

**Department of Public Works**

March 4, 1970

Honorable Common Council:

Re: Right-of-Way Agreement for Water Main Across Recorders' Court Building Site with Detroit-Wayne Joint Building Authority.

Gentlemen—There is attached an easement agreement between the Detroit-Wayne Joint Building Authority and the City of Detroit, Board of Water Commissioners to provide for the relocation of a 30-inch water main to a location north of the new Recorders' Court Building in a strip of land 20 feet wide extending from Gratiot Avenue to St. Antoine Street across property deeded to the Authority on April 19, 1966 J.C.C. Page 1106.

This easement agreement has been signed for the Detroit-Wayne Joint Building Authority and the Board of Water Commissioners. The document has been approved as to form and execution by the Office of the Corporation Counsel.

It is recommended that your Honorable Body approve and confirm this agreement.

Respectfully submitted,  
**CHARLES E. McCARTHY,**  
 Deputy Commissioner

By Councilman Van Antwerp:

Resolved, That easement agreement with the Detroit-Wayne Joint Building Authority referred to in the foregoing communication, be and the same is hereby approved and confirmed.

Resolved, That the Clerk is hereby directed to send a completely executed copy of same to the Office of the Secretary of the Board of Water Commissioners and one copy to the Detroit-Wayne Joint Building Authority.

Adopted as follows:

Yeas—Councilmen Browne, Eberhard, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Hood—8.

Nays—None.

**Department of Public Works**

March 3, 1970

Honorable Common Council:

Re: Petition No. 9281, Continental Baking Company, Alley bounded by Brooklyn, John Lodge Freeway, Perry and Temple Avenues.  
 Vacation.

Gentlemen—The above petition requests the vacation of a portion of the north-south public alley 17 feet wide in the block bounded by Brooklyn, the John Lodge Freeway, Perry and Temple.

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 deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

DPW Intersection Fund: Receipt No. B 31068, \$87.00. For the original cost of paving the southerly one-half of Temple Avenue at the intersection of the north-south 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 Detroit Metropolitan Water Services 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,  
**CHARLES E. McCARTHY,**  
 Deputy Commissioner

By Councilman Van Antwerp:

Resolved, That all that part of the 17 foot wide north-south public alley, first east of Brooklyn Avenue lying between Temple Avenue and the alley first southerly of Temple Avenue as platted in the Subdivision of the Labrosse Farm, so called, lying between the Chicago and Grand River Roads, in the Western Addition to the City of Detroit, as recorded in Liber 14, Pages 414 and 415, Deeds, Wayne County records, and as shown on Department of Public Works Drawing X-9281 dated December 16, 1969;

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 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 further

(5) Provided, That an easement over the easterly 5 feet of the 17 feet wide north-south alley first west of the West Service Drive of the Lodge Freeway between Temple and the alley south is reserved for the Detroit Metropolitan Water Services for the purpose of installing, maintaining, operating, repairing, removing or replacing any water mains, fire hydrants and appurtenances, with the right of ingress or egress at any time to and over said easement for the purpose above set forth. Free and easy access to the water mains, fire hydrants and appurtenances within the easement, is required for Detroit Metropolitan Water Services equipment including the use of backhoes, bull dozers, cranes or pipe trucks and other heavy construction equipment as necessary for alteration or repair of the main and facilities. The Detroit Metropolitan Water Services retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection; and further

(6) Provided That said owners of the adjoining property for their heirs and assigns agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc. shall be built upon said easement or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Metropolitan Water Services; and further

(7) Provided, 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 the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and-or relocation. It is further provided that if water mains, and-or appurtenances in said easement shall break or be damaged as a result of any action on the part of the Owner, or assigns, then in such event the owner or assigns shall be liable for all costs or damaged mains and shall also be liable for all claims for damages resulting from his action.

Adopted as follows:

Yeas—Councilmen Browne, Eberhard, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Hood—8.  
Nays—None.

**Purchases and Supplies**

March 17, 1970

Honorable Common Council:  
Gentlemen —The Department of Purchases and Supplies has advertised for bids in accord with specifications and recommends that contracts be entered into with firms or persons as is detailed in the following communications:

FILE No. 3313

Four bids were received as a result of twenty-six solicitations, as per tabulation, for furnishing the Detroit Metropolitan Water Services with Trucks, Miscellaneous.

Detailed description as is on file in the office of the City Clerk.

Prices are each.

To: Trumbull Chevrolet Sales Co., Inc. of Detroit (Lowest Bid)—

- 5 Only, Trucks, ½ Ton Pickup, Chevrolet CS 10704, \$1,949.90.
- 2 Only Trucks, ¾ Ton Pickup, Chevrolet CS 20904, \$2,056.54.
- 4 Only, Trucks, ½ Ton Utility, Chevrolet CS 10703, \$2,402.02.
- 1 Only, Truck, 1 Ton Utility, Chevrolet CS 31003, \$3,072.83.
- 1 Only, Truck 5 Yard Dump, Chevrolet CE 61403, \$5,345.19.
- 2 Only, Trucks, Dump, Tandem Axle, Chevrolet ME61703, \$13,933.69.
- 1 Only, Truck, 1200 Gal. Tank, Chevrolet CE 51403, \$9,086.45.

To: Downtown Sales Inc. of Detroit (Lowest Bid)—

- 2 Only, Trucks, ¾ Ton Utility, Ford F250, \$3,823.00.
- 2 Only, Trucks, Leak Repair, Ford F600, \$5,410.00.

To: Jerry Biefeld Co. of Detroit (Lowest Bid)—

- 3 Only, Trucks, 1½ Ton Van, Ford P500, \$4,949.00.

To: International Harvester Co. of Dearborn, Michigan (Lowest Bid)—

- 3 Only, Trucks, Carry-All, Model 1100D, \$2,762.24.

Trumbull Chevrolet Sales Co., Inc., Downtown Sales, Inc., Jerry Biefeld Co., and International Harvester Co. will accept purchase orders for additional vehicles at the same prices,