

The total funds required include the cost of advertising, field inspection, and possible minor changes, as well as the Contract cost. Funds for Contract PW-5344 are available in Account 980-9920-918 and for Contract PW-5345 in Accounts 980-9920-905 and 195-9210-915.

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner.

Approved:
W. I. STECHER,
Deputy Controller.

By Councilman Rogell:
Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into contracts with the Detroit Asphalt Paving Company for P.W. 5344 for \$213,076.05 to be charged to Account No. 980-9920-918 and with the Cooke Contracting Company for P.W. 5345 for \$140,650.15 to be charged to Account No. 195-9210-915; and be it further

Resolved, That the 1969 Motor Vehicle Highway Bond Fund be charged for the Ford Expressway to Morang portion of contract P.W. 5345 after final costs are determined; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented, said vouchers to include the cost of advertising, inspection, field engineering and minor contingencies as well as contract costs.

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 12, 1970

Honorable Common Council:

Gentlemen — Submitted herewith for confirmation is contract entered into as authorized and directed by your formal proceedings dated below:

Contract No. PW-6161 for Demolition of Buildings, Group FA 70-5, 12406-08 E. Jefferson, Contractor, Progress Wrecking Corporation, Award Authorized July 7, 1970.

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner

By Councilman Tindal:

Resolved, That contract as listed in the foregoing communication be and the same is hereby confirmed.

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: Contract: PW-6167, For: Demolition of Building, 2050 W. Forest, Adjusted Contract Price: \$3,200.00. Contractor: Adamo Wrecking Co.

Gentlemen—This is to certify that all work required of the Contractor in the performance of this Contract has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is, therefore, recommended that the total value of the work, as above stated, be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

R. C. MONAHAN,
Engineer of Inspection

R. R. HICKS,
Acting City Engineer
ALFRED BERARDUCCI,
Commissioner

By Councilman Tindal:

Whereas, from the foregoing communication, it appears that all work required to be performed by the Contractor under the Contract therein named has been fully completed, and

Whereas, the completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

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 1, 1970

Honorable Common Council:

Re: Petition No. 8385, 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 has requested the vacation of certain streets and alleys in the area bounded by Vermont, the Penn-Central Railroad Right-of-Way, Lafayette Boulevard and Howard Ave-

nues. The requested vacations were recommended by the City Plan Commission.

The Detroit Edison Company has reported that it has lines and poles in the streets and alleys to be vacated which will have to be removed and rerouted.

The Michigan Bell Telephone Company has reported that it has 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 lines and poles of the Detroit Edison Company and the Michigan Bell Telephone Company to streets near the streets and alleys to be vacated.

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.

The Detroit Housing Commission has issued Interdepartmental Purchase Order No. S-17437 (\$400.00) for the original cost of paving one-half of the streets at the intersection of the streets and alleys 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 rights-of-way to be vacated.

All other involved City departments are privately-owned utility companies reported that they have no objection to the proposed vacations and conversion to easement 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 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 certain streets and alleys in the area, therefore be it

Resolved, That all that part of the east-west public alley, 25 feet wide, easterly of Vermont Avenue, between Lafayette Boulevard and Howard Avenue as platted in Clement Lafferty's Subdivision of Lot 1, Lafferty Farm, lying between Lafayette and Howard, Detroit, Wayne County, Michigan, as recorded in Liber 11, Page 57, Plats, Wayne County Records and as shown on Department of Public Works' Drawing No. X-8385, dated May 15, 1969, and further

Resolved, That all that part of Vermont Avenue, 60 feet wide, between Howard Avenue and the Penn-Central Railroad Right-of-Way, as opened on March 24, 1881, being part of Johnson's Subdivision of Lot No. 2, north of Fort Street, of the Lafferty Farm as recorded in Liber 67, Page 36, Deeds, Wayne County Records; and being part of the Copy of Survey and Plat of Private Claim 228, made at the request of the heirs of Joseph Lafferty, as recorded in Liber 1, Page 134, Plats, Wayne County Records; and as shown on Department of Public Works' Drawing No. X-8385,

Be and the same is hereby vacated to become a part and parcel of the abutting property, 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 pipes, poles and lines from the above described vacated alley to public streets consistent with the public health, safety, convenience and general welfare; and 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 alley without expense to the City within thirty days of receipt of a copy of this resolution; and further

Resolved, That all that part of the north-south public alley, 17.47 feet wide, first easterly of Vermont Avenue, between Lafayette Boulevard and Howard Avenue as platted in Johnson's Subdivision of Lot No. 2, north of Fourth Street of the Lafferty Farm, north of Fort Street (now Detroit) Springwells, Wayne County, Michigan, as recorded in Liber 67, Page 36, Deeds, Wayne County Records; and as platted in Clement Lafferty's Subdivision of Lot No. 1, Lafferty Farm, as recorded in Liber 11, Page 57, Plats, Wayne County Records, and as shown on Department of Public Works' Drawing No. X-8385, dated May 15, 1969, and further

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 Metro Water Department 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 or 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

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 above described property to public streets consistent with the public health, safety, convenience and general welfare; and 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 street and alley without expense to the City within thirty days of receipt of a copy of this resolution; and further

Resolved, That all that part of Howard Avenue, 60 feet wide, between Lafferty Place and the Penn-Central Railroad Right-of-Way being in the following subdivision:

1) Johnson's Subdivision of Lot No. 2, Lafferty Farm as recorded in Liber 67, Page 36, Deeds, Wayne County Records,

2) Clement Lafferty's Subdivision of Lot 1, Lafferty Farm, as recorded in Liber 11, Page 57, Plats, Wayne County Records,

3) The Plat of Private Claim 228, made at the request of the heirs of Joseph Lafferty, as recorded in Liber 1, Page 134, Plats, Wayne County Records,

as shown on Department of Public Works' Drawing No. X-8385, dated May 15, 1969,

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

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 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 overhead poles and lines from the above described property to public streets consistent with the public health, safety, convenience and general welfare; and further

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

Resolved, That the paved street and alley returns may be removed by private contract as long as the work is performed under City permits and inspection and according to Department of Public Work specifications.

Adopted as follows:

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

Nays—None.