

Adopted as follows:
 Yeas — Councilmen Browne, Eberhard, Levin, Van Antwerp, and President Pro Tem Hood — 5.
 Nays — None.

Department of Public Works

September 15, 1971

Honorable Common Council:

Re: Contract: PW-4946, For Repair of Concrete Sidewalks, Driveways, and Curbs - District 46 D, Adjusted Contract Price: \$71,712.68. Contractor: J. J. Barney, Inc.

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, less the total amounts previously paid on all progress payments, 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
 Respectfully submitted,
 W. KLEI,
 City Engineer
 CLARENCE D. RUSSELL,
 Commissioner

By Councilman Levin:

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, Levin, Van Antwerp, and President Pro Tem Hood — 5.
 Nays — None.

Department of Public Works

September 28, 1971

Honorable Common Council:

Re: Petition No. 2449
 Mack-South Co., et al
 Vacation of the East-West Alley in the block bounded by

Woodward, John R, Elliot, and Mack

Gentlemen — The above petition requests the vacation of the east-west public alley, 20 feet wide, in the above mentioned block.

The requested vacation was 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 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 \$200.00

For the estimated cost to relocate lighting facilities.

Street Maintenance Division Fund 143-6241 \$121.00

For the original cost of paving John R. Street at the intersection of the alley to be vacated.

The petitioner has also requested that the paved return at the entrance to the alley to be vacated 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.

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 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 Levin:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Woodward, John R, Elliot, and Mack lying northerly of and abutting the northerly line of lots 1 to 3 and the easterly 27.57 feet of lot 4, and lying southerly of and abutting the southerly line of lots 18 to 20 and the easterly 44.49 feet of lot 17 all inclusive of Block 13 of the Brush Subdivision of part of Park Lots 17, 18, 19, 20, and 21, and part of the Brush Farm adjoining, Detroit, Wayne County, Michigan, as recorded in Liber 8, Page 12, Plats, Wayne County records,

Be and the same is hereby vacated

as a public alley to become part and parcel of the abutting property, and be it further

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Woodward, John R. Elliot and Mack lying northerly of and abutting the northerly line of lots 5 to 7 and the westerly 22.43 feet of lot 4; and lying southerly of and abutting the southerly line of lots 14 to 16 and the westerly 5.51 feet of lot 17 all inclusive of Block 13 of the Brush Subdivision as recorded in Liber 8, Page 12, Plats, Wayne County records.

Be and the same is hereby vacated as public alley to become a part and parcel of the abutting property, subject to the following provisions.

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

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

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

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 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 Detroit Metro Water Department be and is hereby authorized to review the drawings for the lateral sewer relocation made necessary by the above vacation, to prepare the necessary specifications, and to issue a permit to the Petitioner (No. 2449) to cover the relocation of a portion of the existing lateral sewer in the east-west alley south of Mack between John R and Woodward by private contract. Be it further

Resolved, That the entire work is to be performed in accordance with

plans and specifications approved by Detroit Metro Water Department and constructed under the supervision of the Inspection Section of the Detroit Metro Water Department. Be it further

Resolved, That the Petitioner grant to the City a satisfactory sewer right-of-way covering the relocated lateral sewer. Be it further

Resolved, That the entire cost of the lateral sewer relocation including inspection, survey and engineering shall be borne by the Petitioner, Be it further

Resolved, That the Petitioner shall deposit with the Detroit Metro Water Department in advance of engineering, inspection, and survey such amounts as that Department deems necessary to cover the cost of these services. Be it further

Resolved, That the Petitioner furnish the Detroit Metro Water Department a synthetic (MYLAR) reproduction of the sewer drawings which were prepared for him by a registered professional engineer. Be it further

Resolved, That the sewer relocation must be completed prior to the start of any building construction over the existing sewer.

Resolved, That upon completion of the relocated sewers they shall become part of the City Sewer System.

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Levin, Van Antwerp, and President Pro Tem Hood — 5.
Nays — None.

Department of Public Works

October 1, 1971

Honorable Common Council:
RE: Establishing two (2) new positions of one (1) Supervisor of Divisional Relations (Sanitation) Code 09-92-45 and one (1) Assistant Supervisor of Divisional Relations (Sanitation) Code 09-92-41, in lieu of 1 General Foreman of Street Sanitation and 1 Supervisor of Street Sanitation.

Gentlemen — The Civil Service Commission at its meetings on September 14 and 21, 1971, adopted two (2) new classes; one (1) Supervisor of Divisional Relations (Sanitation) Code 09-92-45 and one (1) Assistant Supervisor of Divisional Relations (Sanitation) Code 09-92-41 after a survey was completed.

The Rates Division of Labor Relations Division has concurred with a salary range of \$14,219 to \$14,967 annually for the Supervisor of Divisional Relations and \$12,209 to \$12,961 annually for the Assistant Supervisor of Divisional Relations.

The reallocations were based upon an increase in the scope of duties and