

Avenue, 40 feet wide, between McGregor and Junction. The requested vacation was approved by the 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 department and account named, for the purposes indicated: Street Maintenance Division (Fund 143-6241); Receipt No. A-21186; \$265.00 for the original cost of paving the west one-half of Junction Avenue at the intersection of Commercial Avenue to be vacated.

An easement is reserved in the vacating resolution for the Michigan Consolidated Gas Company and the Detroit Edison Company for the maintenance of their installations located in the public right-of-way to be vacated.

All 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 installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
ROBERT E. TOOHEY,  
Commissioner.

By Councilman Beck:

Resolved, that all that part of Commercial Avenue, 40 feet wide, between McGregor Place and Junction Avenue as platted in Brush's Subdivision of the northerly 5 60/100 acres of the westerly 1/2 of P. C. 260 lying south of the south line of the N.Y.C.R.R. right-of-way, Detroit, Wayne County, Michigan as recorded in Liber 16 Page 19 Plats Wayne County records, lying westerly of and abutting the westerly line of lot 131 and lying easterly of and abutting the easterly line of the New York Central Railroad right-of-way, inclusive 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 reservations:

1) Provided, an easement is retained for the Detroit Edison Company and for the Michigan Consolidated Gas Company, the limits of which are as follows:

For the Detroit Edison Company: The easterly twelve (12) feet of that portion of Commercial Avenue lying adjacent to the westerly line of Junction Avenue, and adjacent to lot 131, Brush's Subdivision as recorded in Liber 16, Page 19, Plats, Wayne County records.

For the Michigan Consolidated Gas Company: An easement the full width of Commercial Avenue, 40 feet wide, in the block to be vacated.

2) Provided, that by granting the

easements the Detroit Edison Company and the Michigan Consolidated Gas Company do not waive any rights to their installations therein.

3) Provided further that no building or structure of any nature whatsoever shall be built upon the easement or underground therein without prior approval of the Detroit Edison Company and the Michigan Consolidated Gas Company, and further

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

Adopted as follows:

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

Nays—None.

### Department of Public Works

January 15, 1968

Honorable Common Council:  
Re: Street and Alley Vacations;  
Forest Park Project No. 1; Detroit  
Housing Commission — Petition  
No. 4714.

Gentlemen—We wish to advise that in carrying out the development plan for the rehabilitation of the area known as Forest Park Project No. 1, Michigan 1-16 and 1-17, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Detroit Housing Commission has requested the vacation of a certain street and certain alleys.

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 \$2,183.00 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 an estimate of \$2,400.00 as its cost of removing and rerouting its installations.

The Michigan Consolidated Gas Company has reported that it has a four-inch service line in the area to be vacated.

The Detroit Housing Commission is prepared to issue upon request of the following City departments, interdepartmental purchase orders covering the estimated expenses of the respective departments in the vacation of the street and alleys:

Department of Water Supply, \$100.00.  
Public Lighting Commission, \$1,770.00.  
Street Maintenance Bureau, \$2,700.00.

Your Honorable Body may make provisions for the relocation of the mains, lines, and poles of the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company in the

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 still pending.

All other 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, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company to remove their installations therefrom.

Respectfully submitted,  
**ROBERT E. TOOHEY,**  
 Commissioner

By Councilman Hood:

Resolved, that all of the east-west public alley, 14.18 feet wide, between Rivard Avenue and Russell Street and lying first south of Garfield Avenue, lying south of and adjoining the southerly line of lots 33 to 44 inclusive, of Hiram Walker's resubdivision of part of Outlot 5, Mullett Farm, Detroit, Wayne County, Michigan, as recorded in Liber 11, Page 56, Plats, Wayne County records, and lying north of and adjoining the northerly line of lot 16, lots 17 to 20, lot 24, the north-south public alley, 19.4 feet wide, abutting lots 16 and 17, and the north-south public alley abutting lots 20 and 24 all inclusive, of Mrs. Ester Elder's Subdivision of the north part of lot 4, Mullett Farm, Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 81, Wayne County records; also

All of the north-south public alley, 19.4 feet wide, east of Rivard and between Canfield and Garfield adjoining lot 20 and lots 21 to 24 inclusive, of the above-mentioned subdivision; also

All of the north-south public alley, 19.4 feet wide, west of Russell, and between Canfield and Garfield adjoining lot 17 and lots 13 to 16 inclusive, of the above-mentioned subdivision; also

All of Alder Place, 20 feet wide, between Rivard and Russell lying south of and adjoining the southerly line of lot 13, lots 17 to 20, lot 21, the north-south public alley, 19.4 feet wide, abutting lots 20 and 21, and adjoining the north-south public alley, 19.4 feet wide, abutting lots 13 and 17, and lying north of and adjoining the northerly line of lots 1 to 12 inclusive, of the above-mentioned subdivision; therefore be it

Resolved, that the above-described street and alleys are hereby vacated as a public street and as public alleys to become a part and parcel of the

adjoining property; and be it further

Resolved, that upon proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate their pipes, poles and lines from the vacated street and alleys to public streets most conveniently located in reference to the vacated street and alleys and consistent with the public health, safety, convenience, and general welfare; and be it further

Resolved, 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 lines from the vacated street and alleys without expense to the City within thirty days of 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, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

Department of Public Works

January 16, 1968

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.

Contract PW-7154FW for Alley Paving—Blk. bdd. by Stair, Green, Vernor, Pitt, Contractor Fort Wayne Constr. Co., Adjusted Contract Price \$11,615.10.

Contract PW-5746 for Crane Roll Replacement Northwest Incinerator, Contractor Broad Crane and Engrg. Service Co., Adjusted Contract Price \$4,624.56.