

as recorded in Liber 16, Page 87 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 494, 495, 496 and 497, north of and adjoining the northerly line of the easterly 14.09 feet of Lot 498, south of and adjoining the southerly line of Lot 493, all of the above-mentioned subdivision.

Be and the same are hereby vacated as public streets and alleys to become a part of the parcel of the adjoining property, and further

Resolved, That all that part of east-west public alley, 18 feet wide, east of Townsend Avenue, north of Lambert Avenue, as platted in William Tait's Subdivision of part of the Church Farm, P.C. 16, north of Gratiot Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 16, Page 87 of Plats, Wayne County Records, lying north of and adjoining the northerly line of Lots 499, 500, 501 and 502, north of and adjoining the northerly line of the westerly 15.91 feet of Lot 498, south of and adjoining the southerly line of Lot 492, south of and adjoining the southerly line of public alley, 18 feet wide, adjoining Lot 492, all of the above-mentioned subdivision.

Also, all of the north-south public alley, 18 feet wide, in the block bounded by Lambert Avenue, Baldwin Avenue, Townsend Avenue and the Edsel Ford Freeway, as platted in William Tait's Subdivision of part of the Church Farm, P.C. 16, north of Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 87 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lot 463, except the portion taken for the Edsel Ford Freeway, east of and adjoining the easterly line of Lots 464, 467, 468, 471, 472, 475, 476, 479, 480, 483, 484, 487, 488, 491 and 492, west of and adjoining the westerly line of Lot 462, except the portion taken for the Edsel Ford Freeway, west of and adjoining the westerly line of Lots 465, 466, 469, 470, 473, 474, 477, 478, 481, 482, 485, 486, 489, 490 and 493, all of the above-mentioned 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:

Provided, That by reason of the vacation of the above-described alleys, 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

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

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

Provided, That in the event that 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 to the City of Detroit deeding land for street purposes being the easterly 54.00 feet of Lots 51 to 57, both inclusive of Potter's Subdivision of the East Part of P.C. 390, north of Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 13, Page 92 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, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—7.

Nays—None.

**Department of Public Works**

February 6, 1964.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of St. Ambrose Catholic Church, No. 5442, requesting the vacation of a portion of the north-south public alley, 18 feet wide, north of Jefferson Avenue between Ashland Avenue and Alter Road. The vacation of said portion of alley was approved by the City Plan Commission with the recommendation that the southerly 20 feet of the school parking lot be permanently kept open for public use as long as the southerly section of the north-south alley remains open. 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 \$200.00, Receipt No. A-34188, credited to the Public Lighting Commission Fund Code No. 990-9423, to cover the cost of removing the Public Lighting Commission's facilities located in the portion of alley to be vacated.



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

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said portion of alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,

S. G. GENTILE,

Dep. Commissioner.

By Councilman Wierzbicki:

Resolved, That all that part of the north-south public alley, 18 feet wide, north of Jefferson Avenue between Ashland Avenue and Alter Road as platted in Fox Creek Subdivision of Part of P. C. 120, City of Detroit, Wayne County, Michigan, as recorded in Liber 25, Page 73 of Plats, Wayne County Records lying east of and adjoining the easterly line of Lots 294 to 299, both inclusive, west of and adjoining the westerly line of Lots 410 to 415, 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 Building 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 southerly 20.00

feet of the school parking lot, being the southerly 20.00 feet of Lot 416 of Fox Creek Subdivision of Part of P. C. 120, City of Detroit, Wayne County Michigan as recorded in Liber 25, Page 73 of Plats, Wayne County Records, be permanently kept open for public use as long as the southerly section of the north-south alley remains open.

Adopted as follows:

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

Nays—None.

#### Reconsideration

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

The regular order was resumed.

#### Department of Public Works

February 11, 1964.

Honorable Common Council:

Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts for demolition of buildings 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.

Contract PW-5181, Location 2637 Twelfth, Contractor Moon Wrecking Co., Adjusted Contract Price \$1,787.00.

Contract PW-5198, Location 4031-33 Lovett, Contractor Moon Wrecking Co., Adjusted Contract Price \$890.00.

Contract PW-5200, Location 800 S. Solvay, Contractor Moon Wrecking Co., Adjusted Contract Price \$2,150.00.

Contract PW-5201, Location 4024 Townsend, Contractor Moon Wrecking Co., Adjusted Contract Price \$1,400.00.

Contract PW-5232, Location 1772 Shipherd, Contractor Zebrowski & Associates, Inc., Adjusted Contract Price \$1,063.00.