

May 19

Department of Public Works
May 12, 1964.

Honorable Common Council:
Gentlemen — This is to certify that all work required of the Contractors in the performance of these Contracts has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below, less the total amounts previously paid on all progress payments, be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions final payment.

Contract PW-3978 — Molena-Madola Public Sewer, Contractor Greenfield Constr. Co., Adjusted Contract Price \$153,559.50.

Contract PW-4502, Ryan Relief Sewer, Contractor Greenfield Constr. Co., Adjusted Contract Price \$168,000.00.

Contract PW-4503, Conley Relief Sewer, Contractor Greenfield Constr. Co., Adjusted Contract Price \$270,000.00.

Contract PW-4510, Harper Avenue Relief Sewer, Contractor Greenfield Constr. Co., Adjusted Contract Price \$140,000.00.

DONALD B. WARD,
Engineer of Inspection
CLYDE L. PALMER,
City Engineer
GLENN C. RICHARDS,
Commissioner

By Councilman Rogell:

Whereas, From the foregoing communication, it appears that all work required to be performed by the Contractors under the Contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the terms and conditions of said Contracts by the Department of Public Works; therefore be it

Resolved, That the said Contracts be and are hereby accepted.

Adopted as follows:

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

Nays—None.

Department of Public Works
May 12, 1964.

Honorable Common Council:
Gentlemen — This is to certify that all work required of the Contractors in the performance of these Contracts

has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

DEMOLITION OF BLDGS.—

Contract PW-5281, 13882 St. Aubin, Contractor Zebrowski & Assoc. Inc., Adjusted Contract Price \$948.00.

Contract PW-5289, 2225 Illinois, Contractor Zebrowski & Assoc. Inc., Adjusted Contract Price \$1,679.00.

Contract PW-5293, 2603-9 Elmwood, 3209-11 Hendricks, 3221 Hendricks, Contractor Zebrowski & Assoc. Inc., Adjusted Contract Price \$3,979.00.

DONALD B. WARD,
Engineer of Tests &
Inspection

CLYDE L. PALMER,
City Engineer

GLENN C. RICHARDS,
Commissioner

By Councilman Rogell:

Whereas, From the foregoing communication, it appears that all work required to be performed by the Contractors under the Contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the terms and conditions of said Contracts by the Department of Public Works; therefore be it

Resolved, That the said Contracts be and are hereby accepted.

Adopted as follows:

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

Nays—None.

Department of Public Works

May 7, 1964.

Honorable Common Council:

Gentlemen — We wish to advise that in carrying out the development plan for the rehabilitation of the blighted area which is known as the Central Business District Project No. 1, Michigan R-3, which is being undertaken by the City pursuant to Act 344 of Public Acts of 1945, as amended, the Detroit Housing Commission (No. 6858), has requested the vacation of several more alleys within the project.

The Detroit Edison Company has reported that it has lines and poles

in the alleys to be vacated and has submitted an additional cost of \$17,439.00, for removing and rerouting its installations from the alleys to be vacated within the Central Business District Project No. 1.

Your Honorable Body may make provisions for the relocation of the lines and poles of the Detroit Edison Company in streets located near the alleys to be vacated.

The Corporation Counsel contends that these relocating costs are not chargeable against the City. The case involving the liability of the City for these costs is now pending in the Michigan Supreme Court.

All City departments and other private utility companies reported that they will be unaffected by the vacation of said alleys.

In view of the foregoing, it will be necessary to adopt a resolution vacating the aforementioned alleys, and directing the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company to remove their installations therefrom.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:
ROBERT REESE,
Corporation Counsel.

By Councilman Van Antwerp:

WHEREAS, The City is undertaking the rehabilitation of a blighted area known as the Central Business District Project No. 1, Michigan R-3, pursuant to Act 344 of the Public Acts of 1945, as amended, and

WHEREAS, In order to carry out the development plan for the project, it is necessary among other things for the City to vacate the following alleys:

All that part of the east-west public alley, 20 feet wide, west of Fourth Avenue between Porter and Labrosse Streets as platted in Block 52 of the Subdivision of Part of P.C. 247 between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 1 of Deeds Wayne County Records lying north of and adjoining the northerly line of Lots 9 through 15 both inclusive, south of and adjoining the southerly line of Lots 16 and 17, south of and adjoining the southerly line of Lots 1 through 4, both inclusive, all of the above mentioned subdivision.

Also all that part of the east-west public alley, 20 feet wide, east of the John C. Lodge Freeway East Service Drive north of Porter Street as platted in Block 52 of the Western Addition to the City of Detroit of the Forsyth and Berthelet Farms, as recorded in Liber 14, Page 136 of Deeds Wayne County Records lying north of and adjoining the northerly line of

Lot 9, north of and adjoining the northerly line of and adjoining the feet of Lot 8, south of and adjoining the southerly line of and adjoining all of the above mentioned subdivision.

