

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 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 acceptance of the permit for 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.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 24, 1969

Honorable Common Council:

Re: Petition No. 6868 (1968). Gratiot Avenue Baptist Church, 13955 Eastwood Avenue. Alley bounded by Reno, Gratiot, Eastwood, and Fordham vacation.

Gentlemen—The above petition requests the vacation of the north-south and east-west public alley 18 feet wide in the block bounded by Reno, Gratiot, Eastwood, and Fordham.

The requested vacation was recommended by the City Plan Commission provided sufficient land be dedicated for a new outlet into Eastwood. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has 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 had 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.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Eastwood Avenue. 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 has requested that the paving of the new alley return and the stoning and grading of the newly dedicated alley be done by private contract. The Department of Public Works has no objection as long as the work is done under City permit and specification and inspection.

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.

An appropriate resolution is attached for your Honorable Body's consideration.

Respectfully submitted,

ROBERT P. ROSELLE

Commissioner

By Councilman Hood:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Reno, Gratiot, Eastwood, and Fordham Avenues lying northerly of and abutting the northerly line of the easterly 15 feet of lot 339, all of lot 340, and the westerly 5 feet of lot 341, lying southerly of and abutting the southerly line of lot 346, the westerly 2 feet of lot 345 and the 18 foot wide north-south alley being the easterly 18 feet of the westerly 20 feet of lot 345; inclusive of the Pulcher Estate Subdivision of part of the northwest $\frac{1}{4}$, Section 12, T.1.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 76, Plats, Wayne County records; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Reno, Gratiot, Eastwood, and Fordham Avenues, being the easterly 18 feet of the westerly 20 feet of lot 345 as platted in 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 the Warranty Deed of the Gratiot Avenue Baptist Church, deeding land to the City of Detroit for alley purposes being described as the easterly 20 feet of the westerly 25 feet of Lot 339 of the Pulcher Estate Subdivision of part of the northwest $\frac{1}{4}$, Section 12, T.1.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 76, 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 petitioner shall construct the alley return at the newly dedicated alley and stone and grade the new alley by private

contract, in accordance with City specifications and inspection and all costs for said work shall be borne by the Gratiot Avenue Baptist Church, its heirs, executors, administrators, or assigns.

Adopted as follows:

Yeas—Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Wierzbicki and President Carey—8.
Nays—Councilman Van Antwerp—1.

Department of Public Works

November 12, 1969.

Honorable Common Council:

Re: Contract PW-4928 — Repair Concrete Sidewalks, Driveways and Curbs, District 75A, area bounded by East Jefferson, Conner, Mack and East City Limits. Contractor: Century Cement

Company. Total Amount Accepted Proposal \$78,420.00
Previously Issued

Changes \$8,426.00

Contract Change, IT-3 \$ 9,100.00

Adjusted Contract Price \$95,946.00

Gentlemen—The above Contract is on a unit price basis with estimated quantities of the work stated in the Proposal. The intent of the Contract is to complete all work in the District. In preparing the Contract Documents, it is not practical to include all work in the area because of the extensive investigative work required.

Since the award of the Contract, additional work orders have been issued to the Contractor, and it is respectfully requested that the increased cost as shown by Contract Change IT-3 be approved and that the Controller be authorized to honor vouchers when presented. Funds are available to cover the increase in cost.

Respectfully submitted,

ROBERT P. ROSELLE,

Commissioner.

Approved:

B. W. KLEIN

Controller.

By Councilman Miriani:

RESOLVED, That the work covered by Contract Change No. IT-3 be added as an extra to the above Contract in accordance with the provisions for changes in the work; and be it further

RESOLVED, That the Controller be and is hereby authorized and directed to honor vouchers when presented covering this additional work.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 17, 1969.

Honorable Common Council:

Re: Contract: PW-4929; Repair Concrete Sidewalks, Driveways and Curbs in District 75 area bounded

by Kercheval, Conner, Charlevoix, East City Limits. Contractor: Domenic Macro.

Total Amount Accepted Proposal \$79,915.00

Previously Issued Changes \$3,150.00

Contract Change IT-2 \$4,400.00

Adjusted Contract Price \$87,465.00

Gentlemen—The above Contract is on a unit price basis with estimated quantities of the work stated in the Proposal. The intent of the Contract is to complete all work in the District. In preparing the Contract Documents, it is not practical to include all work in the area because of the extensive investigative work required.

Since the award of the Contract, additional work orders have been issued to the Contractor, and it is respectfully requested that the increased cost as shown by Contract Change IT-2 be approved and that the Controller be authorized to honor vouchers when presented. Funds are available to cover the increase in cost.

Respectfully submitted,

ROBERT P. ROSELLE,

Commissioner.

Approved:

B. W. KLEIN

Controller.

By Councilman Miriani:

RESOLVED, That the work covered by Contract Change No. IT-2 be added as an extra to the above Contract in accordance with the provisions for changes in the work; and be it further

RESOLVED, That the Controller be and is hereby authorized and directed to honor vouchers when presented covering this additional work.

Adopted as follows:

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

Nays—None.

Department of Public Works

November 19, 1969.

Honorable Common Council:

Re: Contract: PW-7177F: Paving; Alley — In Block Bounded by Mansfield, Montrose, Warren, Majestic.

Amount in Assessment Portion \$12,891.25

Amount in City Intersection Portion \$ 2,419.30

Total Amount Accepted Proposal \$15,310.55

Gentlemen—The Assessment Roll was based on the above Assessment Portion.

Under the provisions of the resolution authorizing the award of the Contract, any deductions from or additions to the Assessment Portion exceeding \$100.00 or one percent of the original Contract amount must be approved by the Common Council before the adjustment of such