

Department of Public Works
April 15, 1969

Honorable Common Council:
Re: Proposed Paving of Filer Avenue from Dead End 422 Feet South of Outer Drive to Outer Drive
 Petition No. 3461 of Acme Precision Products, Inc., Protesting the paving of Filer Avenue
 Petition No. 7537 of Fitzsimons Manufacturing Company and Tilt-A-Door Corporation requesting the paving of Filer Avenue.

Gentlemen—Returned herewith is Minority Petition No. 3461 protesting the paving of Filer Avenue from 422 feet south of Outer Drive to Outer Drive, and Minority Petition No. 7537 requesting that Protest Petition No. 3461 be denied and that Filer Avenue be paved.

The paving of Filer Avenue, an industrial street, was ordered by your Honorable Body under the Forced Paving Clause of the City Charter on February 14, 1967, J.C.C. Page 303.

Both sides of Filer Avenue are occupied by industrial plants. Filer Avenue serves also as the entrance for truck traffic and employees' cars to the Press Automation Division of U.S. Industries plant which is connected by private road to the south end of Filer Avenue.

Because of the considerable traffic generated, the street requires more than average maintenance. The petitioners requesting the pavement complain that the extremely poor condition of the roadway represents a difficult and continuing problem to them in the normal operation of their business.

The petitioner protesting the paving desires a hearing before your Honorable Body. It is our recommendation that the Protest Petition be denied.

Respectfully submitted,
ROBERT P. ROSELLE
 Commissioner

By Councilman Van Antwerp:

Resolved, That Protest Petition No. 3461 be and the same is hereby denied.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works
April 28, 1969

Honorable Common Council:
Re: Petition No. 5086. Detroit Board of Education. Alley Bounded by Bourke and Chalfonte Avenues and first east Parkside Avenue. Conversion of Easement.

Gentlemen—The above petition requests the conversion of the north-south public alley, 9 feet wide, between Bourke and Chalfonte Avenues and first east of Parkside Ave-

nue into an easement for public utilities.

The requested conversion into easement for subsurface public utilities was recommended by the City Plan Commission provided sufficient land be dedicated for a new alley outlet into Parkside Avenue.

The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has issued the following Purchase Orders which have been credited to the department named for the purposes indicated.

Department of Water Supply
 Purchase Order No. 22105, \$300.00.
 For the estimated cost of abandoning water services in the alley to be vacated.

Public Lighting Commission
 Purchase Order No. 22104, \$2,000.00.
 For the estimated cost to remove lighting equipment from the alley to be vacated.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley. This deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

The petitioner wishes to have the newly deeded alley graded and the return at the entrance to the newly deeded alley paved by private contractor. The Department of Public Works has no objection as long as the work is done under City permit and according to Department of Public Works specification and inspection.

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to a subsurface easement of said alley, or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
ROBERT P. ROSELLE,
 Commissioner.

By Councilman Wierzbicki:

Resolved, That all that part of the north-south public alley, 9 feet wide, first east of Parkside Avenue, between Bourke and Chalfonte Avenues as platted in the Glacier Park Subdivision of part of the east side of the west park of Northwest Fractional ¼ of Section 22, T.1.S., R.11.E., Township of Greenfield, Wayne County, Michigan, as recorded in Liber 32, Page 54, Plats, Wayne County records, lying easterly of and abutting the easterly line of Lots 230 to 244 inclusive of the above mentioned subdivision,

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement for subsurface utilities 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 easements or right-of-way under said vacated public alley 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 things usually placed or installed under 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 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 alley shall request the removal and/or relocation of any existing utilities in said easement, such owners, upon whose property the 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 the Warranty Deed of the Detroit Board of Education deeding to the City land for alley purposes being: the south 20 feet of Lot 230 of the Glacier Park Subdivision as recorded in Liber 32, Page 54, 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, and be it further

Resolved, That the alley return at the entrance to the newly deeded alley be done under private contract at the sole cost of the petitioners under City of Detroit permit and ac-

ording to Department of Public Works specifications and inspection.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

April 23, 1969

Honorable Common Council:

Gentlemen—In response to published advertisements, bids were received on April 22, 1969, for Paving Concrete Sidewalks, Driveways, and Curbs, Group SW-69-2. This group contains the following contracts in the respective districts:

PW-4924, District 82, Bounded by Joy, Meyers, Tireman, and Pennsylvania Railroad.

PW-4925, District 82-84, Bounded by Chicago, Pennsylvania Railroad Tireman, and Greenfield.

PW-4926, District 84, Bounded by Plymouth, Pennsylvania Railroad, Chicago, and Greenfield.

The bids received on each of the contracts are as listed on the attached tabulation.

The low bid for each contract is regular in all respects and meets the contract requirements. It is, therefore, recommended that these contracts be awarded as follows to J. J. Barney, Inc.:

PW-4924, Amount of Bid \$74,367.50, Total Funds Req. \$97,000.00.

PW-4925, Amount of Bid \$100,082.50, Total Funds Req. \$131,100.00.

PW-4926, Amount of Bid \$94,637.50, Total Funds Req. \$124,000.00.

The total funds required include the cost of advertising, inspection, and minor contingencies, as well as the contract costs.

Respectfully submitted,
ROBERT P. ROSELLE
Commissioner

Approved:

B. W. KLEIN
Controller

By Councilman Wierzbicki:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contracts with the foregoing contractor for the Repair of Concrete Sidewalks, Driveways, and Curbs, as listed above; and be it further

Resolved, That the Controller be and is hereby authorized and directed to set up the necessary accounts to cover the construction costs, and the cost of advertising, inspection, and minor contingencies in connection with these contracts; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to encumber these contracts against the 1969-70 budget appropriations for same before July 1, 1969, provided that no payment on these