

Department of Public Works  
June 20, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of the Board of Education, No. 3718, requesting the vacation of a portion of the east-west public alley, west of Dexter Boulevard between Kendall Avenue and Ewald Circle. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Ewald Circle. 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. 023548, in the amount of \$2,400.00, in favor of the Public Lighting Commission, Lighting Division, to cover the costs of removing and relocating P.L.C. facilities located in the alley to be vacated.

The petitioner also issued a Purchase Order No. 023549, in the amount of \$3,300.00, in favor of the Department of Public Works, Street Maintenance Division, said amount being the estimated cost of removing the paved alley return, constructing new curb and walk, constructing a new alley return and paving the newly deeded alley.

The petitioner also issued a Purchase Order, No. 023550, in the amount of \$615.10, in favor of the Department of Public Works, Street Design Bureau, said amount being the original cost of paving the west one-half of Dexter Boulevard at the intersection of the alley to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in 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 into Ewald Circle. 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 Bodys' 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 Ravitz:

Resolved, That all that part of the east-west public alley, 18.00 feet wide, west of Dexter Boulevard, between Kendall Avenue and Ewald Circle, as

platted in Robert Oakman's Livernois and Ford Highway Subdivision of part of Lots 4 and 7 and Lots 5 and 6, Henry Walkers Plat of the Westerly 80 Acres of  $\frac{1}{4}$  Section 8, and all of that part of  $\frac{1}{4}$  Section 9, Ten Thousand Acre Tract, lying east of Mill Road, Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 36, Page 2 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 1 through 20, 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 right 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 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 Lot 21 of Robert Oakman's Livernois and Ford Highway Subdivision of Part of Lots 4 and 7 and Lots 5 and 6, Henry Walkers Plat of the Westerly 80 acres of  $\frac{1}{4}$  Section 8, and all that part of  $\frac{1}{4}$  Section 9, Ten Thousand Acre Tract, lying east of Mill Road, Greenfield Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 36, Page 2 of Plats Wayne County Records.

Be and the same is hereby accepted and the City Controller is hereby di-

rected 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.

#### Department of Public Works

June 25, 1963.

Honorable Common Council:

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

Contract No. PR-169, Comfort Station — Patton Park. Contractor: Mopel, Inc. Award Authorized: June 4, 1963.

Respectfully submitted,  
CLYDE L. PALMER,  
City Engineer.

By Councilman Ravitz:

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

Adopted as follows:

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

Nays—None.

#### Department of Public Works

June 26, 1963.

Honorable Common Council:

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

Contract No. PW-4612F, Description Paving Emery, Girardin to Sherwood, Contractor's Name Arizona Paving Co., Award Authorized 6-4-63.

Contract No. PW-4613F, Description Paving Filer, Seven Mile to Emery, Contractor's Name Arizona Paving Co., Award Authorized 6-4-63.

Contract No. PW-4615F, Description Paving Girardin, Seven Mile to Emery, Contractor's Name Arizona Paving Co., Award Authorized 6-4-63.

Contract No. PW-4603W, Description Paving Fenelon, Hildale to Seven Mile, Contractor's Name The Cooke Contracting Co., Award Authorized 6-4-63.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Rogell:

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

Adopted as follows:

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

Nays—None.

#### Department of Public Works

June 28, 1963.

Honorable Common Council:

Gentlemen—On May 28, 1963, Your

Honorable Body confirmed Repair Sidewalk Assessment Roll No. 15-H. Since that time, we have discovered that one of the items applied to that roll was incorrectly billed and assessed; same to be rebilled.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Van Antwerp:

Resolved: That the City Treasurer be and he is hereby authorized to make the following cancellation:

Roll 15-H-16, Lot 215, E. S. Northlawn between Stawell and Westfield, Cancel \$94.40, Item No. 14651, Order No. 59184.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

June 28, 1963.

Honorable Common Council:

Gentlemen — Contract PW-3092 is the Woodward-Bauman Relief Sewer; R. A. Valentini Construction Company is the Contractor. The Contract has been substantially completed with the exception of some pavement repair and restoration at various locations.

The Contractor has requested that the amount retained on completed work be reduced to a lump sum of \$5,000.00. The value of work completed to date and found acceptable under the terms and conditions of the Contract is \$570,766.00, and it is recommended that authority be granted to pay that amount less the \$5,000.00 retained and less all previous payments, which results in a net payment at this time of \$24,312.00.

The Contractor has submitted an affidavit that all payrolls, material bills and other indebtedness have been paid.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Van Antwerp:

Resolved, That on future progress payments for Contract PW-3092, Woodward-Bauman Relief Sewer, the amount retained shall be reduced to a lump sum of \$5,000.00, for the reasons stated in the foregoing communication; and be it further

Resolved, That the Controller shall honor vouchers when presented covering progress payments and charge them to the proper account.

Adopted as follows:

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

Nays—None.