

lumber.

In view of the above, we recommend that the D.P.W. be authorized to remove this lumber free of charge.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Rogell:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to remove discarded lumber without charge from 8803 Peter Hunt, in accordance with the foregoing communication.

Adopted as follows:

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

Nays — None.

Department of Public Works

September 20, 1971

Honorable Common Council:

Re: Petition No. 2658, St. Joseph Mercy Hospital, Vacation of the remaining alleys in the block bounded by East Grand Boulevard, Elmwood, Sargent and Griffin.

Gentlemen — The above petition requests the vacation of the remaining alleys in the above described block.

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 also requested that the paved returns at the entrance to the alleys to be vacated remain in their 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 Edison Company and the Michigan Bell Telephone Company for the maintenance of their installations located in the public right-of-ways to be vacated.

The petitioner has by letter, returned with the file, requested that the reimbursement costs to the City in the amount of \$76.00 for the original paving of Elmwood Avenue at the intersection with the alley, be waived in order to keep the costs of closing this alley to a minimum. Provisions are included in the attached resolution to waive said costs.

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 consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

By Councilman Hood:

Resolved, That all that part of the east-west public alley, 12 feet wide, not previously vacated in the block bounded by East Grand Boulevard, Elmwood, Sargent and Griffin abutting the southerly line of lots 6 to 8 and the 15 foot wide alley abutting the west line of lot 6 and abutting the northerly line of lots 9 to 11 and the 15 foot wide alley abutting the westerly line of lot 11 all inclusive of Block 2 Kengel's Subdivision of that part of Outlot 11, Subdivision of Fractional Sections 29 and 32 lying east of the center of Craig Avenue if extended, T.1.S., R.12.E. Detroit, Wayne County, as recorded in Liber 9, Page 12, Plats, Wayne County records, also

All that part of the north-south public alley, 15 feet wide, in the block bounded by East Grand Boulevard, Elmwood, Sargent and Griffin having been platted as the easterly 15 feet of lots 5 and 12 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, subject to the following provisions:

1). Provided, An easement of the full width of the vacated public alleys is retained for the Detroit Edison Company and the Michigan Bell Telephone Company, and further

2). Provided, That by granting the easements the Detroit Edison Company and the Michigan Bell Telephone Company do not waive any rights to their installation therein, and further

3). Provided, That no building or structure of any nature whatsoever shall be built upon the easement or underground therein without prior approval of the Detroit Edison Company and the Michigan Bell Telephone Company;

4). Provided, Further, 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

5). 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 Metropolitan Water Services and the Department of Buildings and Safety Engineering; and further

6). 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

7). 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 5, 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 if at any time in the future it becomes necessary to remove the paved alley returns and construct new curbs and sidewalk the entire cost of such construction shall be borne by the petitioner or his assigns, and further

Resolved, That the reimbursement cost to the City of Detroit in the amount of \$76.00 for the original cost of paving the westerly one-half of Elmwood at the intersection of the alley to be vacated is hereby waived; and further

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company and the Michigan Bell Telephone Company a certified copy of this resolution.

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:

Gentlemen — During the fiscal year 1970-1971, Your Honorable Body authorized employees in the Inspection Bureau of the City Engineer's Office to work and be paid for 250 hours of overtime in excess of the fifty hour limitation on compensatory time for salaried employees.

Subsequent to this authorization, it was necessary to work two employees an additional amount of overtime due to contractors working overtime hours during the day and on the sixth day of the work schedule.

We respectfully request authorization to pay two employees of this division an additional maximum

of seventy hours straight time in addition to the 250 hours straight time already authorized.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

Approved:

W. I. STECHER
Deputy Controller

By Councilman Browne:

Be It Resolved, That the Department of Public Works be and they are hereby authorized to work two salaried employees of the Inspection Bureau of the City Engineer's Office overtime in excess of fifty hours not to exceed a total of 320 hours straight time including the first fifty hours of the fiscal year 1970-1971. Such overtime to be liquidated by giving time off with pay or through payment in cash if not liquidated in compliance with the ordinance governing such matters, and be it further resolved that the Controller be and he is hereby authorized and directed to honor payrolls when presented in accordance with this resolution and the above communication.

Adopted as follows:

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

Nays — None.

Purchases and Supplies

September 27, 1971

Honorable Common Council:

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. 5145

Nine bids were received as a result of ten solicitations for furnishing the City of Detroit with normal requirements of Paint, Street Marking for a period starting October 7, 1971 and ending June 30, 1972.

Quantities are approximate and prices are per gallon.

To: The Sherwin-Williams Co. of Detroit (Lowest Acceptable Bid) —

Payment to: P.O. Box 5638, Cleveland, Ohio.

Paint, yellow, street marking, without beads, sample No. C97 YA 172.

6,750 Gal. in 5 gal. cans, \$2.27.

350 Gal. in 1 gal. cans, \$2.42.

To: Glidden-Durkee Div. of SCM Corp. of Detroit (Lowest Acceptable Bid) —

Payment to: 11001 Madison Ave., Cleveland, Ohio.

12,000 Gal. in 5 gal. cans, \$2.20.

300 Gal. in 1 gal. cans, \$2.70.

This is estimated at \$43,000 and