

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Miriani—8.

Nays—None.

Note: * RECONSIDERATION WAIVED per motions before adjournment.

Department of Public Works

December 17, 1969

Honorable Common Council:

Re: Petition No. 8384

Detroit Board of Education, 5057

Woodward

Vacation of Guilford Avenue between Warren and Southhampton

Gentlemen — The above petition requests the vacation of a portion of Guilford Avenue between Warren and Southampton, 60 feet wide.

The requested vacation was recommended by the City Plan Commission with the further recommendation that sufficient land be dedicated for a new street.

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 and issued the listed purchase orders, which have been credited to the departments and accounts named, for the purposes indicated:

Detroit Metropolitan Water Services, Purchase Order No. 39396, For the estimated cost of water main relocation work to be done by the Detroit Metropolitan Water Services, \$2,600.00.

Detroit Metropolitan Water Services (Sewer Maintenance Div.) purchase Order No. 39397 For the estimated cost to construct two manholes, \$4,000.00.

Fire Department, Purchase Order No. 39398, For the estimated cost to relocate one fire hydrant, \$1,200.00.

Public Lighting Commission, Purchase Order No. 39399, For the estimated cost to reroute lighting facilities, \$24,000.00.

Department of Public Works-Street Design Bureau, Fund 990-9443-006 Receipt No. A-18416, For the estimated cost for construction of the new pavement including drainage in the newly dedicated turn-around, \$30,000.00.

DPW Street Maintenance Division-Fund 143-6221, Receipt No. A-18415, For the estimated cost to remove paved street return, construct new curb and sidewalk and backfill where necessary at the intersection of Guilford and Southhampton Avenues, \$4,200.00.

A Warranty Deed has been received from the petitioner, deeding to the

City of Detroit, land for the new street turn-around. 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.

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 ROSELLE

Commissioner

By Councilman Van Antwerp:

Resolved, That all that part of Guilford Avenue, 60 feet wide, from the south line of Southampton Avenue, 60 feet wide to a point 300 feet south of said south line of Southampton, as platted in Grosse Pointe Highlands Subdivision of part of lots 1, 2, 3, 4 and 5 of Front and rear concessions of Private Claim 239, Gratiot and Grosse Pointe Townships (now Detroit), Wayne County, Michigan as recorded in Liber 36, Page 61, Plats, Wayne County records, lying easterly of and abutting the easterly line of lots 141 to 145, lying westerly of and abutting the westerly line of lots 162 to 166 all inclusive of the above mentioned subdivision

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

Resolved, That the Warranty Deed of the Board of Education of the City of Detroit, deeding land to the City of Detroit for street purposes, being:

The west 90 feet of lots 167, 168, 169, 170 and the west 90 feet of the north 20 feet of lot 171, Grosse Pointe Highlands Subdivision, as recorded in Liber 36, Page 61, 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 same is hereby set aside for street purposes, and

Whereas, The newly dedicated street right-of-way is to be paved as part of a turn-around parallel and easterly of the present pavement, and

Whereas, The City Engineer is preparing to let a contract for the paving of this portion of Guilford Avenue, and

Whereas, The Board of Education of the City of Detroit has agreed to pay all costs for the paving of this portion of Guilford and has deposited the sum of \$30,000 with the City for this purpose.

Therefore, Be it resolved that the paving is hereby approved and the City Engineer is directed to proceed with the paving thereof.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Tindal, Van Antwerp, Wiersbicki and President Pro Tem Miriani—8.

Nays—None.

Note: * RECONSIDERATION WAIVED per motions before adjournment.

Department of Public Works

December 16, 1969

Honorable Common Council:

Re: Alley Vacation: West Side Industrial Project No. 2, Detroit Housing Commission — Petition No. 8853.

Gentlemen — We wish to advise that in carrying out the development plan for the area known as West Side Industrial Project No. 2, Michigan R-97, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Detroit Housing Commission has requested the vacation of a certain alley.

The Detroit Edison Company has reported that it has lines and poles in the alley to be vacated and has submitted an estimate of \$1,796.00 as its cost of removing and rerouting its installations.

The Michigan Bell Telephone Company has reported that their facilities will be affected by the vacation.

Your Honorable Body may make provisions for the relocation of the lines and poles of the Detroit Edison Company and the Michigan Bell Telephone Company to the streets located near the alley to be vacated.

The Corporation Counsel contends that these relocating costs are not chargeable against the City. The case involving the liability of the City for these costs is still pending.

The Detroit Housing Commission has issued the following interdepartmental purchase orders covering the estimated expenses of the respective departments in the vacation of the alley:

DPW Intersection Fund IPO No. 17444, \$60.00.

Public Lighting Commission IPO No. 17445, \$450.00.

The petitioner wishes to have the paved alley return removed, new sidewalks and curb constructed by private contract. This department has no objection as long as the work is done under City permit and inspection and according to Department of Public Works specifications, at no expense to the City.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in

sewers located or to be located in the alley to be vacated.

All other City departments and private utility company reported that they will be unaffected by the vacation of said alley.

In view of the foregoing it will be necessary to adopt a resolution vacating the aforementioned alley and directing the Detroit Edison Company and the Michigan Bell Telephone Company to remove their installations therefrom.

Respectfully submitted,
ROBERT P. ROSELLE
Commissioner

By Councilman Van Antwerp:

Whereas, The City of Detroit is undertaking the rehabilitation of the area known as West Side Industrial Project No. 2, Michigan R-97, pursuant to Act 344 of the Public Acts of 1945, as amended, and

Whereas, In order to carry out the development plan for this project it is necessary for the City of Detroit to vacate a certain alley in the area, therefore be it

Resolved, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Sixteenth, Fifteenth, Lafayette and Howard lying easterly of and abutting the easterly line of lots 2 to 8 inclusive of Block 14, lying westerly of and abutting the westerly line of lots 2 to 8 inclusive of Block 15, all inclusive of the plat of the Front Subdivision of the Lafontaine Farm, Private Claim 44, between the Detroit River and the Chicago Road, Detroit, Wayne County, Michigan as recorded in Liber 59, Pages 154 and 155, Deeds, 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 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