Avenue, as recorded in Liber 35, Page 90 of Plats, Wayne County Records lying north of and adjoining the northerly line of Lot 142, south of and adjoining the southerly line of Lots 98 to 102, both inclusive, south of and adjoining the southerly line of the westerly 12.00 feet of Lot 103, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 18 feet wide, west of Fairview Avenue south of Warren Avenue which was deeded to the City of Detroit on June 15, 1926 being in fact the northerly 18.00 feet of the westerly 190.00 feet of the easterly 338.00 feet of Lot 19 of the Subdivision of P.C. 724, Delarme Farm as recorded in Chancery File 611 of Wayne County Records; more partic-

ularly described as lying south of and adjoining the southerly line of Lot 127, south of and adjoining the southerly line of Lemay Avenue, 60 feet wide, all as platted in Warren Park Subdivision as recorded in Liber 35 Page 90 of Plats, Wayne County Records;

Also, all that part of the east-west public alley, 18 feet wide, west of Fairview Avenue south of Warren Avenue, which was deeded to the City of Detroit on June 27, 1922, being in fact the northerly 18.00 feet of the easterly 130.00 feet of Lot 19 of the Subdivision of P.C. 724, Delarme Farm as recorded in Chancery File 611, Wayne County Records, more particularly described as lying south of and adjoining the southerly line of Lot 126 of Warren Park Subdivision as recorded in Liber 35, Page 90 of Plats, Wayne County Records.

Be and the same are hereby vacated as public alleys 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, west of Fairview Avenue south of Warren Avenue as platted in Warren Park Subdivision of Lots 20, 21, and 22 of Subdivision of P.C. 724 lying south of Shoemaker Avenue as recorded in Liber 35, Page 90 of Plats, Wayne County Records lying north of and adjoining the northerly line of Lot 111, north of and adjoining the northerly line of the 18.00 foot alley adjoining Lot 111, south of and adjoining the southerly line of Lots 104 to 110, both inclusive, south of and adjoining the southerly line of the easterly 8.00 feet of Lot 103, all of the above mentioned subdivision;

Also, all that part of the north-south public alley, 18 feet wide, west of Fairview Avenue south of Warren Avenue, as platted in Warren Park Subdivision of Lots, 20, 21, and 22 of Subdivision of P.C. 724 lying south of Shoemaker Avenue as recorded in Liber 35, Page 90 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lots 127 to 142, both inclusive, west of and adjoining the westerly line of Lots 111 to 126, both inclusive, all of the above mentioned subdivision;

Also, all that part of the north-south public alley, 18 feet wide, west of Fairview Avenue south of Warren Avenue, which was deeded to the City of Detroit on June 27, 1922 being in fact the westerly 18.00 feet of the easterly 148 feet of Lot 19 of the Subdivision of P.C. 724, Delarme Farm as recorded in Chancery File 611 of Wayne County Records, more particularly described as lying south of and adjoining the southerly line of the 18.00 foot alley lying between Lots 126 and 127 of Warren Park Subdivision as recorded in Liber 35 Page 90 of Plats, Wayne County Records.

Be and the same are hereby vacated as public alleys 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 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 the Quit Claim Deed of the Board of Education to the City of Detroit for alley purposes being the southerly 20 feet of Lot 83, of St. Clair Heights, Eugene H. Sloman's Subdivision of Part P.C. 387 as recorded in Liber 18 Page 50 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 Brickley, Connor, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works
February 15, 1963.

Honorable Common Council:

Gentlemen—In response to published advertisements, nine bids were received on February 5, 1963, for the Puritan Pumping Station and Backwater Gate Chamber, Contract PW-3977, as listed on the attached tabulation.

This contract is financed in part by

a Federal Grant for sewage treatment works under the provisions of Federal Public Law 33 USC 466, et seq. in the amount of \$166,635.00. Your Honorable Body authorized and directed the acceptance of a grant in the amount of \$195,750.00 by your resolution of December 4, 1962. However, upon receipt of the actual bids, it has been determined that the total project cost will be reduced which will accordingly reduce the grant to \$166,635.00.

The low bid on this contract was regular and in accordance with the contract requirements.

As provided in the federal regulations pertaining to this grant, the tabulation of bids received and copy of the low bidder's proposal were submitted to the United States Department of Health, Education, and Welfare. That department, through its Chicago regional office, has advised that the City may award the contract to the low bidder.

It is therefore recommended that the contract be awarded to the low bidder, Miller-Thompson Construction Company, Inc., in the amount of \$278,270.00.

In addition to the contract price, it is estimated that \$26,230.00 will be required to cover the cost of advertising, inspection, and possible minor changes, making the total funds required \$304,500.00. Funds are available in Account Number 530-9650-910 which, with the addition of the Federal Grant of \$166,635.00, is sufficient to cover the total estimated cost.

Respectfully yours,
GLENN C. RICHARDS,
Commissioner.

Recommended:

G. REMUS,
General Manager,
Department of Water Supply.

Approved:

G. J. SAAM,
Deputy Controller.

By Councilman Wierzbicki:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract for the Puritan Pumping Station and Backwater Gate Chamber, Contract PW-3977, Federal Project APW-MICH-572, with Miller-Thompson Construction Company, Inc., in the amount of \$278,270.00; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented, the vouchers to include the cost of advertising, inspection, and possible minor changes, and charge them to Account 530-9650-910.

Adopted as follows:

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

Nays—None.