

Greenlawn, Woodingham, Thatcher and Curtis, Conversion to Easement.

Gentlemen—The above petition requests the conversion of the east-west public alley 16 feet wide in the block bounded by Greenlawn, Woodingham, Thatcher and Curtis 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,
ALFRED BERARDUCCI

Commissioner of Public Works
By Councilman Hood:

Resolved, That all that part of the east-west public alley, 16 feet wide, in the block bounded by Greenlawn, Woodingham, Thatcher and Curtis Avenues lying southerly of Lots 545 to 550 and northerly of Lot 482 and lying easterly and abutting a line described as "beginning at the northwesterly corner of Lot 482 extended to the center line of said east-west alley; thence northwesterly to the southwest corner of Lot 545 all inclusive of the Palmer Boulevard Estates Subdivision of the west ½ of the southeast ¼ of Section 9, T.1 S., R. 11 E., Greenfield, Township, Wayne County, Michigan as recorded in Liber 35, Page 42, 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 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, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

Department of Public Works

April 23, 1971

Honorable Common Council:
Re: Petition No. 7044 (1968). Detroit Housing Commission Senior Citizen Housing. Michigan Project No. I-27. Street and Alley Vacation Bangor and Warren.

Gentlemen—We wish to advise that in carrying out the development plan for the area known as the Senior Citizen Housing, Michigan Project No. I-27, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Detroit Housing Commission (7044) has requested the conversion to easement for subsurface utilities the remaining alleys in the block bounded by Scotten, Bangor, Warren and the Ford Freeway; and the conversion to easement for subsurface utilities of Bangor Avenue between Warren and the Ford Freeway.

The Detroit Edison Company and the Michigan Bell Telephone Company have reported that they have lines and poles in the areas to be vacated which will have to be removed and rerouted.

Your Honorable Body may make

provisions for the relocation of said lines and poles of the Detroit Edison Company and the Michigan Bell Telephone Company to streets near those to be vacated.

The Corporation Counsel contends that any costs incurred in the relocation of equipment from the street and alley to be vacated are not chargeable against the City. The case involving the liability of the City is now pending.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation and conversion to a subsurface utility easement.

Respectfully submitted,
ALFRED BERARDUCCI,

Commissioner of Public Works
By Councilman Van Antwerp:

Whereas, The City of Detroit is undertaking the rehabilitation of the area known as the Senior Citizen Housing, Michigan Project No. I-27, pursuant to Act 344 of the Public Acts of 1945, as amended, and

Whereas, In order to carry out the development plan for this project it is necessary for the City of Detroit to vacate the following street and alleys, therefore be it

Resolved, That all that part of Bangor Avenue, 63 feet wide, between Warren and the Ford Freeway lying westerly of and abutting the westerly line of Lots 25 to 36, Block 13, of the Amended Plat of Lots 1, 2 and 3 of Block 11, Lots 1 and 71 of Block 12, Lots 22 to 54 both inclusive of Block 13 and Lots 25 to 33 both inclusive of Block 14 of Bela Hubbard's Subdivision of all of the Rear Concession of Private Claim 77, lying northerly of Canfield, Detroit, Wayne County, Michigan, as recorded in Liber 25, Page 70, Plats, Wayne County Records; and lying easterly of and abutting the easterly line of Lots 24 to 30 and the vacated alley between Lots 24 and 25 of Daniel Scotten's Subdivision of Outlots 91, 92, 93 and 94, Private Claim 563, J. B. Campau Farm, T. 2 S., R. 11 E., Detroit, as recorded in Liber 9, Page 24, Plats, Wayne County Records, and lying southerly of the southerly line of the Ford Freeway, and as shown on Department of Public Works Drawing No. X-7044, as revised on April 20, 1971, also

All that part of the north-south public alley, 30 feet wide, in the block bounded by Scotten, Bangor, Warren and the Ford Freeway abutting Lots 25 to 30 and Lots 33 and 34 inclusive of the last mentioned subdivision; also

