

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 alley 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 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 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.

Adopted as follows:

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

Nays — None.

Department of Public Works

August 27, 1971

Honorable Common Council:

RE: Petition No. 2956

Roderick Schick, et al

Conversion to Easement of the alley in the block bounded by Brace, Greenview, Constance, and Van Buren

Gentlemen — The above petition requests the conversion of the north-south alley, 18 feet wide, in the block bounded by Brace, Greenview, Constance, and Van Buren Avenues

into an easement for public utilities.

The requested conversion into easement for public utilities 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:

All City Departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation 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 north-south public alley, 18 feet wide, in the block bounded by Brace, Greenview, Constance, and Van Buren Avenues lying easterly of lots 309 to 325, and lying westerly of lots 398 to 414 all inclusive of the Bonaparte Park Subdivision of part of the west $\frac{1}{2}$ of the northeast $\frac{1}{4}$, Section 2, T.2.S., R.10.E., Dearborn Township, Wayne County, Michigan, as recorded in Liber 49, Page 99, Plats, Wayne County records,

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 weight 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.

Department of
Public Works

June 18, 1971

Honorable Common Council:

Re: Contract PW-5758, Paving McDougall - Jefferson to Lafayette, Elmwood Park Rehabilitation Project No. 2 - Mich. R-62
Angelo Iafrate Company,
Contractor
Contract Change IT-4.

Gentlemen—The traffic signal layout was released after the design of the lighting plans for this Contract. It therefore become necessary to prepare a new duct and foundation design. The work involved the construction of concrete - encased conduit, street lighting post foundations, and traffic signal foundations at Jefferson Avenue, as well as a conduit for servicing the King High School.

The Contractor has submitted a price of \$2,725.25 for this additional work which is considered to be fair and reasonable. Funds are available in Account 455-9365-901.

It is therefore recommended that the work be added to the existing Contract PW-5758, in accordance with the Contract provisions for changes in the work.

Respectfully submitted,
CLARENCE C. RUSSELL,
Acting Commissioner

Approved:
W. I. STECHER,
Deputy Controller

Recommended:

HAROLD R. VARNER,
Director-Secretary

By Councilman Levin:

Resolved, That the work described be added to the existing Contract PW-5758 for the reasons stated in the foregoing communication; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers, when presented, covering the total amount of \$2,725.25 and charge them to Account 455-9365-901.

Adopted as follows:

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

Nays — None.

Department of
Public Works

August 27, 1971

Honorable Common Council:

Re: Contract PW-5797, Partial Paving of Southfield Yard and North Roadway.

Award of Contract.

Gentlemen—In response to published advertisements, five bids were received on the above captioned Contract on July 27, 1971. A tabulation of the bids received is attached.

The low bidder, Pave-Way Inc., is a relatively new paving company. They have, within the past month been awarded contracts for paving five alleys in Detroit and for the paving of McDougall Avenue in Elmwood Park No. 2. Total cost of this work is \$168,000. All of this paving is scheduled to be completed this construction season. In addition, portions of the paving of our Southfield Yard must also be paved this year. We requested a schedule of paving on all of the contracts from Pave-Way Inc. at a recent meeting in our offices. Such a schedule is necessary in connection with our review of the contractor's ability to complete this project. The president of Pave-Way Inc. advised our office by telephone that they were not in a position to prepare such a schedule. We also were advised that the Pave-Way Company has subdivision paving to complete in other cities.

We also requested a schedule of work from the second low bidder, the J. C. Sachs Company. They have submitted a schedule that will permit them to substantially complete the work in our Southfield Yard this construction season without delaying any other work they have for the City, based on the assumption we can give a start work notice by September 15, 1971.

The difference in price between the low bidder and the second low bidder