

outlined in the ordinance and the cost of the work entered on the assessment rolls;

2) A second category are those properties demolished in accordance with ordinance procedures, but because of alleged financial hardship to the property owner, the assessment of costs have been held in abeyance. There are 79 cases in this category now pending disposition. Corporation Counsel's Office has advised Common Council not to take action because of pending litigation against the City by owners of properties demolished or destroyed in the civil disturbance in 1967. All of the involved City departments are continuing to work on a plan for disposition of the pending cases;

(3) The third category involves the three building demolition costs recommended for cancellation in our letter of June 16, 1969. The work was done in the period immediately following the riot and the City's records in these cases are inadequate.

We do not believe that building demolition costs should be cancelled for those locations where there are sufficient records to establish costs and responsibility. It does not seem reasonable that, because the City is at fault and unable to charge for work at three locations, that the legitimate costs of demolition should be waived for other properties.

Therefore, I again recommend adoption of the attached resolution cancelling demolition cost assessments for three properties.

A further report will be submitted giving recommendations for the disposition of assessment costs appealed by property owners due to financial hardship.

Respectfully submitted,
ROBERT P. ROSELLE
Commissioner

By Councilman Hood:

Resolved, That the order of March 11, 1969, JCC P. 543 to assess \$2,121.47 against the property at 7940 Kercheval; \$712.46 against the property at Euclid, N.W. corner at John C. Lodge Freeway Service Drive for emergency demolition cost is hereby rescinded.

And Be It Further Resolved that the assessment, dated June 10, 1969 in the amount of \$10,572.68 against the premises at 11634 Dexter, Ward 12, Item 10501, be and the same is hereby cancelled, and that the Controller make the proper journal entries.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 14, 1969.

Honorable Common Council:
Re: Petition No. 6725; S. Sobo, et al;
Alley bounded by Moran, Conant, Jerome and Minnesota;
Vacation.

Gentlemen—The above petition requests the vacation of a portion of the east-west public alley, 15 feet wide in the block bounded by Moran, Conant, Jerome and Minnesota.

The requested vacation was recommended 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 departments and accounts named, for the purposes indicated:

Public Lighting Commission Fund 990-9423. Receipt No. C-205: \$375.00
For the estimated cost to reroute lighting equipment from alley to be vacated.

DPW Intersection Fund 143-6241. Receipt No. C-204: \$225.00. For the original cost of paving Conant Avenue at the intersection of the alley to be vacated.

The petitioner has also requested that the paved return at the entrance to the alley to be vacated remain in its 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.

An easement is reserved in the vacating resolution for the Bell Telephone Company and the Public Lighting Commission for the maintenance of their installations located in the public right-of-way to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right-of-way to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation 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 Miriani:

Resolved, That all that part of the east-west public alley, 15 feet wide, in the block bounded by Moran, Conant, Jerome and Minnesota lying southerly of and abutting the southerly line of Lot 598, lying northerly of and abutting the northerly line of Lots 593 to 597 inclusive of Dodge

Woodland's Subdivision of part of the Southeast Fractional 1/4 of Fractional Section 7, T.1.S., R.12.E, Hamtramck Township, Wayne County, Michigan, as recorded in Liber 32, Page 81, Plats, Wayne County records,

Be and the same is hereby vacated to become a part and parcel of the abutting property subject to the following provisions:

1) PROVIDED, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same; and further

2) PROVIDED, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Design Section of the Detroit Metropolitan Water Services and the Department of Buildings and Safety Engineering; and further

3) Provided in the event that the sewer is located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by construction over said sewer, waive all claims for damages; and further

4) PROVIDED That if the sewer 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 any construction not in accordance with Provision 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 sewer; and be it further

RESOLVED, That an easement of the full width of the above described alley is reserved for the Michigan Bell Telephone Company and the Detroit Public Lighting Commission for the purposes of maintaining their facilities in the above described alley with the right to ingress and egress at any time to and over said easement for the above purpose; and further

RESOLVED, That there shall be no building nor any change of surface grade made in said easement without prior approval by the Michigan Bell Telephone Company or the Detroit Public Lighting Commission; and further

RESOLVED, 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 facilities of the Michigan Bell Telephone Company or the Detroit Public Lighting Commission the owners shall pay all costs incidental to such removal and-or relocation,

unless such charges are waived by said utilities and further

RESOLVED, That if any facility of the above mentioned utility companies located in said vacated alley shall break or be damaged as a result of any action on the part of the petitioner or assigns then the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged facility; and further

RESOLVED, That the City Clerk is hereby directed to send a certified copy of this resolution to the Michigan Bell Telephone Company and the Detroit Public Lighting Commission.

Adopted as follows:

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

Nays—None.

Department of Public Works

July 9, 1969

Honorable Common Council:

Re: Contract PW-6155, Group FA 69-1, Demolition of Buildings, 218 Edmund Place, Award of Contract.

Gentlemen—In response to published advertisements, six bids were received on July 8, 1969 for the Demolition of Buildings at 218 Edmund Place, Contract PW-6155. A tabulation of the bids is attached.

The low bid is regular in all respects and in accordance with the Contract requirements. It is therefore recommended that the Contract be awarded to Atomic Lumber and Wrecking Company in the amount of \$2,474.80. It is estimated that \$2,800 will be required, which will include the cost of advertising and field inspection in addition to the Contract price.

An appropriation is available in Account 143-2130-364, "Building Demolition and Contractual Expense-Federal Participation," to cover the total charges.

Respectfully submitted,

ROBERT P. ROSELLE,

Commissioner

Approved:

B. W. KLEIN

Controller

By Councilman Miriani:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract for the Demolition of Buildings at 218 Edmund Place, Contract PW-6155, in the amount of \$2,474.80; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented, the vouchers to include the cost of advertising and field inspection as well as the Contract cost, and charge them to Account 143-2130-364.