

(1) That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers 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 no buildings shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

(3) Provided, That if a building is to be constructed over said sewers, the sewers 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 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 petitioner, their successors, or assigns; and further

(4) Provided, In the event that the sewer located in said property shall break, causing damage to any construction, property or materials above the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

(5) Provided, That if the sewer located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assigns, (by way of illustration but not limitation, such as storage of excessive weights of materials, or any construction not in accord with provision 2, mentioned above) then in such event, the petition or assigns shall be liable for all costs incident to the repair of such broken or damaged sewer.

Adopted as follows:

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

Nays—None.

**Department of Public Works**

September 28, 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 Medical Center Project No. 2, Michigan R-52, which is being undertaken by the City pursuant to Act 344 of Public Acts of 1945, as amended, the Detroit Housing Commission (Petition No. 9303), has requested the vacation of Willis Avenue between Brush Street and the Walter P. Chrysler Expressway and certain public alleys all being within the limits of the above-mentioned project.

The Detroit Edison Company has reported that it has lines and poles in the street and alleys to be vacated

and has submitted an estimate of \$11,763.00, as its cost of removing and rerouting its installations.

The Michigan Bell Telephone Company has reported that it has lines and poles in the street and alleys to be vacated and has submitted an estimate of \$2,500.00, as its cost of removing and rerouting its installations.

Your Honorable Body may make provisions for the relocation of the lines and poles of the Detroit Edison Company and the Michigan Bell Telephone Company in streets located near the street and 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 reported that they will be unaffected by the vacation of said street and alleys.

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

Respectfully submitted,

GLENN C. RICHARDS,  
Commissioner.

Approved:

THOMAS H. GALLAGHER,  
Acting Corporation Counsel.

By Councilman Ravitz:

Whereas, The City is undertaking the rehabilitation of a blighted area known as the Medical Center Project No. 2, Michigan R-52, 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 street and alleys:

All that part of the east-west public alley, 20 feet wide, east of John R. Street between Willis and Canfield Avenues lying north of and adjoining the northerly line of Lots 14 to 25, both inclusive, of McMillan and Ponds Subdivision of Park Lot 29, City of Detroit, Wayne County, Michigan as recorded in Liber 6 Page 27 of Plats Wayne County Records and south of and adjoining the southerly line of Lots 14 to 25, both inclusive of Fisher and Shearer's Subdivision of Park Lots 30 and 31, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 15 of Plats Wayne County Records;

Also, all that part of the east-west public alley, 20 feet wide, west of Brush Street between Willis and Canfield Avenues as platted in Block 18 of Brush's Subdivision of Part of the Brush Farm, City of Detroit,

Wayne County, Michigan as recorded in Liber 17, Page 29 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 10 to 14, both inclusive, south of and adjoining the southerly line of Lots 1 to 5, both inclusive, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of Brush Street between Willis and Canfield Avenues as platted in Block 18 of Brush's Subdivision of Part of the Brush Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 17 Page 29 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 8 and 9, south of and adjoining the southerly line of Lots 6 and 7, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 19 feet wide, west of Beaubien Street between Willis and Canfield Avenues lying south of and adjoining the southerly line of Lots 1 to 7, both inclusive, of Tregents Subdivision of the north part of Outlot 186 and part of Outlot 188 south of Fremont Street, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 301 of Plats, Wayne County Records, north of and adjoining the northerly line of Lots 1, 2 and 3, north of and adjoining the northerly line of public alley, 13 feet wide, adjoining Lot 3, all of Rathbone and Leete's Subdivision of Lots 33, 34, 35, 41, 42 and 43 of Albert Cranes Subdivision of Outlot 186, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 62 of Plats, Wayne County Records, north of and adjoining the northerly line of Lot 44 of Albert Cranes Subdivision of Outlot 182, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 8 of Plats, Wayne County Records;

Also, all of the north-south public alley, 13 feet wide, west of Beaubien Street, north of Willis Avenue as platted in Rathbone and Leete's Subdivision of Lots 33, 34, 35, 41, 42 and 43 of Albert Crane's Subdivision of Outlot 186 Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 62 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lot 3 of the above-mentioned subdivision;

