

Department of Public Works

October 1, 1970

Honorable Common Council:  
 RE: Petitions No. 349 and 438  
 Detroit Housing Commission  
 Street and Alley Vacations  
 West Side Industrial Project No.  
 2, Michigan R-97

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 (349 and 438) has requested the vacation of the streets and alleys in the area bounded by Sixteenth, Vermont, Lafayette and Bagley Streets. The requested vacations were recommended by the City Plan Commission.

The Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company have reported that they have mains, lines and poles in the streets and alleys to be vacated which will have to be removed and rerouted.

Your Honorable Body may make provisions for the relocation of said mains, lines and poles of the above-mentioned companies.

The Corporation Counsel contends that any costs incurred in the relocation of equipment from the streets and alleys to be vacated are not chargeable against the City. The case involving the liability of the City is now pending.

Interdepartmental Purchase Orders have been issued to the Public Lighting Commission Communications Division and to the Fire Department for the relocation of their facilities.

An easement is retained in Fifteenth Street for the Detroit Metro Water Department for the maintenance of the mains located in said street until new main construction is completed.

All other involved City departments reported that they have no objection to the proposed vacations 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,  
 ALFRED BERARDUCCI

Commissioner of Public Works

By Councilman Hood:

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 certain streets and alleys 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 Fourteenth, Fifteenth, Howard and Porter Streets abutting the easterly line of Lots 11 to 27 and the northerly 24.54 feet of Lot 10 of Block 16, of the Front Subdivision of the Lafontaine Farm, Private Claim 44, between the Detroit River and the Chicago Road, as recorded in Liber 59 Pages 154 and 155, Deeds, Wayne County Records; also abutting the westerly line of Lots 162 to 175 of the Subdivision of part of the Godfroy Farm, Private Claim 726, between Howard and Marquette (now Porter) Streets as recorded in Liber 4, Page 17, Plats, Wayne County Records; also

All that part of the north-south public alley, 20 feet wide, in the block bounded by Sixteenth, Fifteenth, Howard and Porter, lying easterly of Lots 11 to 27 and the northerly 23.63 feet of Lot 10, Block 14; lying westerly of Lots 11 to 27 and the northerly 23.65 feet of Lot 10, Block 15, all of the Front Subdivision of the Lafontaine Farm as recorded in Liber 59, Pages 154 and 155, Deeds, Wayne County Records, and as shown on Department of Public Works Drawing No. X-349, dated April 6, 1970, also

All that part of the north-south public alley 20 feet wide, not previously vacated, in the block bounded by Fifteenth, Fourteenth, West Lafayette and Howard the westerly half of which was platted in the above mentioned subdivision and the easterly half as opened on July 17, 1874 through the Peter Godfroy Farm, Private Claim 726, Detroit, Wayne County, Michigan, lying northerly of the northerly line of Lot 1 extended easterly of the above mentioned Front Subdivision of the Lafontaine Farm as recorded in Liber 59, Pages 154 and 155, Deeds, Wayne County Records. All that part of the east-west public alley, 20 feet wide, in the block bounded by Fifteenth, Fourteenth, West Lafayette and Howard as opened on February 5, 1901, through the Peter Godfroy Farm, Private Claim 726, the deed for which was recorded in Liber 536, Page 442, Deeds, Wayne County Records; and lying between Lots 9 and 10, and Lots 11 and 12 as platted in Caroline A. Godfroy's Subdivision of a portion of Private Claim 726, Peter Godfroy Farm, as recorded in Liber 1, Page 200, Plats, Wayne County Records.

