

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 Grixdale Avenue 50 feet wide, between the Grand Trunk Railroad Right-of-Way and Omira Avenue, lying southerly of lots 275 to 280 and the 10 foot wide public alley abutting the westerly line of lot 280; and lying northerly of lots 281 to 284 and the 10 foot wide vacated alley abutting the westerly line of lot 281 all inclusive of the Kiefer Homes Subdivision of part of the Southeast of the Northwest ¼ of Section 12, and of the Southwest ¼ of Section 12, T.I.S., R. 11. E., lying east of the D.G.H. & M.R.R., Greenfield Township, Wayne County, Michigan, as recorded in Liber 34, Page 14, Plats, Wayne County records:

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

1. An easement, the full width of the existing Grixdale Avenue Right-of-Way is reserved for the Detroit Metro Water Department and the Michigan Consolidated Gas Company for the purpose of installing, maintaining, repairing, removing or replacing any water mains, gas mains, fire hydrants and appurtenances, with the right of ingress or egress at any time to, and over said easement for the purpose above set forth.

Free and easy access to the water mains, gas mains, fire hydrants and appurtenances within the easement, is required for the Michigan Consolidated Gas Company and the Detroit Metro Water Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks and other heavy construction equipment as necessary for alterations or repair of the mains and facilities.

The Detroit Metro Water Department and the Michigan Consolidated Gas Company retain the right to install suitable permanent main location guide posts over their mains at reasonable intervals and at points of deflection.

2. Said owners of the adjoining property for their heirs and assigns agree that no building or structure of any nature whatsoever, including porches, patios, balconies, et cetera shall be built upon said easement or that no grade changes or storage of materials shall be made within said

easement without prior written approval and agreement with the Detroit Metro Water Department and the Michigan Consolidated Gas Company. A gate may be placed across the easement but it shall remain unlocked 24 hours a day, unless a guard is stationed near the gate to allow ingress and egress at any time to and from the easement. The minimum dimensions of the gate, or gates, must provide 13 feet vertical and 13 feet horizontal clearance for freedom of equipment movement and be at least five feet west of the existing fire hydrant.

3. 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 the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if watermains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged mains and shall also be liable for all claims for damages resulting from his action, and be it further.

Resolved, That if at any time in the future it becomes necessary to remove the paved street return, such removal and construction of new curb and sidewalk shall be performed at no expense to the City.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 7.  
 Nays — None.

Department of Public Works  
 October 6, 1971

Honorable Common Council:

Re: Petition No. 6898 (1968); River House Apartments, Inc.; Vacation of Riverside Drive westerly of Dwight Avenue.

Gentlemen — The above petition requests the vacation of a portion of Dwight Avenue westerly of Fliske Avenue.

The requested vacation was recommended by the City Plan Commission with the further recommendation that sufficient land be dedicated for continued access to the park at the westerly end of the portion to be vacated. 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 return at the entrance to the portion of street 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.

An easement is reserved in the vacating resolution for the Michigan Bell Telephone Company for the maintenance of its installations located in the public right-of-way to be vacated.

Quit Claim Deeds have been received from the property owner and the Mortgagee, deeding to the City of Detroit, land for the access to the park. These deeds were approved as to form and execution by the Corporation Counsel and as to description by the City Engineer, and are attached for your Honorable Body's acceptance.

Proper provisions are included in the vacating resolution directing the petitioner not to remove the southerly 26 feet of pavement in the vacated portion in order to maintain access to the westerly side of the building for fire protection. Also, the petitioner wishes to lease the existing street lights from the Lighting Commission, a provision for this is included in the vacating resolution.

