

quent to the award, Contract Changes were issued in the net amount shown above.

After the work was completed and final field measurements taken, the actual quantities of the various items of work performed resulted in a net difference as shown in the Reconciling Contract Change.

It is respectfully requested that the increased cost as shown by the Reconciling Change be approved and that the Controller be authorized to honor vouchers based on the Final Adjusted Contract Price.

Respectfully submitted,
 ROBERT E. TOOHEY,
 Commissioner

Approved:

DAN A. DeMARE,
 Deputy Controller

By Councilman Beck:

RESOLVED, That the "Final Adjusted Contract Price" on the above Contract be and is hereby approved; and be it further

RESOLVED, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, based on the Final Adjusted Contract Price as shown in the foregoing communication.

Adopted as follows:

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

Nays—None.

Department of Public Works

June 7, 1968

Honorable Common Council:

Re: Contract Pw-5343, Pavement Resurfacing Conner Avenue—Kercheval to Charlevoix and Mack to Warren, Award of Contract.

Gentlemen — In response to published advertisements, four bids were received on June 4, 1968 for the above captioned Contract as listed on the attached tabulation.

The low bid was regular in all respects and in accordance with the Contract requirements. It is, therefore, recommended that the Contract be awarded to the low bidder, The Cooke Contracting Company, in the amount of \$74,755.15.

It is estimated that \$85,250 will be required to cover the cost of the Contract as well as advertising, inspection, and minor contingencies. Funds are available for the area from Kercheval to Charlevoix in Account 976-9910-905 and for the area from Mack to Warren in Account 976-9910-904.

Respectfully submitted,
 ROBERT E. TOOHEY,
 Commissioner

Approved:

DAN A. DeMARE,
 Deputy Controller
 By Councilman Hood:

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

Contract with The Cooke Contracting Company for Pavement Resurfacing Conner Avenue — Kercheval to Charlevoix, and Mack to Warren, Contract PW-5343, in the amount of \$74,755.15; and be it further

Resolved, That the City Controller be and is hereby directed to honor vouchers when presented in accordance with the foregoing communication, the vouchers to include the cost of advertising, inspection, and contingency items as well as Contract costs and charge them to Contract 976-9910-905 and 976-9910-904.

Adopted as follows:

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

Department of Public Works

June 13, 1968

Re: Petition No. 6008—Frank Lams, et al; Vacation and Conversion to Easement of portions of Cornwall Avenue.

Gentlemen—The above petition requests the vacation and conversion of portions of Cornwall Avenue, 60 feet wide, into an easement for public utilities. The requested vacation and conversion into easement for public utilities 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:

Reimbursement costs are due the City for the original pavement of any street which intersects a street to be vacated. Guilford Avenue intersects Cornwall Avenue in the area to be vacated. The paving of Guilford Avenue was done as a W. P. A. project and a search of the records indicates that no cost items were recorded. Therefore, we recommend that your Honorable Body waive any reimbursement costs to the City.

All City departments and privately-owned utility companies reported that they will be unaffected by the vacation and conversion to an easement 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 Ravitz:

RESOLVED, that all that part of the southerly 15 feet of Cornwall Avenue, 60 feet wide, lying westerly of Guilford Avenue, as platted in Grosse Pointe Highland Subdivision of part of lots 1, 2, 3, 4 and 5 of the Front and Rear Concessions of P. C. 239, Gratiot and Grosse Pointe Townships, Wayne County, Michigan, as recorded in Liber 36, Page 61, Plats, Wayne County records, lying northerly

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of and abutting the northerly line of the easterly 108.46 feet of lot 77 of the above-mentioned subdivision; also that part of the northerly 15 feet of Cornwall Avenue, 60 feet wide, lying westerly of Guilford Avenue, and lying southerly of and abutting the southerly line of the easterly 108.46 feet of lot 78 of the above-mentioned subdivision.

Be and the same are hereby vacated to become a part and parcel of the abutting property; and be it further

RESOLVED, that all that part of the southerly 15 feet of Cornwall Avenue, 60 feet wide, lying westerly of Guilford Avenue as platted in Grosse Pointe Highland Subdivision, recorded in Liber 36, Page 61, Plats, Wayne County records, lying northerly of and abutting the northerly line of the westerly 6.00 feet of lot 77 of the above-mentioned subdivision; also

All that part of the northerly 15 feet of Cornwall Avenue, 60 feet wide, lying westerly of Guilford Avenue and lying southerly of and abutting the southerly line of the westerly 6.00 feet of lot 78 of the above-mentioned subdivision.

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the above-described parcels, 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 street 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 street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public street 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 concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, 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 street shall request the removal and/or relocation of any existing poles or other utilities in said easement, 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.

PROVIDED FURTHER, that if any utility located or to be 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 construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and be it further

RESOLVED, that due to the lack of original paving costs the reimbursement due to the City is hereby waived.

Adopted as follows:

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

Department of Public Works

June 7, 1968

Honorable Common Council:

Gentlemen—Your Honorable Body on March 9, 1965, J.C.C. 447-48, Petition 10317, approved a request for encroachment onto public property to Production Steel Company, et al, on Beaufait, north of Sylvester.

Petitioner was contacted regarding proposed encroachment, and we were informed that they wish to withdraw said petition, due to a change of plans.

The Department of Public Works requests that this resolution be rescinded, since over three years have elapsed.

Respectfully submitted,

ROBERT E. TOOHEY,
Commissioner

Department of Public Works

June 10, 1968

Honorable Common Council:

Gentlemen—Your Honorable Body on April 5, 1966, J.C.C. 1018-19, Petition 74, approved a request for encroachment onto public property to Allen B. Wallace of 3200 Doris.

Petitioner was contacted regarding proposed encroachment, and we were informed that due to a change in plans, he wishes to withdraw said petition.

The Department of Public Works, therefore, requests that said petition be rescinded.

Respectfully submitted,

ROBERT E. TOOHEY,
Commissioner

Department of Public Works

June 10, 1968

Honorable Common Council:

Gentlemen—Under action taken in J.C.C. dated, February 21, 1967, Pages 397/8, Your Honorable Body approved Petition No. 3270 of Dr. Bernard S. Arden to maintain a building encroachment at 3434 Michigan Avenue.