Be and the same are hereby vacated to become a part and parcel of the abutting property, and further

Resolved, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company and the Michigan Bell Telephone Company, permits to relocate their pipes, poles and lines



from the vacated rights-of-way to public streets most conveniently located in reference to the vacated rights-of-way, consistent with the public health, safety, convenience and general welfare; and be it further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their pipes, poles and lines from the vacated rights-of-way without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

Resolved, All that part of Fifteenth Street, 60 feet wide, between West Lafayette and Howard Street, abutting the westerly line of Lots 2 to 7 and the southerly 35.93 feet of Lot 8, Block 16; and abutting the easterly line of Lots 2 and 7 and the southerly 36.06 feet of Lot 8, 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, as recorded in Liber 59, Pages 154 and 155, Deeds, Wayne County Records; also

All that part of Fifteenth Street, 60 feet wide, between Howard Street and Porter Street, abutting the easterly line of Lots 11 to 27 and the northerly 23.94 feet of Lot 10, Block 15; and abutting the westerly line of Lots 11 to 27 and the northerly 24.07 feet of Lot 10, Block 16; all of the above mentioned subdivision; also

All that part of Fifteenth Street, 60 feet wide, between Porter Street and Bagley Avenue, lying southerly of and abutting the southerly line extended easterly to the westerly line of the Penn-Central Railroad Right-of-way, abutting the easterly line of Lots 1 to 19, Block 18; and the vacated portion of Newark Street south of Bagley; and abutting the westerly line of Lots 1 to 16, Block 17; and the vacated portion of Newark Street south of Bagley; all of the above mentioned subdivision,

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

1. Easements, the full width of the above described 15th Street Right-of-Way are reserved for the Detroit Metro Water Department for the purpose of installing, operating, maintaining, 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 easements for the purpose above set forth.

Free and easy access to the water mains, fire hydrants and appurtenances within the easements, is required for Detroit Metro Water Department 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 Metro Water Department retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection.

2. Said owners of the adjoining property for their heirs and assigns agree that no building or structure of any nature whatsoever, including porches, patios, balconies, et cetera shall be built upon said easements or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Metro Water Department.

3. That if at any time in the future, the owners of any lots abutting on said vacated streets shall request the removal and-or relocation of the aforementioned utilities in said easements, 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 easements 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 incident to the repair of such broken or damaged mains and shall also be liable for all claims for damages resulting from his action, and be it further

RESOLVED, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate their pipes, poles and lines from the vacated streets to public streets most conveniently located in reference to the vacated streets and consistent with the public health, safety, convenience, and general welfare; and be it further

RESOLVED, That the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and lines from the vacated streets without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

RESOLVED, That all that part of Vermont Avenue, 70 feet wide, not previously vacated between the Penn-Central Railroad Right-of-Way and Porter Street lying southerly of and abutting a line drawn westerly and perpendicular to the easterly line of Vermont from the northeasterly corner of Lot 1 of the Resubdivision of Lots 164, 165 and 166 of part of Outlot L, Lafferty Farm, as recorded in Liber 2, Page 22, Plats, Wayne County Records, lying westerly of and abutting the westerly line of Lot 1 and the 10 foot



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wide alley southerly of Lot 1 all of the above mentioned subdivision; lying westerly of and abutting the westerly line of Lots 167 to 171 as platted in the Subdivision of part of Outlot 1 between Baker Street and the Michigan Central Railroad, Lafferty Farm, as recorded in Liber 1, Page 305, 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:

An easement of the full width of the above described street is reserved for the City of Detroit, Department of Public Works, said easement shall exist until the demolition of the Vermont Avenue bridge over the Penn-Central Railroad Right-of-Way is completed, with the right of ingress or egress at anytime to and over said easement including backhoes, bulldozers, cranes and trucks, which are necessary for the demolition of said bridge; and be it further

RESOLVED, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, permits to relocate thier pipes, poles and lines from the vacated streets and alleys to public streets most conveniently located in reference to the vacated streets and alleys and consistent with the public health, safety, convenience, and general welfare; and be it further

RESOLVED, That the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, are hereby directed to remove all their pipes, poles and lines from the vacated streets and alley without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

RESOLVED, That all that part of Howard Street, 60 feet wide, between Sixteenth and Fourteenth Streets as opened on June 6, 1864 being parts of Lots 8, 9 and 10 of Blocks 14, 15 and 16 of the Plat of the Front Subdivision of the Lafontaine Farm, Private Claim 44, between the Detroit River and the Chicago Road, as recorded in Liber 59, Pages 154 and 155, Deeds, Wayne County Records; and abutted on the northerly and southerly lines by Fifteenth Street as platted in the above mentioned subdivision; and as opened on June 6, 1864 through the Peter Godfroy Farm, Private Claim 726; and as opened on June 6, 1864, through Caroline A. Godfroy's Subdivision of a portion of Private Claim 726, Peter Godfroy Farm as recorded in Liber 1, Page 200, Plats, Wayne County Records; and as opened through the Subdivision of part of the Godfroy Farm, Private