All that part of the east-west public alley, not previously vacated, 17.86 feet wide, in the block bounded by Scotten, Bangor, Warren and the Ford Freeway abutting the southerly line of Lot 34 and the 30 foot wide north-

south alley which abuts the easterly line of said Lot 34, and lying northerly of Lots 13 to 18 and the westerly 21 feet of Lot 19 all inclusive of the last mentioned subdivision;

Be and the same are hereby vacated as a public street and alley and are hereby converted into a subsurface public easement of the full width of the street and 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 street and 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 a subsurface easement or right-of-way under said vacated public street and 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 things usually placed or installed under a public street and 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 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 and alley shall request the removal and/or relocation of any existing utilities in said easement, such owners, upon whose property the 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 upon proper application, the Department of Public Works shall issue to the Detroit

Edison Company and the Michigan Bell Telephone Company permits to relocate their poles and lines from the vacated street and alleys to public streets most conveniently located in reference to the vacated street and alleys and consistent with the public health, safety, convenience and general welfare; and be it further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their poles and lines from the vacated street and alleys without expense to the City within thirty days of receipt of a copy of this resolution; and be it 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, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Department of Public Works

April 29, 1971

Re: 1970-1971 City Budget; Motor Vehicle Highway Funds.

Honorable Common Council:

Gentlemen — Each year the City of Detroit receives a distribution of Motor Vehicle Highway Funds (gas and weight taxes) from the State of Michigan in accordance with Act 51, Public Acts 1951. In calendar year 1970, \$16,688,413.61 was received for use in the City's major street system and \$4,596,615.64 for use in the City's local street system. In the preparation of the City's Act 51 Financial Report of Receipts and Disbursements of Street Funds, it was found that the level of expenditure required to maintain the local streets was somewhat greater than the amount of funds received for local streets allowed.

Section 13 (d) (1) of Act 51, P.A. 1951, as amended allows a city to use, on the local street system, up to 10 percent per annum of funds returned to the city for its major street system. To take advantage of this allowable transfer of funds, we respectfully request that your Honorable Body adopt the attached resolution.

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner

Approved:

W. I. STECHER
Deputy Controller

By Councilman Van Antwerp:

Resolved, That in accordance with the provisions of Section 13 (d) (1) Act 51, Public Acts 1951, as amended, the Controller be and is hereby authorized and directed to transfer

\$1,668,841.00 from the Major Street Motor Vehicle Highway Funds received in 1970 to Local Street Motor Vehicle Highway Funds.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki and President Ravitz—9.

Nays—None.

Department of Public Works

April 15, 1971

Honorable Common Council:

Re: Contracts PW-6184MS, and PW-6185MS; Area Demolition - Federal Aid; Award of Contracts.

Gentlemen — In response to published advertisements, separate bids were received on the dates noted for the Demolition of Buildings under the following Contracts:

PW-6184MS; Area, City Wide - Misc. West Side; Type, Solid Masonry and Commercial; Bid Received, 4-8-71.

PW-6185MS; Area, City Wide - Misc. East Side; Type, Solid Masonry and Commercial; Bid Received, 4-9-71.

Bids were received as noted on the attached tabulations.

The low bid on each Contract was regular and in accordance with the Contract requirements. It is therefore recommended that the Contracts be awarded to the respective bidders as listed below and in the amounts shown. The total funds required include the cost of advertising and field inspection, in addition to the Contract price. An appropriation is available in Account 125-2022-361, "Building Demolition and Contractual Expense - Federal Participation", to cover the total charges. Since these bids were taken on a unit price basis, they are subject to adjustment when actual quantities are known:

To: Stanson Wrecking Company; PW-6184MS; Amount of Bid, \$42,736.-00; Total Funds Required, \$58,000.00.

To: Atomic Lumber and Wrecking Company; PW-6185MS; Amount of Bid, \$54,200.00; Total Funds Required, \$75,000.00.

It is understood that, prior to proceeding, any required approvals will also be obtained from the Federal Department of Housing and Urban Development.

Respectfully submitted,
ALFRED BERARDUCCI,
Commissioner

Approved:

W. I. STECHER
Deputy Controller

By Councilman Van Antwerp:

Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to enter into Contract for the Demolition of Buildings as listed in the foregoing communication, under the individual Contract numbers with the respective