

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 Eberhard, Levin, Rogell, Wierzbicki and President Ravitz—5.
Nays — None.

Department of Public Works

November 25, 1970

Honorable Common Council:

Re: Contract: PW-5787

For: Salvage Plant
Demolition—Central Yard.

Adjusted Contract Price:
\$28,650.00.

Contractor: Adamo Wrecking Company.

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

By Councilman Eberhard:

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 Eberhard, Levin, Rogell, Wierzbicki and President Ravitz—5.
Nays — None.

Department of Public Works

November 19, 1970

Honorable Common Council:

Re: Petition No. 9319 (1969). Detroit Board of Education. Alley

Bounded by Otto, Stawell, Wisconsin and Ohio Avenues and Otto Avenue between Wisconsin and Ohio. Vacation.

Gentlemen—The above petition requests the vacation of a portion of the north-south public alley, 20 feet wide, in the block bounded by Otto, Stawell, Wisconsin and Ohio Avenues and the vacation of Otto Avenue between Wisconsin and Ohio 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 issued the following purchase orders which have been credited to the departments and accounts named, for the purposes indicated:

Department of Water Supply, Purchase Order No. 71607, \$2,005.00. For estimated cost of abandoning the main in Otto and removing service connections and the remaining equity in the water main located in the street to be vacated.

Detroit Metro Water Department (Sewer Design Division). Purchase Order No. 70547, \$1,000.00. For the estimated cost to prepare plans for a sewer relocation.

Public Lighting Commission, Purchase Order No. 71606, \$3,150.00. For the estimated cost to relocate Street Lighting and Communication facilities.

Street Maintenance Division, Purchase Order No. 71608, \$1,568.00. For the original cost of paving the street at the intersection of the street and alley to be vacated. The petitioner has also requested that the paved returns at the entrance to Otto Avenue be removed and new sidewalk installed by private contract, the Department of Public Works has no objection as long as the work is performed under City permits and according to Department of Public Works inspection and specification.

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-ways 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.

An appropriate resolution is attached for your Honorable Body's consideration.

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner

By Councilman Levin:

Resolved, That all that part of Otto Avenue, 60 feet wide, between Wisconsin and Ohio Avenues lying

southerly of and abutting the southerly line of Lot 29 and Lots 30 to 34, inclusive of Ellis Subdivision of the central 1/2 of the southwest 1/4 of the southwest 1/4 of Section 33, T. 1 S., R. 11 E., Detroit, Wayne County, Michigan, as recorded in Liber 52, Page 87, Plats, Wayne County Records, and lying northerly of and abutting the northerly line of Lot 56 and Lots 57 to 61 inclusive of Robert Oakman Land Company's Wyoming-Ohio Subdivision of part of the south 1/4 of the southwest 1/4 of the southwest 1/4 of Section 33, T. 1 S., R. 11 E., Detroit, Wayne County, Michigan, as recorded in Liber 52, Page 86, Plats, Wayne County Records.

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

Resolved, That all that part of Otto Avenue, 60 feet wide, between Wisconsin and Ohio Avenues lying southerly of and abutting the north-south public alley, 20 feet wide, which abuts Lots 29 and 30 of the Ellis Subdivision as recorded in Liber 52, Page 87, Plats, Wayne County Records, and lying northerly of and abutting the vacated north-south public alley, 20 feet wide, which abuts Lots 56 and 57 of Robert Oakman Land Company's Wyoming-Ohio Subdivision as recorded in Liber 52, Page 86, Plats, Wayne County Records; also

All that part of the north-south public alley, 20 feet wide, in the block bounded by Wisconsin, Ohio, Otto and Stawell Avenues lying east of and abutting the east line of Lot 30, and lying west of and abutting the west line of Lots 24 to 29 inclusive of Ellis' Subdivision as recorded in Liber 52, Page 87, Plats, Wayne County Records,

Be and the same are hereby vacated as a street and 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 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 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 the petitioner shall remove the paved returns, construct new curb and walk, adjust the asphalt pavement and backfill where necessary at the entrance to the vacated street by private contract under City permit and in accordance with City specifications and inspection and that all costs for such improvements shall be borne by the petitioner.

Adopted as follows:

Yeas — Councilmen Eberhard, Levin, Rogell, Wierzbicki and President Ravitz—5.

Nays — None.

Department of Public Works

November 25, 1970

Honorable Common Council:

RE: Petition No. 8386

Detroit Metro Water Department
Street and Alley Vacations
West Jefferson and Peterson Avenues

Correction in Resolution

Gentlemen — The resolution adopted on September 8, 1970 J.C.C., Pages 2300 to 2302, by your Honorable Body granting Petition No. 8386 of the Detroit Metro Water Department contained an error in the vacating portion as printed in the Journal of the Common Council.

We respectfully request your Honorable Body to adopt the attached resolution correcting the paragraphs which were in error.

Respectfully submitted,

ALFRED BERARDUCCI

Commissioner of Public Works

By Councilman Rogell:

Resolved, That paragraph ten (10) of the resolution adopted on September 8, 1970, J.C.C. Pages 2300 to 2302, at the request of the Detroit Metro Water Department is in error.

Be and the same is hereby deleted to be replaced by the following paragraph:

All that part of the east-west public alley, 10 feet wide, in the block bounded by Leish, Beaumont, Peterson and Copland Avenues abutting the southerly line of Lots 226 to 224 of the above-mentioned subdivision; and as shown on Department of Public Works Drawing No. X-8386, dated January 12, 1970; also

And be it further