Also, all of the north-south public alley, 18 feet wide, east of Beaubien Street, south of Canfield Avenue as platted in the Subdivision of the southerly 111.50 feet of Outlot 189 and Lot 1 of Poupards Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 7, Page 42 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lots 1, 2 and 3, west of and adjoining the

westerly line of Lot 4, all of the above-mentioned subdivision;

Also, all of the north-south public alley, 20 feet wide, east of Beaubien Street north of Willis Avenue as platted in J. Stoll's Subdivision of Lots 3, 4 and 5 of Genevieve Poupards Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 6, Page 49 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lots 4, 5, 6 and 7, west of and adjoining the westerly line of Lot 3, west of and adjoining the westerly line of the public alley adjoining Lot 3 all of the above-mentioned subdivision;

Also, all of the east-west public alley, 20 feet wide, east of Beaubien Street north of Willis Avenue as platted in J. Stoll's Subdivision of Lots 3, 4 and 5 of Genevieve Poupard's Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 6, Page 49 of Plats, Wayne County Records lying north of and adjoining the northerly line of Lots 1, 2 and 3 all of the above-mentioned subdivision;

Also, all of the north-south public alley, 16.44 feet wide, west of St. Antoine Street between Willis and Canfield Avenues as platted in Block 20 of Van Dykes Subdivision of part of the Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 294 of Plats, Wayne County Records lying west of and adjoining the westerly line of Lots 1 to 11, both inclusive, east of and adjoining the easterly line of Lots 12 and 19, east of and adjoining the easterly line of the vacated alley lying between Lots 12 and 19, all of the above-mentioned subdivision;

Also, all of the north-south public alley, 19.52 feet wide, east of St. Antoine Street between Willis and Canfield Avenues as platted in Block 19 of Van Dykes Subdivision of part of Antoine Beaubien Farm, north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 294 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lots 1 to 11, both inclusive, west of and adjoining the westerly line of Lots 12 and 17, west of and adjoining the westerly line of the public alley lying between Lots 12 and 17, all of the above-mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of St. Antoine Street between Willis and Canfield Avenues as platted in Block 19 of Van Dykes Subdivision of Part of Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan lying north of and adjoining the northerly line of Lots

12, 13 and 14, south of and adjoining the southerly line of Lots 15, 16 and 17, all of the above-mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, west of the Walter P. Chrysler West Service Drive between Willis and Canfield Avenues lying south of and adjoining the southerly line of Lots 1 to 7, both inclusive, south of Canfield Avenue, north of and adjoining the northerly line of Lots 4 to 7, both inclusive, north of Willis Avenue, all of C. Moran's Subdivision of the C. Moran Farm, City of Detroit, Wayne County Michigan as recorded in Liber 3, Page 86 of Plats, Wayne County Records, north of and adjoining the northerly line of Lots 1, 6 and 7, north of and adjoining the northerly line of the public alley lying between Lots 1 and 6, of Zoltowski's Subdivision of Lots 1, 2 and 3 on the north side of Willis Avenue of the Subdivision of the C. Moran Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 43 of Plats, Wayne County Records;

Also, all of the north-south public alley, 10 feet wide, west of the Walter P. Chrysler West Service Drive between Willis and Canfield Avenues as platted in Zoltowski's Subdivision of Lots 1, 2 and 3 north of Willis Avenue of the Subdivision of the C. Moran Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page 43 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lot 6, west of and adjoining the westerly line of Lots 1 to 5, both inclusive, all of the above-mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of Brush Street between Superior and Willis Avenues as platted in Brush's Subdivision of Part of the Brush Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 17 Page 29 of Plats Wayne County Records lying north of and adjoining the northerly line of Lot 3, south of and adjoining the southerly line of Lot 2, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, west of Beaubien Street between Superior and Willis Avenues as platted in Albert Crane's Subdivision of Outlot 186, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 8 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 20 and 21, north of and adjoining the northerly and northeasterly line of Lot 22, south of and adjoining the southerly and southeasterly line of Lot 30, south of and adjoining the southerly line of Lots 31 and 32, all of the above mentioned subdivision;