All that part of the east-west public alley, 20 feet wide, north of Michigan Avenue west of Cass Avenue as platted in Block 48 of Cass Avenue Addition to the City of Detroit between Chicago and Grand River Roads as recorded in Liber 42, Pages 133, 139, 140 and 141 of Deeds Wayne County Records lying north of and adjoining the northerly line of and 21 through 28, both inclusive, of the above mentioned subdivision.

Also all that part of the east-west public alley, 20 feet wide, east of First Street, north of Michigan Avenue Detroit on March 14, 1950, J.C.C. Page 569 being in fact parts of Lots 19, 20 and 21 of Block 48 of Cass Western Addition to the City of Detroit as recorded in Liber 42, Pages 133, 139, 140 and 141 of Deeds Wayne County Records more particularly described as follows: Beginning at a point on the west line of Lot 19, distant 54.63 feet northwesterly from the southwest corner of Lot 19; running thence easterly a distance of 109.97 feet to a point on the east line of the west 13.74 feet of Lot 21; running thence northerly a distance of 7.11 feet along the east line of the west 13.74 feet of Lot 21 to a point on the north line of said Lot 21; running thence northwesterly a distance of 3.13 feet along the east line of Lot 20 to a point; running thence westerly a distance of 100.00 feet along a line parallel with the south line of Lot 18 to a point on the westerly line of Lot 19; running thence southeasterly to a distance of 20.00 feet to the place of beginning.

Also, all that part of the east-west public alley east of First Street north of Michigan Avenue which was dedicated to the City of Detroit on September 12, 1950, J.C.C. Page 2593 being in fact all that part of Lot 20, Block 48 of Cass Western Addition to the City of Detroit as recorded in Liber 42, Pages 133, 139, 140 and 141 of Deeds Wayne County Records more particularly described as follows: Beginning at a point in the easterly line of Lot 20, said point being distant S. 26d 00m E., 16.41 feet from the S. E. corner of Lot 18 of said subdivision; thence N. 43d 24m 30s W., 9.11 feet; thence N. 63d 57m E., 8.53 feet; thence N. 26d 00m W., 3.19 feet to the point of beginning; therefore be it

RESOLVED, That all of the above described alleys are hereby vacated as public alleys to become a part and parcel of the adjoining property, and be it further;

RESOLVED, That upon the proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Tele-

1964

phone Company, the Michigan Consolidated Gas Company permits to re-locate their pipes, poles and lines from the vacated alleys to public streets most conveniently located in reference to the vacated alleys and consistent with the public health, safety, convenience and general welfare; and be it further

Resolved, That the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and wires from the vacated alleys without expense to the City within thirty (30) days after receipt of a copy of this resolution; and be it further,

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company, a certified copy of this resolution; and be it further

Resolved, That all that part of the east-west public alley, 20 feet wide, west of Fourth Avenue between Lafayette Boulevard and Howard Street as platted in Block 32 of the Plat of the Subdivision of Part of P.C. 247 between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 1 of Deeds Wayne County Records lying north of and adjoining the northerly line of Lot 12, north of and adjoining the northerly line of the easterly 32.00 feet of Lot 11, south of and adjoining the southerly line of Lot 1, south of and adjoining the southerly line of the easterly 32.00 feet of Lot 2, all of the above mentioned subdivision.

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

- 1) Underground public easements are hereby reserved within the right-of-way of said alley hereinabove described for public utilities.
- 2) The right to ingress and egress to and over said easement for the purpose of installing, maintaining, repairing, removing or replacing of public utilities.
- 3) Public utilities shall not be installed on surface but only underground and no building or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easement; and further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their overhead poles and wires from the vacated alley without expense to the City within thirty (30) days after receipt of a copy of this resolution; and be it

further
Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company a certified copy of this resolution.

Adopted as follows:
Yeas — Councilmen Beck, Brickley, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—7.
Nays—None.

Reconsideration
Councilmen Beck 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 Beck, Brickley, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—7.
Nays—None.

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

The regular order was resumed.

Department of Public Works
May 13, 1964.

Honorable Common Council:

Gentlemen — We are returning herewith the petition of Commonwealth Industries, Inc., et al, No. 7017, requesting the vacation of a strip of Commonwealth Avenue, 6.5 feet in width from the east side of street right-of-way south of Marquette Avenue. The vacation of said portion of street right-of-way 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 deposited with the City Treasurer the sum of \$260.00 Receipt No. C31-040, credited to the Department of Water Supply Fund Code No. 600-(0000)(6232)001, said amount being the estimated cost of abandoning and relocating the existing service connections in the area to be vacated.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said strip of street right-of-way 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 W. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all that part of the Commonwealth Avenue Right-of-Way,