

ords lying south of and adjoining the south line of Lots 9 and 10, south of and adjoining the south line of the west 10.00 feet of Lot 8, north of and adjoining the north line of Lots 19 and 20 and north of and adjoining the north line of the west 10.00 feet of Lot 21 all of the above-mentioned subdivision.

Be and the same are vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alleys and by their grantees and assigns, and their heirs, executors, administrators, and assigns forever to-wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alleys hereinabove described for the purpose of installing, maintaining, repairing, removing, or replacing any sewer conduit, telephone, telegraph, electric light, gas main or other poles or things usually placed or installed in a public alley in the City of Detroit with the right to ingress and egress at any time to and over said easements for the purposes above set forth;

Second, said owners for their heirs, and assigns further agree that no buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easements;

Third, if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, such owners upon whose property the poles or other utilities are located shall pay all costs incident to such removal and/or relocation unless such charges are waived by the utility owners; and further

**RESOLVED**, That the Warranty Deed of the Michigan Conference of Teamster's Welfare Fund, deeding land to the City of Detroit for alley purposes, described as: The easterly 20.00 feet of Lot 21 of Gibson's Subdivision of Block 92, Woodbridge Farm, Detroit, Michigan, T. 2 S., R. 12 E., as recorded in Liber 4 Page 4 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; and further

**RESOLVED**, That the petitioner make all necessary physical improvements to the newly deeded alley by private contract under City specifications and inspection and that all costs for such improvements be borne by the petitioner, its successors, or assigns, and further

**RESOLVED**, That free and easy ac-

cess to the underground and overhead public utility installations be available at all times to wheeled vehicles operated by said public utilities, which are installed in the above mentioned public alleys and further

**RESOLVED**, That the petitioner at his own expense and under City specifications and inspection construct a new catch basin in the 18.00 foot east-west public alley first north of Spruce Street at the intersection of the above-mentioned newly deeded alley.

Adopted as follows:

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

Nays—None.

#### Reconsideration

Councilman Van Antwerp 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, Van Antwerp, Wierzbicki and President Carey—8.

Nays—None.

Councilman Wierzbicki then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

#### Department of Public Works

May 10, 1963.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Harry Slatkin Builders, Incorporated, No. 4025, requesting the vacation of St. Martins Avenue between Cranbrook Drive West and Cranbrook Drive East. The vacation of said street was approved by the City Plan Commission and 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 deposited with the City Treasurer the sum of \$400.00, Receipt No. B 43010, credited to the Public Lighting Commission, Lighting Division Fund Code No. 990-9423, said account being the estimated cost of removing P.L.C. facilities located in the street to be vacated.

The petitioner also paid into the City Treasury the sum of \$1,505.83, Receipt No. B 43009, credited to the Department of Public Works, Street Maintenance Fund Code No. 143-6241, said amount being the original cost of paving one-half of Cranbrook Drive at each end of the street to be vacated.

The petitioner has requested that the street returns 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.

The Department of Water Supply reported that they will be unaffected by the change and that they have no objection to the vacation of St. Martins Avenue provided that proper provisions are incorporated into the vacating resolution protecting their installations located in the street.

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

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

Resolved, That all of St. Martins Avenue, 60 feet wide, between Cranbrook Drive West and Cranbrook Drive East as platted in Sherwood Heights Subdivision of part of the S.W. ¼ of Section 4, T.1 S., R.11 E. City of Detroit, Wayne County, Michigan as recorded in Liber 74, Page 44 and 45 of Plats of Wayne County Records lying north of and adjoining the northerly line of Lots 16 to 19, both inclusive, and south of and adjoining the southerly line of Lots 20 to 23, both inclusive, 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) Provided, That by reason of the vacation of the above-described street 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 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 street, 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.

5) Provided that an easement or right-of-way is hereby reserved for the Department of Water Supply over the entire width of St. Martins Avenue for the purpose of maintaining, repairing, removing, or replacing the eight inch water main located in said street.

6) Provided, No building or structure of any nature whatsoever shall be constructed over said easement unless prior approval is obtained from the Department of Water Supply.

Resolved, That at any time in the future, the removal of the paved street returns at the entrances to the vacated street becomes necessary, the entire costs of such removal shall be paid by Harry Slatkin's Builders, Incorporated, its heirs, executors, administrators, or assigns.

Adopted as follows:

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

Nays—None.

#### Department of Public Works

May 10, 1963.

Honorable Common Council:

Gentlemen—In response to published advertisements, separate bids were received on May 7, 1963, for demolition of buildings at the following locations:

Contract No. PW-5068 — 3420-22 E. Congress.

Contract No. PW-5069 — 9715-17 Delmar.

Contract No. PW-5071 — 4209 Eighteenth.

Contract No. PW-5072—2923 Antietam.

Contract No. PW-5073—1557 Ash.

Contract No. PW-5074—1739 W. Forest.

Five bids were received on each of the contracts, as listed on the attached tabulations.

The low bids on all of the contracts with the exception of Contracts PW-5068 and PW-5069 were regular in all respects and in accordance with the contract requirements. It is, therefore, recommended that these contracts be awarded to the respective bidders as listed below and in the amounts stated. The total funds required include the cost of advertising and field inspection, in addition to the contract price. Funds are available in Account 143-2170-335 to cover the total funds required.

To:

C. & D. Richardson Co., Contract No. PW-5071, Amt. of Bid \$827.00, Total Funds Required \$1,025.00.

Arturs Mednis, Contract No. PW-