

Department of Public Works

September 9, 1969.

Honorable Common Council:

Re: Contract PW-5773; Paving Montville, Leslie to Glendale and N-S alley Bounded by LaSalle, Fullerton, 14th, and Leslie; Award of Contract.

Gentlemen—In response to published advertisements, only one bid was received on September 4, 1969, for the Paving of Montville, Leslie to Glendale and N-S Alley bounded by LaSalle, Fullerton, 14th, and Leslie, Contract PW-5773.

Since the bid is regular in all respects, and in accordance with the Contract Documents, it is recommended that the Contract be awarded to the sole bidder, J. C. Sachs Company, Inc., in the amount of \$30,615.79. It is estimated that total funds, in the amount of \$33,800, will be required. This amount will cover the cost of the Contract as well as advertising, inspection, minor changes, and design. All costs including intersections, drainage, and removal of existing pavement are to be borne by the Board of Education, and deposits in the amount of \$32,800 have already been made by them to apply to the cost of this Contract, as stated in our letter of April 21, 1969, which appeared in the Council proceedings of April 29, 1969 (J.C.C. 1015-17). This amount is subject to adjustment when the actual costs are known.

The funds are to be set up in Account 195-9213-913.

Respectfully submitted,
ROBERT P. ROSELLE,
Commissioner.

Approved:

B. W. KLEIN,
Commissioner.

By Councilman Ravitz:

RESOLVED, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contract with J. C. Sachs Company, Inc., for the Paving of Montville, Leslie to Glendale and N-S Alley, bounded by LaSalle, Fullerton, 14th, and Leslie, Contract PW-5773, in the amount of \$30,615.79; and be it further

RESOLVED, That the Controller be and he is hereby authorized and directed to establish the necessary accounts required to accomplish the intent of the above letter; and be it further

RESOLVED, That the Controller be and he is hereby authorized and directed to honor vouchers when presented and charge them against Account 195-9213-913, the vouchers to include the cost of advertising, inspection, contingencies, and design items as well as the cost of the Contract; and be it further

RESOLVED, That the amount to be

charged to the Board of Education be adjusted, if necessary, when final costs are known.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Tindal, Wierzbicki and President Pro Tem Mirlani—7.

Nays—None.

Department of Public Works

September 11, 1969

Honorable Common Council:

Re: Petition Nos. 7369 and 7414, Modern American Living, Inc. Alley bounded by Twelfth Street, Harrison, Magnolia and Hazel and Harrison Avenue between Magnolia and Hazel Vacation and Conversion to Easement.

Gentlemen—The above petition requests the vacation of the north-south public alley 15 feet wide in the block bounded by Twelfth, Harrison, Magnolia and Hazel and Harrison Avenue 60 feet wide, between Magnolia and Hazel Streets.

Subsequently, the petitioner has requested that his petition be changed from the vacation of Harrison Street to a request for the conversion of same to an easement for subsurface public utilities.

The requested vacations were 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-10355, \$2,300.00. For the estimated cost to relocate street lighting equipment from Harrison Street.

DPW Intersection Fund 143-6241, Receipt No. C-10336, \$533.00. For the original cost of paving Magnolia and Hazel Streets at the intersection of the street and alley to be vacated.

The petitioner has also requested that the paved returns at the entrance to the alley and street to be vacated remain in their 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.

All other City departments and privately-owned utility companies reported that they will be unaffected by the vacation of the alley 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 P. ROSELLE
Commissioner

By Councilman Ravitz:

Resolved, That all that part of the north-south public alley, 15 feet wide in the block bounded by Twelfth Street, Harrison, Magnolia, and Hazel as platted in Albert Cranes Section of the Thompson Farm being part of the Private Claim 227, late Springwells now Detroit, Wayne County, Michigan as recorded in Liber 1, Page 11, Plats, Wayne County records lying easterly of and abutting the easterly line of lots 113 to 119, lying westerly of and abutting the westerly line of lots 112, 120, lying westerly of and abutting the westerly line of the vacated east-west alley, 30 feet wide, between lots 112 and 120 inclusive of the above mentioned subdivision;

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

Resolved, That all that part of Harrison Avenue, 65 feet wide, between Magnolia and Hazel Streets lying easterly of and abutting the easterly line of lots 14 to 20, and lying westerly of and abutting the westerly line of lots 21 to 27 inclusive of the Dickinson Subdivision of that part of Outlot 10 lying north of Magnolia Street and west of National Avenue of the subdivision of Private Claim 27, being the rear concession of the Lognan Farm, Detroit, Wayne County, Michigan, as recorded in Liber 11, Page 99, Plats, Wayne County records,

Be and the same is hereby vacated as a public street and is hereby converted into a public easement for subsurface utilities of the full width of the street, 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 in said vacated public street hereinabove described for the purpose of maintaining, installing, repairing, removing, or replacing sub-surface public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed under 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 utilities in said easement, such owners, upon whose property the utilities are located shall pay all costs incidental 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 if at any time in the future it is necessary to remove the paved street and alley returns at the entrance of the above described street and alley the entire cost of such removal and construction of sidewalk and curb at said intersection shall be borne by the petitioner, his heirs, administrators and assigns.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Tindal, Wierzbicki and President Pro Tem Miriani—7.

Nays—None.

Department of Public Works

September 8, 1969.

Honorable Common Council:

Re: Petition of the Synanon Foundation, Inc. for Waiver of Fees for Rubbish Collections.

Gentlemen—We return herewith petition No. 8812 of the Synanon Foundation, Inc. at 8344 E. Jefferson Detroit, Michigan, in which they requested a waiver of fees for garbage and rubbish collections.

As the Synanon Foundation is an institution for drug addicts, alcoholics and character disorders and is a tax-exempt, non-profit organization — it is recommended that their request be granted as per attached resolution.

Respectfully submitted,
ROBERT P. ROSELLE,
Commissioner.

Approved:
B. W. KLEIN,
Controller.