

Gentlemen—Our contract with the Reitzloff Rubbish Removal, Inc. and the A. N. Reitzloff Co. for disposal of refuse at the contractors transfer station at the price of \$5.40 per ton expires September 30, 1971, per J.C.C. Resolution September 29, 1970.

This contract includes an option to renew for a second year at the same price and under the same terms and conditions for an additional year.

We wish to advise your Honorable Body that we are exercising the renewal option and are extending the contract with the Reitzloff Co. for an additional year beginning October 1, 1971 and ending September 30, 1972.

The Contractual service is estimated at \$739,800 per year.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

Approved:

W. I. STECHER,

Deputy Controller

By Councilman Browne:

Resolved, That the Department of Public Works be authorized to extend the contract with the Reitzloff Rubbish Removal, Inc. and the A. N. Reitzloff Co. for disposal of refuse at the contractor's transfer station at the same price of \$5.40 per ton for an additional year beginning October 1, 1971 and ending September 30, 1972.

And be it further resolved That the Controller be authorized and directed to honor vouchers when submitted to be charged to Account No. 144-2470-369 Transfer Station Disposal charges.

Adopted as follows:

Yeas — Councilmen Browne, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz—7.

Nays — Councilman Eberhard—1.

Department of Public Works

September 13, 1971

Honorable Common Council:

Re: Petitions No. 5975 (1968) & 6059, Dwellings, Inc.

Vacation of Rutland Avenue between Majestic and Warren; and the vacation of the public utility easement between Rutland and Clayburn north of Warren.

Gentlemen—The above petitions request the vacation of the above described street and utility easement.

The requested vacations were recommended by the City Plan Commission. The petitions were then referred to us for investigation and report. Our report, accompanied by the original petitions is as follows.

The petitioner has made the following deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

Public Lighting Commission Fund 990-9423. Receipt No. B 13065, \$600.00. Receipt No. B 13066, \$4,300.00. For the

estimated cost to relocate lighting and communications facilities.

The petitioner has also requested that the paved return at the entrance to Rutland Avenue 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 Metro Water Department for the maintenance of its installations 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.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Hood:

Resolved, That all that part of the westerly 19 feet of Rutland Avenue, 50 feet wide, between the north line of the east-west alley first northerly of Warren and the south line of Majestic Avenue, abutting the easterly line of lots 871 to 873 and the southerly 37 feet of lot 874 of the "West Warren Park Subdivision" of part of the south ½ of Section 1, T.2.S., R. 10.E., Dearborn Township, Wayne County, Michigan, as recorded in Liber 50, Page 6, Plats, Wayne County records; also

All that part of the easterly one (1) foot of Rutland Avenue, 50 feet wide, between the north line of the east-west alley first northerly of Warren Avenue and the south line of Majestic Avenue, abutting the westerly line of lots 808 to 822 and the southerly 12.5 feet of lot 823 of the above mentioned subdivision; also

All that part of the north-south public utility easement, 18 feet wide, in the block bounded by Rutland, Clayburn, Warren, and Majestic Avenues lying between lots 808 to 826 and lots 778 to 796 all of the above mentioned subdivision;

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

Resolved, That all that part of the westerly 30 feet of the easterly 31 feet of Rutland Avenue, 50 feet wide, northerly of the north line of the east-west alley first northerly of Warren Avenue and southerly of the south line of Majestic Avenue abutting the westerly line of lots 808 to 822 and the southerly 12.5 feet of Lot 823

inclusive of the "West Warren Park Subdivision" as recorded in Liber 50, Page 6, 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 subject to the following:

1) An easement is reserved in the above described portion of vacated street for the Detroit Metro Water Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants or appurtenances, with the right of ingress and 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 Metro Water Department equipment including the use of backhoes, bulldozers, 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 fences, porches, patios, balconies, et cetera 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 Metro Water Department.

3) 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, sewers, 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 incident to the repair of such broken or damaged mains or sewers and shall also be liable for all claims for damages resulting from his action.

Adopted as follows:

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

Nays — None.

Department of Public Works

September 15, 1971

Honorable Common Council:

Re: Petition No. 3352, Friendship Haven Corporation, St. Antoine and vacated Alexandrine. Request to encroach into an easement with building footings, a patio, and electrical generator.

Gentlemen—Your Committee of the Whole referred the above petition to this office for investigation and report. The Department of Public Works has made a field investigation of the petitioner's request. Our findings are as follows:

Petitioner's property is approximately triangular in shape with a depth of 262.22 feet at the southerly line narrowing to 16.32 feet at the northerly line, with a 25 foot wide public utility easement at the east side. Petitioner wishes to construct a 170 bed extended care facility with the building footings, and the electrical generator pad encroaching into the 25 foot easement.

The petitioner has reached agreement with the privately - owned utilities and they have no objections to the proposed encroachment.

The Sewer Design Section of the Detroit Metro Water Department has agreed to the encroachment as long as a proposed brick wall is kept 5 feet from the sewer located in the easement.

The Parks and Recreation Department has no objections to the proposed encroachment provided any damages done to the sidewalk located on Park property adjacent to the petitioner's is repaired after construction is completed.

We find that the above request for permission to encroach into the easement complies with the policy adopted by your Honorable Body on February 23, 1965, J.C.C. Pages 348 and 349. An appropriate resolution is attached for consideration and adoption by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Rogell:

Resolved, That the Department of Public Works is hereby authorized and directed to issue a permit to:

Friendship Haven Corporation (3352) to construct a building with the footings encroaching 2.2 feet, and a concrete slab housing an emergency generator and an electric transformer over the full width of the 25 foot easement at the rear of the property described as:

All that part of Lot 12 and westerly 1/2 of vacated St. Antoine Street, 50 feet wide, and part of vacated Alexandrine Avenue adjoining said lot on the easterly and northerly site respectively of Medical Center Urban