Also, all of the north-south public

alley, 13 feet wide, west of Beaubien Street between Superior and Willis Avenues as platted in Albert Crane's Subdivision of Outlot 186, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 8 of Plats Wayne County Records lying west of and adjoining the westerly line of Lots 23 to 29, both inclusive, east of and adjoining the easterly line of Lots 22 and 30, east of and adjoining the easterly line of the public alley lying between Lots 22 and 30, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of Beaubien Street between Superior and Willis Avenues lying north of and adjoining the northerly line of Lots 1 to 7 both inclusive, of J. C. Goodrich Subdivision of Lots 9 and 10 of Genevieve Poupards Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 6 Page 44 of Plats Wayne County Records, south of and adjoining the southerly line of Lots 1 to 7 both inclusive, of H. & E. Poupard's Subdivision of Lots 6, 7 and 8 of Genevieve Poupard's Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 6 Page 45 of Plats, Wayne County Records;

Also, all that part of the east-west public alley, 20 feet wide, west of St. Antoine Street between Superior and Willis Avenues as platted in Block 17 of Van Dykes Subdivision of Part of Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 294 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 8, 9, 10 and 11, south of and adjoining the southerly line of Lots 12, 13, 14 and 15, all of the above mentioned subdivision;

Also, all of the north-south public alley, 16.44 feet wide, west of St. Antoine Street between Superior and Willis Avenues as platted in Block 17 of Van Dykes Subdivision of Part of the Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 294 of Plats Wayne County Records lying west of and adjoining the westerly line of Lots 1 to 7 both inclusive, east of and adjoining the easterly line of Lots 8 and 15, east of and adjoining the easterly line of the public alley lying between Lots 8 and 15, all of the above mentioned subdivision;

Also, all of the north-south public alley, 19.52 feet wide, east of St. Antoine Street between Superior and Willis Avenues as platted in Block 18 of Van Dykes Subdivision of Part of the Antoine Beaubien Farm, north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 294 of Plats Wayne County Records lying east of and adjoining the easterly line of Lots 1 to 7, both inclusive, west of and ad-

joining the westerly line of Lot 8 and 13, west of and adjoining the westerly line of the public alley lying between Lots 8 and 13, all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, east of St. Antoine Street between Superior and Willis Avenues as platted in Block 18 of Van Dykes Subdivision of Part of Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 294 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 8, 9 and 10, south of and adjoining the southerly line of Lots 11, 12 and 13 all of the above mentioned subdivision;

Also, all that part of the east-west public alley, 20 feet wide, west of the Walter P. Chrysler West Service Drive between Superior and Willis Avenues as platted in C. Moran's Subdivision of the C. Moran Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 3 Page 36 of Plats Wayne County Records lying south of and adjoining the southerly line of Lots 1 to 7, both inclusive, south of Willis Avenue, north of and adjoining the northerly line of Lots 1 to 7, both inclusive, north of Superior Avenue, all of the above mentioned subdivision; therefore be it

Resolved, That all of the above described streets and 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 Telephone 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 Willis Avenue, 50 feet wide, east of Brush Street, as platted in Brush's Subdivision of Part of the Brush Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 17 Page 29 of Plats Wayne County Rec-

ords lying north of and adjoining the northerly line of Lot 1, south of and adjoining the southerly line of Lots 8 and 9 Block 18, all of the above mentioned subdivision;

Also, all that part of Willis Avenue, 50 feet wide, west of Beaubien Street, lying north of and adjoining the northerly line of Lots 29 to 32 both inclusive, north of and adjoining the northerly line of the public alley lying between Lots 29 and 30, south of and adjoining the southerly line of Lot 36, all of Albert Crane's Subdivision of Outlot 186 Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 8 of Plats Wayne County Records, south of and adjoining the southerly line of Lots 1, 2 and 3, south of and adjoining the southerly line of the public alley adjoining Lot 3, all of Rathbone and Leete's Subdivision of Lots 33, 34, 35, 41, 42 and 43 of Albert Crane's Subdivision of Outlot 186 Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 62 of Plats Wayne County Records;

Also, all that part of Willis Avenue, 50 feet wide, east of Beaubien Street lying north of and adjoining the northerly line of Lots 1 to 7 both inclusive, of H. and E. Poupards Subdivision of Lots 6, 7 and 8 of Genevieve Poupards Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 6 Page 45 of Plats Wayne County Records, south of and adjoining the southerly line of Lots 1 to 4 both inclusive, south of and adjoining the southerly line of the public alley lying between Lots 3 and 4 all of J. Stoll's Subdivision of Lots 3, 4 and 5 of Genevieve Poupards Subdivision of Outlot 187, Lambert Beaubien Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 6 Page 49 of Plats Wayne County records;