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

Approved:  
JOHN M. MAY,  
General Superintendent  
Department of Parks &  
Recreation

By Councilman Van Antwerp:

Resolved, That all that part of Dwight Avenue, 100 feet wide, westerly of Fiske Avenue, and easterly of the Memorial Park, as deeded to the City of Detroit on June 9, 1950, Instrument No. D-463683, Liber 10447, Page 375, Wayne County records, said parcel lies in lots 4, 5, and 6 of Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.91 feet of Private Claim 723, lying south of Jefferson Avenue, as recorded in Liber 2, Plats, Page 23, Wayne County records, and is more particularly described as follows: Commencing at the intersection of the southerly line of Jefferson Avenue, 120 feet wide, and the westerly line of Lot 4; thence southerly along the west line of Lot 4 a distance of 1,413.77 feet to a point on the southerly line of Dwight Avenue; thence, easterly along said south street line, 39.0 feet to the Point of Beginning of the parcel being described; thence easterly along said south street line 217.69 feet to a

point; thence northerly, parallel to and 256.69 feet easterly of the westerly line of said Lot 4, 100.0 feet to a point in the northerly line of Dwight Avenue; thence westerly along said northerly street line 217.69 feet to a point; thence southerly, parallel to and 39.0 feet easterly of the westerly line of said Lot 4, 100.0 feet to the point of beginning;

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

First, said owners hereby grant to and for the use of the Michigan Bell Telephone Company an easement or right-of-way over the northerly 12.0 feet of said vacated public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing utilities such as 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 Michigan Bell Telephone Company.

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 further

Provided, That the southerly 26 feet of the pavement of said street remain intact for free and easy access for Fire Department equipment and maintenance of lighting facilities by the Public Lighting Commission; and further

Provided, That a chain link fence be erected at the easterly end of said

vacated portion of street and that any gate installed across the paved section of roadway have a minimum gate width of 20 feet. This gate must be kept unlocked, but can be kept closed in a manner that will permit easy access for emergency vehicles and fire equipment, and further

Resolved, That the City Controller is hereby authorized and directed to issue a Quit Claim Deed to the property owner to the above described portion of Dwight Avenue and that the Corporation Counsel is directed to prepare said deed; and further

Resolved, That all that part of Dwight Avenue, 100 feet wide, westerly of Fiske Avenue and easterly of the Memorial Park as deeded to the City of Detroit on June 9, 1950, Instrument No. D-463683, Liber 10447, Page 375, Wayne County records; being the westerly 39.0 feet of said Dwight Avenue, said parcel having been platted in Lot 4 of Albert Crane's Plat of that part of Private Claim 644 and the eastern 53.91 feet of Private Claim 723 lying south of Jefferson Avenue, as recorded in Liber 2, Page 28, Plats, Wayne County records, and is more particularly described as follows: Commencing at the intersection of the southerly line of Jefferson Avenue (120 feet wide) and the westerly line of Lot 4, thence, southerly along the west line of Lot 4, 1,313.77 feet to the point of beginning of the parcel being described; thence, southerly along the west line of Lot 4, 100.0 feet to a point on the south line of Dwight Avenue; thence, easterly along said south street line 39.0 feet to a point; thence northerly, parallel to and 39.0 feet easterly of the westerly line of Lot 4, 100.00 feet to a point on the north line of Dwight Avenue; thence westerly along said north street line 39.0 feet to the point of beginning.

Be and the same is hereby vacated as a public street to become a part and parcel of the abutting property subject to the following:

First, said owners hereby grant to and for the use of the Michigan Bell Telephone Company an easement or right-of-way over the northerly 12.0 feet of said vacated public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing utilities such as 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 Michigan Bell Telephone Company.

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

Provided, That the southerly 26 feet of the pavement of said street remain intact for free and easy access for Fire Department equipment; and further

Resolved, That the Quit Claim Deeds of the property owner and the Mortgagee deeding the above described portion of land to the City for municipal purposes, be and the same are hereby accepted and the City Controller is hereby directed to record said Deeds in the Office of the Register of Deeds for Wayne County; and further

Resolved, That said parcel is assigned to the Department of Parks and Recreation; and further

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

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 7.  
Nays — None.

**Purchases and Supplies**

October 18, 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. 5101**

Two bids were received as a result of eleven solicitations for furnishing the Public Lighting Commission with Transformers, Constant Current.