

No. 3273 be and the same is hereby denied.

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

Department of Public Works

May 22, 1967.

Honorable Common Council:

Re: Petition No. 3418, Federal Broach Company, et al, Alley Vacation.

Gentlemen—The above petition requests the vacation of the north-south public alley, 18 feet wide, in the block bounded by Dale, Riverview, Midland, and Pilgrim Avenues.

Subsequently, the petitioner has requested that his petition be changed from the vacation of the above mentioned public right-of-way to a request for the conversion of same to an easement for public utilities. The requested conversion into easement for public utilities was approved by City Plan Commission. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has made the following deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

DPW, Street Maintenance Division Fund, Receipt No. B31304, \$306.50.

For the original cost of paying the north one-half of Midland Avenue at the intersection of the alley to be converted into an easement.

The petitioner has also requested that the paved returns at the entrance to the alley to be converted into an easement 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 same whenever the discontinuance of use makes such removal necessary.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right-of-way into an easement, provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

Inasmuch as the property abutting the easterly one-half of the alley to be vacated is owned by the City of Detroit, the petitioner should only have been charged for one-half of the reimbursement costs. It is, therefore, recommended that the City Controller be authorized and directed to refund to the petitioner the sum of \$153.20, said amount being the amount of overpayment.

The adoption of the attached reso-

lution is recommended.

Respectfully submitted,  
ROBERT E. TOOHEY,  
Commissioner.

By Councilman Miriani:

Resolved, That all of the north-south public alley, 18 feet wide, in the block bounded by Dale Avenue, Riverview Avenue, Midland Avenue, and Pilgrim Avenue, as platted in Aberdeen Height's Subdivision No. 1 of part of the west one-half of the S.W. ¼ of Section 16, T. 1 S., R. 10 E., Redford Township (now City of Detroit), Wayne County, Michigan, as recorded in Liber 50, Page 43 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 247 to 263, both inclusive, and lying west of and adjoining the westerly line of Lots 264 to 280, both inclusive, all of the above mentioned subdivision.

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement 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 alley and by 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 alley hereinabove described for the purposes of installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, telephone, electric light 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 easement for the purpose above set forth.

Second, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever, including, but not limited to driveways, and retaining walls, (except necessary line fence) shall be built or placed upon said easement, without prior approval by the Department of Public Works.

Third, That 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 City Controller is hereby authorized and directed to refund to the Federal Broach Company the sum of \$153.20 for the overpayment of the reimbursement costs for pavement to the City of Detroit.

Adopted as follows:

Yeas—Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

**Department of Public Works**

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-6027, 2033 Beaubien, Contractor Dore Wrecking Co., Adjusted Contract Price \$731.00.

Contract PW-6030, 471 Canton, Contractor John T. Adamo, Adjusted Contract Price \$850.00.

Contract PW-6049, 10860-62 Shoemaker, Contractor Mednis Wrecking, Inc., Adjusted Contract Price \$977.00.

Respectfully submitted,

R. C. MONAHAN,  
Engineer of Inspection.  
ALFRED BERARDUCCI,  
Acting City Engineer.  
ROBERT E. TOOHEY,  
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, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

**Department of Public Works**

June 2, 1967.

Honorable Common Council:

Gentlemen — The Department of Public Works recommends the forced construction of sidewalks at the following described locations:

Lots 356 and 355; N.S. E. Seven Mile Rd. between Fairport and West-

phalia, front only. Approx. 39.26 Lin. Ft.

Lot 354; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 353; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 352; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 351; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 350; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 349, N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 348, N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 347, N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 346; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 20 Lin. Ft.

Lot 345; N.S. E. Seven Mile Rd. between Fairport and Westphalia, front only. Approx. 19.26 Lin. Ft.

Lot 216; N.S. E. Seven Mile Rd. between Westphalia and Goulburn, front only. Approx. 23.56 Lin. Ft.

Lot 215; N.S. E. Seven Mile Rd. between Westphalia and Goulburn, front only. Approx. 20 Lin. Ft.

Lot 214; N.S. E. Seven Mile Rd. between Westphalia and Goulburn, front only. Approx. 20 Lin. Ft.

Lot 213; N.S. E. Seven Mile Rd. between Westphalia and Goulburn front only. Approx. 20 Lin. Ft.

Lots 212 thru 209; N.S. E. Seven Mile Rd. between Westphalia and Goulburn, front only. Approx. 80 Lin. Ft.

Lots 208 and 207; N.S. E. Seven Mile Rd. between Westphalia and Goulburn, front only. Approx. 40 Lin. Ft.

Lots 206 and 205; N.S. E. Seven Mile Rd. between Westphalia and Goulburn, front only. Approx. 43.50 Lin. Ft.

There is approximately 485.58 lineal feet of concrete sidewalk to be constructed; the approximate cost of this new local improvement would be \$2,041.20, the cost and expense to be assessed against such lot, lots or parcels of real estate to be benefited by such local improvement in proportion to the probable benefit to be derived therefrom.

As these are original sidewalks and can only be ordered constructed by a formal resolution as a forced account under the provisions of Chapter 264, as amended May 3, 1949, of the Compiled Ordinances, we recommend the adoption of the attached resolution.

Respectfully submitted,  
ROBERT E. TOOHEY,  
Commissioner.