

51, Public Acts 1951, as amended, the Controller be and is hereby authorized to transfer Major Street Motor Vehicle Highway Funds received in calendar year 1971, for use on the Local Street System.

Adopted as follows:

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

Nays — None.

Note: *RECONSIDERATION WAIVED per motions before adjournment.

Department of Public Works

December 7, 1971.

Honorable Common Council:

Re: Contract PW-6195F: Area Demolition of Buildings — Federal Aid Frame and Brick Veneer Residential Buildings in the North Sector. Award of Contract.

Gentlemen — In response to published advertisements, bids were received on November 30, 1971 for the Demolition of Frame and Brick Veneer Residential Buildings in the North Sector, Contract PW-6195F. A tabulation of the bids is attached.

The low bid submitted by All State Wrecking, in the amount of \$48,410, did not include the unit price per lineal foot of fencing but did include the item total price of \$4,410 for the 4,500 lineal feet of fencing specified. In all other respects, the bid of All State Wrecking was regular and in accordance with the Contract requirements.

It is recommended that the City exercise its prerogative under the Contract to waive the irregularity and award the Contract to All State Wrecking in the bid amount of \$48,410 at the unit price quoted, using the unit price of \$.98 per lineal foot of protective fencing, such unit price being an extrapolation of the specified lineal feet of fence required and the total price quoted for same.

The total funds required for the Contract, including the cost of advertising and field inspection, are \$63,600 and are available in Account 125-2022-361, "Building Demolition and Contractual Expense — Federal Aid".

It is understood that, prior to proceeding, any required approvals from the Federal Department of Housing and Urban Development will be obtained.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner.

Approved:

W. I. STECHER
Deputy Controller

By Councilman Eberhard:

Resolved, That the irregularity outlined in the foregoing communication be waived; and be it further

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to enter into Contract, subject to the approval of the Department of Housing and Urban Development, for the Demolition of Frame and Brick Veneer Residential Buildings in the North Sector, Contract PW-6195F, with All State Wrecking, in the amount of \$48,410; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers to include the cost of advertising and field inspection, as well as the Contract costs, and charge them to Account 125-2022-361.

Adopted as follows:

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

Nays — None.

Note: *RECONSIDERATION WAIVED per motions before adjournment.

Department of Public Works

December 10, 1971

Honorable Common Council:

Re: Project I UI-96 Greenfield and Fullerton Vacation of a Portion of Closed Greenfield.

Gentlemen—In order to carry out the agreement approved by your Honorable Body and signed on July 8, 1969, J.C.C. Page 1778, with the Chesapeake and Ohio Railroad for the Jeffries Freeway project, it will be necessary to convert a portion of Greenfield Avenue into an easement for public utilities.

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 Greenfield Avenue, 66 feet wide, southerly of Fullerton Avenue being a part of Sections 25 and 30 of Greenfield Township, T.1.S., R.11.E., Detroit, Wayne County, Michigan, more particularly described as: Beginning at a point said point being on the section line common to Sections 25 and 30, T.1.S., R.11.E., and being S 1 deg 49 min 20 sec E, 4950 feet from the 1/4 section corner; thence S. 88 deg 36 min 54 sec W., 33.00 feet; thence N. 1 deg 49 min 20 sec. W., 49.50 feet; thence N. 1 deg 43 min 07 sec W., 33.00 feet; thence N. 84 deg 48 min 28 sec E., 66.12 feet; thence S. 1 deg 43 min 07 sec E., 38.72 feet; thence S. 1 deg 49 min 20 sec E., 27.35 feet; thence S. 88 deg 10 min 40 sec E., 33.00 feet; thence S. 1 deg 49 min 20 sec E., 20.57 feet to the point of beginning;

Be and the same is hereby vacated as a public street and is hereby converted into a public easement 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 over said vacated public street hereinabove described for the purpose of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines, or mains, telephone, electric light conduits or poles or things usually placed or installed in 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 poles or other utilities in said easement, such owners, upon whose property the poles or other 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 the illustration but not limitation), such 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.

Adopted as follows:

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

Nays — None.

Note: *RECONSIDERATION WAIVED per motions before adjournment.

Department of Public Works
December 17, 1971

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

Contract No. AC-18 for Stairs, Sidewalk and Wall Repair - Detroit Institute of Arts. Contractor: Wolverine Marble Co. Award Authorized: 11-9-71.

Respectfully submitted,
LOUIS W. KLEI,
City Engineer

By Councilman Hood:

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, Van Antwerp, Wierzbicki and President Ravitz—8.

Nays — None.

Note: *RECONSIDERATION WAIVED per motions before adjournment.

Department of Public Works

December 10, 1971

Honorable Common Council:

Gentlemen — In action taken by Your Honorable Body in the JCC dated April 28, 1958, JCC pages 847-8, permission was granted to Sophia Gertzman to maintain a spur track across Shirley at the intersection of Buena Vista, south of and connected with the Pennsylvania Railroad.

The property being served by this spur track was sold and the new owner does not wish to assume the permits and bonds necessary to maintain same in accordance with City ordinances.

The United States Fidelity and Guaranty Company is the Surety on the bond and failure to have the new owner comply with requirements forces this Department to make a recommendation to Your Honorable Body to rescind the original grant. This will cause the removal of the track from public property at the original owner's expense.

We, therefore, recommend that the grant be rescinded and this Department be directed to remove the track from public property assessing the cost thereof against the bond and-or the original permittee.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Van Antwerp:

Resolved, That resolution adopted April 28, 1958 (JCC p. 847-8), granting permission to Sophia Gertzman to maintain a spur track across Shirley at the intersection of Buena Vista, be and the same is hereby rescinded, and further

Resolved, That the Department of Public Works be and is hereby authorized and directed to remove the spur track from public property assessing the cost thereof against the bond and/or the original permittee in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eber-