

between Franklin and Jefferson Avenues, being part of Lot 18 and having been partially platted in A. T. Campau's Subdivision of Block 8, Private Claim 609, Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 4, Plats, Wayne County Records; lying westerly of and abutting the westerly line of the southerly 13.5 feet of Lot 2 (dedicated for alley purposes on August 28, 1956, J.C.C. 1883 and 1884) and westerly of and abutting the westerly line of Lot 3 (the northerly 12.5 feet of which was also dedicated for alley purposes on the aforementioned date), all inclusive of the above mentioned subdivision; also

All that part of the east-west public alley, 26 feet wide, westerly of Joseph Campau, between Franklin Avenue, having been dedicated for alley purposes on August 28, 1956, J.C.C. 1883 and 1884, having been platted as the southerly 13.5 feet of Lot 2 and the northerly 12.5 feet of Lot 3 all inclusive of the above mentioned subdivision,

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

Resolved, That if at any time in the future it becomes necessary to remove the paved alley return at the entrance to the vacated east-west alley, the removal and construction of new curbs and sidewalk and backfilling shall be done by private contract and all costs of such construction borne by the petitioner.

Adopted as follows:

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

Nays — None.

Department of Public Works

April 13, 1971

Honorable Common Council:

Re: Petition No. 1707, Michigan Bell Telephone, Alley bounded by Hillger, Lycaste, Jefferson, & Kercheval, Conversion to Easement.

Gentlemen — The above petition requests the conversion of the east-west and a portion of the north-south public alley, 18 feet wide, in the block bounded by Hillger, Lycaste, Jefferson, and Kercheval into an easement for public utilities.

The requested conversion into easement for public utilities was recommended by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Hillger Avenue. 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:

DPW - Intersection Fund 143-6241.

Receipt No. A-37630, \$293.00.

For the original cost of paving the east 1/2 of Hillger and the west 1/2 of Lycaste at the intersection of the east-west alley to be vacated.

The petitioner has also requested that the paved returns at the entrance to the alley be removed by private contract and new sidewalk and curb constructed by private contract.

The petitioner also wishes to install drainage and pave in concrete the newly dedicated alley by private contract. The Department of Public Works has no objection to the requests, provided the work is performed under City permits and inspection and according to Department of Public Works specification.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Hillger Avenue. This Deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right-of-ways into easements provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

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

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner

By Councilman Van Antwerp:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Hillger, Lycaste, Jefferson, and Kercheval lying southerly of lots 24 to 31 and northerly of lots 23 and 32 and the 18 foot north-south alley between lots 23 and 32 inclusive of the Hart Farm Subdivision of part of Private Claims 641, 638, and 687, Village of Fairview and Township of Grosse Pointe, Wayne County, Michigan, as recorded in Liber 24, Page 53, Plats, Wayne County records; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Hillger, Lycaste, Jefferson, and Kercheval, lying westerly of lot 32 and the northerly 12.35 feet of lot 33, lying easterly of lot 23 and the northerly 12 feet of lot

22, all inclusive of the above mentioned subdivision;

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, 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 alley 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 in said vacated public alley hereinabove described for the purposes 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 alley 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 alley 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 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 the Warranty Deed of the Michigan Bell Telephone Company deeding land to the City of Detroit for alley purposes being described as:

The southerly 18.0 feet of lot 22 of the Hart Farm Subdivision of part of Private Claims 641, 638 and 687, Village of Fairview and Township of

Grosse Pointe, Wayne County, Michigan, as recorded in Liber 24, Page 53, Plats, Wayne County records

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County, and further

Resolved, That the paving in concrete and installation of drainage in the new alley and the removal of the paved alley returns and construction of new walk and curbs at the vacated portion be done under private contract by City permit and inspection and according to Department of Public Works specification with all costs borne by the petitioner; and further

Resolved, That the Controller is hereby authorized and directed to issue a Quit Claim Deed to the Michigan Bell Telephone Company to the above described vacated alleys and that the Corporation Counsel is directed to prepare such deed.

Adopted as follows:

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

Nays — None.

Purchases and Supplies

April 20, 1971

Honorable Common Council:

Re: Purchase Recommendations.

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. 4481

Nine bids were received as a result of twenty-five solicitations for furnishing the Fire Department with Hose, Fire, 2½ in., All Polyester.

To: Fabric Fire Hose Co. of Battle Creek, Michigan (Lowest Acceptable Bid):

Payment to: Sandy Hook, Connecticut.

5,000 Feet Hose, Fire, 2½ in., All Polyester, double jacket, with couplings. \$1.43 Per Foot.

This purchase totals \$7,150.00.

Price is firm and f.o.b. delivered.

Terms: 2%—30 days.

FILE NO. 4901

Three bids were received as a result of seventeen solicitations for furnishing the Department of Hospitals with Building, Steel, Prefabricated, Erected.

To: La Salle Building Corporation of Detroit (Lowest Acceptable Bid):

Furnish, Deliver, Unload and Erect:

1 Only, Building, Steel, Prefabricated, 30 ft. x 102 ft., "Stran-