

Adopted as follows:
 Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.
 Nays—None.

Department of Public Works

January 28, 1971

Honorable Common Council:

Re: Petition No. 9561

Mr. Mike Mincoff

Vacation of a Portion of Greeley Avenue, North of McNichols Avenue.

Gentlemen — The above petition requests the vacation of a portion of Greeley Avenue, 60 feet wide, north of McNichols. 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:

**Department of Public Works—
 Street Maintenance Division**

Fund 990-9443-001, Receipt No. A-29928, \$1,100.00. For the estimated cost of constructing a new concrete sidewalk on the south side of Greeley north of McNichols.

D.P.W.—Intersection Fund 143-6241

Receipt No. A-29927, \$516.00. For the original cost of paving the north one-half of McNichols Avenue at the intersection with Greeley Avenue to be vacated.

An easement is reserved in the vacating resolution for the Michigan Consolidated Gas Company and the Detroit Metro Water Department for the maintenance of their installations located in the public right-of-way to be vacated.

The City Plan Commission has recommended that no new curb cuts be allowed on McNichols or the Chrysler Freeway East Service Drive and that sufficient parking bumpers be installed to prevent vehicles from overhanging the sidewalk. These provisions are included in the vacating resolution.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers 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 at-

tached for consideration by your Honorable Body.

Respectfully submitted,
ALFRED BERARDUCCI,
 Commissioner

By Councilman Levin:

Resolved, That all that part of Greeley Avenue, 60 feet wide, north of McNichols Avenue abutting the westerly line of the southerly 140.0 feet of Lot 16, Block 24, and abutting the easterly line of the southerly 85.0 feet of Lot 23, Block 25; and lying southerly of and abutting a line drawn from a point which is the westerly line and 20.0 feet southerly of the northwesterly corner of said Lot 16, Block 24, to a point in the westerly line and 85.0 feet northerly of the southeasterly corner of Lot 23, Block 25, all inclusive of the re-subdivision of part of Blocks 22, 23, 24, 25 and 26 "Jerome Park" Subdivision, Greenfield, Wayne County, Michigan, as recorded in Liber 13, Page 56, Plats, Wayne County Records,

Be and the same is hereby vacated as a public street and is hereby converted into an easement of the full width of the street for the Michigan Consolidated Gas Company and Detroit Metro Water Department, which 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 by their heirs, executors, administrators and assigns forever to wit:

First, Said owners hereby grant to and for the use of the above named company and City of Detroit Department an easement or right-of-way over said vacated public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing their utilities such as water mains, sewers, gas lines or mains, 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 facilities in said easement, such owners, upon whose property the facilities 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

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 there will be no new curb cuts on East McNichols or the Chrysler Freeway East Service Drive bordering on vacated Greeley Avenue; and be it further

Resolved, That there be precast concrete wheel stops at least six (6) inches in height placed at a sufficient distance from the sidewalk to protect pedestrians from vehicles overhanging the sidewalk.

Adopted as follows:

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

Nays—None.

Purchases and Supplies

February 9, 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. 4523

One bid was received for furnishing the Department of Public Works with Book Lift Maintenance, Dover Equipment.

To: Dover Elevator Co. of Detroit (Sole Bid)

Payment to: P. O. Box 2177, Memphis, Tenn.

Furnish Labor and Materials to maintain one Book Lift at factory new operating level at Detroit Institute of Arts, beginning March 1, 1971 and continuing thereafter until this agreement is terminated:

Elevator No. 8664, \$60.00 per month.

Contract is subject to price revision at the end of each five (5) year period. Adjustment to be based on changes in prevailing labor rates and in material costs as reflected in the Index of Wholesale Metals and Metal Products and is predicated on the basis of cost consisting of 80 percent labor and 20 percent material.

Contract is subject to termination by either party upon 60 days written notice.

This is estimated at \$3,600.00.

Prices are firm until February 29, 1976 and F.O.B. Delivered.

Terms: Net—30 days.

FILE NO. 4688

Six bids were received as a result of fifteen solicitations for furnishing the Parks and Recreation Department with Playground Equipment.

Items and prices as are on file in the Office of the City Clerk.

To: Mexico Forge Associates of Detroit (Sole Bid)

5 Items:

To: Gametime, Inc. of Litchfield, Michigan

3 Items (Sole Bid)

6 Items (Lowest Bid)

4 Items (Lowest Acceptable Bid)

This purchase totals \$24,061.62 and involves 2 awards.

Prices are firm and F.O.B. delivered.

Terms: Net—30 days.

FILE NO. 4689

Four bids were received as a result of nine solicitations for furnishing the Housing Commission with Accounting Machine.

To: Burroughs Corporation of Detroit (Lowest Acceptable Bid)

1 Only Machine, Accounting, Electrically operated, capacity 11 list, 12 total. Burroughs Model F6706CP.