Also, all that part of Willis Avenue, 50 feet wide, west of St. Antoine Street, as platted in Van Dykes Subdivision of Part of Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 294 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 12, 13, 14 and 15 Block 17, north of and adjoining the northerly line of the westerly 30.00 feet of Lot 1 Block 17, north of and adjoining the northerly line of the public alley lying between Lots 1 and 15 Block 17, south of and adjoining the southerly line of Lots 12, 13, 14 and 15, Block 20, south of and adjoining the southerly line of the westerly 30.00 feet of Lot 11 Block 20, south of and adjoining the southerly line of the public alley lying between Lots 11 and 12 Block 20, all of the above mentioned subdivision;

Also, all that part of Willis Avenue, 50 feet wide, east of St. An-

toine Street as platted in Van Dykes Subdivision of Part of the Antoine Beaubien Farm north of Grove Street, City of Detroit, Wayne County, Michigan as recorded in Liber 1 Page 294 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 1, 11, 12 and 13 Block 18, north of and adjoining the northerly line of the public alley lying between Lots 1 and 13 Block 18 south of and adjoining the southerly line of Lots 11, 12, 13 and 14 Block 19, south of and adjoining the southerly line of the public alley lying between Lots 11 and 12 Block 19, all of the above mentioned subdivision;

Also, all that part of Willis Avenue, 50 feet wide, west of the Walter P. Chrysler West Service Drive lying north of and adjoining the northerly line of Lots 1 to 7 both inclusive, south of Willis Avenue, south of and adjoining the southerly line of Lots 4 to 7 both inclusive, north of Willis Avenue, all of C. Moran's Subdivision of the C. Moran Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 3 Page 36 of Plats Wayne County Records, south of and adjoining the southerly line of Lots 5, 6 and 7, south of and adjoining the southerly line of the public alley lying between Lots 5 and 6, all of Zoltowski's Subdivision of Lots 1, 2 and 3 on the north side of Willis of the Subdivision of the C. Moran Farm, City of Detroit, Wayne County, Michigan as recorded in Liber 10 Page 43 of Plats Wayne County Records.

Be and the same are hereby vacated as public Streets 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 streets hereinabove described for public utilities.

(2) The right to ingress and egress to and over said easements 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 buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easements; 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 streets 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, Connor, Ravitz, Rogell, Van Antwerp.

Wierzbicki and President Carey—8.  
Nays—None.

Department of Public Works

October 8, 1964.

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-5317 A,B,C,D—Removal & Replacement of Curbs, Gutters & Sidewalks (West Side), Contractors Name Fort Wayne Coal & Construction Co., Award Authorized Sept. 29, 1964.

Contract No. PW-5318 A,B,C—Removal & Replacement of Curbs, Gutters and Sidewalks (East Side), Contractor's Name J. J. Barney, Inc., Award Authorized Sept. 29, 1964.

Contract No. PW-5521—Demolition of Building, 9237 Delmar, Contractor's Name Atomic Lumber & Wrecking Co., Award Authorized Sept. 22, 1964.

Contract No. PW-5522—Demolition of Building, 2448 Finley, Contractor's Name C. & D. Richardson & Co., Award Authorized Sept. 22, 1964.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

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, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—8.  
Nays—None.

Department of Public Works

September 24, 1964.

Honorable Common Council:

Gentlemen—In response to published advertisements, five bids were received on September 22, 1964, for the Charlevoix Relief Sewer, Conner Lane to Approximately 313 Feet East, Contract PW-4579. A tabulation of the bids received is attached.

The low bid was regular in all respects and in accordance with the requirements of the Contract Documents. It is, therefore, recommended that the contract be awarded to the low bidder, DiMambro Contractors, Inc., in the amount of \$27,800.00.

It is estimated that \$31,800.00 will be required to cover the cost of the contract, as well as the cost of advertising, inspection and minor contingencies.

Funds are available in Account 925-9233-923 to cover this amount.

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

Approved:  
RICHARD STRICHARTZ,  
Controller.

By Councilman Rogell:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract with DiMambro Contractors,