

subdivision.

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 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 the Quit Claim Deed of the Board of Education, deeding land to the City of Detroit for alley purposes, said land being described as the easterly 20.00 feet of Lot 22 of Stoepel's Subdivision of Lot 65 and Lot 1 of the Subdivision of Lot 66, J. B. Campau Farm, Springwells (now City of Detroit), Wayne County, Michigan, as recorded in Liber 8, Page 73 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, Patrick, Ravitz, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works
January 29, 1963.

Honorable Common Council:
Gentlemen—We are returning herewith the petition of the Board of Education, No. 2676, requesting the vacation of the east-west public alley, 14 feet wide, south of Richton Avenue between Petoskey Avenue and Holmur

Avenue on the Winterhalter Relief School Site. The vacation of the said 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. 013205, in the amount of \$314.62, in favor of the Department of Public Works Street Design Bureau, said amount being the original cost of paving one-half of the streets at the intersections of the alley to be vacated.

The petitioner, also issued a purchase order No. 013206, in the amount of \$1,040.00, in favor of the Department of Public Works Street Maintenance Division, to cover the estimated costs of removing the paved alley returns, constructing new curb and walk, and backfilling where necessary at the entrances of the alley to be vacated.

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

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 adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

RESOLVED, That all of the east-west public alley, 14 feet wide, south of Richton Avenue between Petoskey Avenue and Holmur Avenue as platted in Lewis and Crofoot's Subdivision No. 5 on the North part of E. ½ of ¼ Section No. 29 in Ten Thousand Acre Tract, T. 1 S., R. 11 E., Greenfield (Now City of Detroit) Wayne County, Michigan as recorded in Liber 27, Page 70 of Plats Wayne County Records lying south of and adjoining the southerly line of Lots 216 to 231, both inclusive, and north of and adjoining the northerly line of Lots 155 to 170, both inclusive, 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 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 alley, 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.

Adopted as follows:

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

Nays—None.

Department of Public Works

February 4, 1963.

Honorable Common Council:

Gentlemen—The Sewer Division of the Department of Public Works, in accordance with Complaint No. M-2772 upon the property of Mr. J. Masters at the rear of 2138 Lawndale repaired collapsed basin line due to own fault from work completed privately.

The cost of repairs amounted to \$293.06 and billed to Mr. J. Masters on Controller's Accounts Receivable J 56820.

The City Treasurer's Office has not received payment of the Accounts Receivable and recommends cancellation.

Section 5 of Chapter 195 states: "In all cases where private drains or sewers shall be obstructed or injured or shall cause the obstruction or injury to any lateral or public sewer so as to produce in the opinion of the Board of Health or Department of Public Works a nuisance that the City shall make the repairs and shall be reimbursed for said repairs in the manner provided."

We recommend that this Accounts Receivable be cancelled and a special assessment be made against the premises as provided in Section 5 Chapter 195 of the Compiled Ordinance of 1954 as amended.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner

By Councilman Beck:

Resolved, that the City Controller be and is hereby authorized to cancel Accounts Receivable as stated in foregoing communications and further

Resolved, that the Board of Assessors be and is hereby authorized to make a special assessment roll in the amount of \$293.06 charging the property for the cost and expense of repairs to the private connection.

Adopted as follows:

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

Nays—None.

Department of Public Works

February 4, 1963.

Honorable Common Council:

Gentlemen—The Sewer Division of the Department of Public Works, in accordance with Complaint No. M-1737, Sewer Assignment 62-76 installed temporary 12 in. relief sewer to provide service to the area during reconstruction of the brick sewer which failed, replaced 100 feet of 15 in. x 20 in. brick sewer with 15 in. vit pipe sewer, repaired drop manhole at 18 in. outlet, restored basin line, restored all pavement affected by the repairs. Repairs necessitated by sewer being destroyed by acid erosion from three independent plants all draining into the sewer located on St. Paul between Beaufait and Bellevue.

The total cost of repairs was divided equally among the three plants. Valley Die Casting Co., 1791 Bellevue billed on Controller's Accounts Receivable J-56823 in the amount of \$2,265.69 did not honor the bill.

The City Treasurer's Office, since it has not received payment of the Accounts Receivable, recommends cancellation.

Section 5 of Chapter 195 states: "In all cases where private drains or sewers shall be obstructed or injured or shall cause obstruction or injury to any lateral or public sewer so as to produce in the opinion of the Board of Health or Department of Public Works a nuisance that the City shall make the repairs and shall be reimbursed for said repairs in the manner provided."

We recommend that this Accounts Receivable be cancelled and a special assessment be made against the premises as provided in Section 5 Chapter 195 of the Compiled Ordinance of 1954 as amended.

Respectfully submitted,

GLENN C. RICHARDS,

Commissioner.

By Councilman Beck:

Resolved, that the City Controller be and is hereby authorized to cancel Accounts Receivable as stated in the foregoing communication and further

Resolved, that the Board of Assessors be and is hereby authorized to make a special assessment roll in the amount of \$2,265.69 charging the property for the cost and expense of