

is retained for the Detroit Edison Company and the Michigan Bell Telephone Company, and further

2) Provided, That by granting the easements the Detroit Edison Company and the Michigan Bell Telephone Company do not waive any rights to their installation therein, and further

3) Provided, That no building or structure of any nature whatsoever shall be built upon the easement of underground therein without prior approval of the Detroit Edison Company and the Michigan Bell Telephone Company;

4) Provided Further, 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

5) 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

6) 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

7) 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 5, 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 be it further

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

Adopted as follows:

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

Nays—None.

Department of Public Works

February 5, 1970

Honorable Common Council:

RE: Supplemental Appropriations for Snow and Ice Removal

Gentlemen — On January 27, 1970,

per JCC p. 152, your Honorable Body appropriated a supplemental appropriation of \$200,000 in the Snow and Ice Account to cover the cost of Snow removal activities due to the heavy snowfalls.

Since then, we experienced an additional 6 inches of snow for a total snowfall to date of 26.9 inches in comparison to 14.3 inches a year ago to date; the department used an additional 20,000 tons of salt at \$9.90 per ton, for a total of 75,767 tons of salt to date in comparison to only 43,578 tons a year ago to date, and 47,981 tons were used for the entire year. The cost per inch of snow averages now \$48,165 in comparison to \$51,650 last year.

In order to charge the Snow and Ice Account for work performed and for salt used to date, it is requested that your Honorable Body authorize and direct the City Controller to transfer an additional \$300,000 to the Snow and Ice appropriation as per attached resolution.

Respectfully submitted,

CHARLES E. MCCARTHY

Deputy Commissioner

Approved:

R. P. ROSELLE

Controller

By Councilman Levin:

WHEREAS, the above request is considered necessary to assure the preservation of the peace, health, safety and welfare of the people of the City of Detroit; therefore be it

RESOLVED, That the Controller be and is hereby authorized and directed to transfer \$300,000 from Account No. 109-0010-612, Common Council Contingencies, to Account No. 144-2422-121, Snow and Ice Removal Wages, and honor payrolls and vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

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

Nays—None.

Department of Public Works

January 30, 1970

Honorable Common Council:

Re: Petition No. 8300, McLouth Steel Corporation, Alley north of South Street between Livernois and Dragoon Vacation.

Gentlemen — The above petition requests the vacation of a portion of the north-south and all of the east-west public alleys 20 feet wide northerly of South Street between Livernois and Dragoon Avenues.

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

Public Lighting Commission Fund 990-9423, Receipt No. C-31427, \$900.00. For the estimated cost to reroute lighting facilities.

The petitioner has also requested that the paved return at the entrance to the east-west alley at Dragoon Avenue 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the north-south public rights-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 Tindal:

Resolved, That all that part of the north-south public alley, 20 feet wide, northerly of South Street between Livernois and Dragoon Avenues as platted in Daniel Scotten's Subdivision of that part of Private Claim 32 and the east 735.90 feet of Private Claim 268 lying between Fort Street and the River Road, town of Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 9, Page 19, Plats, Wayne County records lying easterly of and abutting the easterly line of lots 247, 248 and the southerly 20 feet of lot 249; lying westerly of and abutting the westerly line of lots 289 and 290 abutting the east-west alley, 20 feet wide, (formerly the southerly 20 feet of lot 288) abutting the northerly line of lot 289 all inclusive of the above mentioned subdivision.

Be and the same is hereby vacated as a public alley 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 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 be it further

Resolved, That all that part of the east-west public alley, 20 feet wide, first north of South Street between Livernois and Dragoon Avenues, said alley being in fact the southerly 20 feet of lot 288 as platted of Daniel Scotten's Subdivision as recorded in Liber 9, Page 19, Plats, Wayne County records;

Be and the same is hereby vacated to become a part and parcel of the abutting property.

Adopted as follows:

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

Nays—None.

Purchases and Supplies

February 10, 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. 3018

Six bids were received as a result of eleven solicitations, as per tabulation, for furnishing the Health Department with Fan, Exhaust.

To: Buffalo Forge Co. of Detroit (Lowest Acceptable Bid)—

1 Only, Fan, Exhaust, electric motor driven, Vane Axial with aluminum wheel, V-drive with weather cover. Buffalo Forge Co. 36 in. type B. Complete For The Sum of \$1,208.00 Lot.