Claim 726, between Howard Street and Marquette Streets as recorded in Liber 4, Page 17, Plats, Wayne County Records, lying easterly of and abutting the easterly line of Sixteenth and extending to and abutting the westerly line of Fourteenth Street,

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 purposes of maintaining, installing, repairing, removing, or replacing subsurface 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 upon proper application the Department of Public Works shall issue to the Detroit Edison Company and the Michigan Bell Telephone Company permits to



relocate their poles and lines from the vacated street to public streets most conveniently located in reference to the vacated street consistent with the public health, safety, convenience and general welfare; and be it further

RESOLVED, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their poles and lines from the vacated street without expense to the City within thirty days of receipt of a copy of this resolution; and be it further

RESOLVED, That the City Clerk is hereby directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

**Department of Public Works**

September 30, 1970

Honorable Common Council:

Re: Contract PW-4939. District 97D. Sidewalk Group SW 70-2.

In Area Bounded By: Whittier, Roxbury, Morang, and Ford Freeway. Contractor: J. J. Barney, Inc. Total Amount Accepted Proposal \$52,381.50. Interim Reconciling Contract Change \$4,920.00.

Gentlemen—The above Contract is on a unit price basis, with estimated quantities of the various items of work stated in the Proposal.

Since the award of the Contract, additional sidewalks have been condemned resulting in the addition shown above for the Interim Reconciling Contract Change.

It is respectfully requested that the increased cost as shown by the Interim Reconciling Change be approved and that the Controller be authorized to honor vouchers when presented. Funds are available to cover the increase in cost.

Respectfully submitted,  
ALFRED BERARDUCCI,

Commissioner

By Councilman Levin:

Resolved, That the additional work described in the foregoing communication 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 Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

**Department of Public Works**

October 6, 1970

Honorable Common Council:

Re: Petition No. 1633 by Mrs. Annie M. Watson, 3887 French Road for removal of debris free of charge  
Gentlemen—Petition No. 1633 by Mrs. Annie M. Watson requests free removal of garage lumber from her back yard at 3887 French Road.

Our Commercial Bureau investigated this case and found the following conditions (1) Mrs. Watson is separated from her husband (2) has eight children (3) receives her support from A.D.C., file No. Re C 8269693-8 (4) she and the children tore the garage down (5) because of the debris the younger children have no back yard to play in (6) the cost of removal of the lumber is estimated at One Hundred and Five Dollars (\$105.00).

We therefore, request authority from your Honorable Body to remove this debris free of charge.

Respectfully submitted,  
ALFRED BERARDUCCI,  
Commissioner

By Councilman Levin:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to remove the debris resulting from the demolition of a garage at the rear of 3887 French Road, free of charge in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Wierzbicki, and President Ravitz—8.  
Nays—Councilman Van Antwerp—1.

**Department of Public Works**

September 14, 1970

Honorable Common Council:

Re: Pavement Resurfacing — Group RS 70-1, Award of Contracts

Gentlemen—In response to published advertisements, bids were received on September 8, 1970 for Pavement Resurfacing — Group RS 70-1. This group consists of the following contracts:

- Contract No. PW 5344 — McNichols, Conner to Gratiot.
- Contract No. PW 5345—Cadieux, Warren to Harper and Ford Expressway to Morang.

The tabulation of bids received on each of the Contracts is attached.

The low bid in each case is regular in all respects and in compliance with the Contract requirements. It is therefore recommended that the Contracts be awarded to the respective bidders listed below in the amounts stated.

To:

Detroit Asphalt Paving Co., Contract PW-5344, Amount of Bid, \$213,076.05, Total Funds Required, \$227,000.00.

The Cooke Contracting Co., Contract PW-5345, Amount of Bid, \$140,650.15, Total Funds Required, \$150,700.00.