

Department of Public Works
November 20, 1972

Honorable Common Council:
Re: Contract PW-6192F — Area
Demolition — frame and Brick
Veneer Residential Buildings in
the Southwest Sector.

Gentlemen — Contractor, Adamo
Wrecking Company; Total Amount
Accepted Proposal, \$100,090.00; Pre-
viously Issued Changes, \$29,270.27;
Reconciling Contract Change,
\$1,980.65; Final Adjusted Contract
Price, \$131,340.92.

The above Contract is on a unit
price basis, with estimated quantities
of the various items of work stated in
the Proposal. Subsequent to the
award, Contract Changes were issued
in the net amount shown above.

After the work was completed and
final field measurements taken, the
actual quantities of the various items
of work performed resulted in a net
difference as shown in the
Reconciling Contract Change.

It is respectfully requested that the
increased cost as shown by the
Reconciling Change be approved and
that the Controller be authorized to
honor vouchers based on the Final
Adjusted Contract Price.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

Approved:
W. I. STECHER
Controller

By Councilman Rogell:

Resolved, That the "Final Adjusted
Contract Price" on the above Contract
be and is hereby approved; and be it
further

Resolved, That the Controller be
and he is hereby authorized and
directed to honor vouchers when
presented, based on the Final
Adjusted Contract Price as shown in
the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eber-
hard, Henderson, Hood, Levin, Rogell,
Wierzbicki and President Ravitz — 8.
Nays — None.

Department of Public Works
November 21, 1972

Honorable Common Council:
Re: Petition No. 3297, Detroit Board
of Education, Conversion to
Subsurface Easement of
Greyfriars and Ries Avenues
north of Visger and west of Fort
Street and the east-west alley
west of Fort and south of Conway
Avenue.

Gentlemen — The above petition
requests the conversion of the above
described streets and alley into an
easement for subsurface public
utilities. The requested vacations were
recommended by the City Plan
Commission with the further
recommendation that sufficient land
be dedicated for a new alley outlet

into Conway Avenue. The petition was
then referred to us for investigation
and report. Our report, accompanied
by the original petition, is as
follows:

The petitioner has issued the
following Purchase Orders which have
been credited to the departments and
accounts named, for the purposes
indicated:

Detroit Metro Water Department,
Purchase Order No. 19178. For
estimated cost of abandoning two six-
inch mains located in the streets to
be vacated, \$2,494.86.

Fire Department, Purchase Order
No. 19180. For the estimated cost to
relocate one hydrant at the northeast
corner of Greyfriars and Visger, \$2,-
700.00.

Public Lighting Commission,
Purchase Order No. 19181. For the
estimated cost to reroute lighting
facilities, \$2,100.00.

The petitioner has issued purchase
orders for the installation of drainage
and the construction of the new alley
pavement and the removal of the
paved returns at the entrance to the
streets and alley to be vacated. They
have also included this work in the
private contract as part of their
overall project. By letter filed with
the original petition, the petitioner
has asked that this work be allowed
to be completed by private contract.
They have agreed to revise the
purchase orders to cover any
engineering and inspection costs
incurred by the Department of Public
Works. This Department has no
objection to the work being done by
private contract as long as the work is
performed under City permit and
inspection and according to
Department of Public Works
specification with the entire cost of
such construction being borne by the
petitioner.

A Warranty Deed has been received
from the petitioner, deeding to the
City of Detroit, land for the new
outlet into Conway Avenue. This deed
was approved as to form and
execution by the Corporation Counsel
and as to description by the City
Engineer, and is attached for your
Honorable Body's acceptance.

All other involved City departments
and privately-owned utility
companies reported they have no
objections to the conversions of
public right of ways into sub-surface
easements provided that proper
provisions are incorporated into the
vacating resolution protecting their
installations located therein.

An appropriate resolution is
attached for consideration by your
Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

December 5

By Councilman Wierzbicki:

Resolved, That all that part of Greyfriars Avenue, 60 feet wide, between the northerly line extended of the east-west alley between Visger and Ries Avenues and the southerly line extended of the east-west alley between Ries and Conway Avenues, the easterly portion of said Greyfriars having been deeded to the City on September 15, 1931, by the Detroit Board of Education, and abutting the easterly line of lots 239 and 268 and Ries Avenue, 50 feet wide, as platted in the Ries Estate Subdivision of part of Private Claims 119 and 524, Detroit, Wayne County, Michigan, as recorded in Liber 61, Page 3, Plats, Wayne County records; also

All that part of Ries Avenue, 50 feet wide, between the easterly line of the Fisher Freeway and the westerly line of Greyfriars Avenue abutting the front line of lots 239 and 249 and the southerly 30 feet of lot 250 and abutting the front line of lots 258 to 263 and the southerly 29.79 feet of lot 257, all inclusive of the last mentioned subdivision; also

All that part of the east-west public alley, 18 feet wide, south of Conway Avenue between Greyfriars and Fort Street, abutting the southerly line of lots 50 to 58, the northerly 26.6 feet of lot 49 and the Southerly 10 feet of lot 59 of Hannan's American Park Subdivision of lots 4, 5, and 6 of the plat of portions of Private Claims 50, 119 and 524 as divided by Commissioners in Partition, file No. 15343, Circuit Court, Ecorse Township, Wayne County, Michigan, as recorded in Liber 32, Page 85, Plats, Wayne County, Michigan; and as deeded to the City by the Board of Education on September 15, 1931;

Be and the same are hereby vacated as public streets and alley and are hereby converted into a subsurface public easement of the full width of the streets and alley, which easements 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 streets 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 streets and 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 things usually placed or installed in a public street and alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements 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 easements, 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 streets 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 further

RESOLVED, That the installation of drainage and construction of the newly dedicated alley and alley return be borne by private contract according to Department of Public Works specification and by City permit and inspection; the entire cost of said construction to be borne by the petitioner; and further

RESOLVED, That the removal of the paved returns at the entrance to the streets and alley to be vacated be removed and new curb and sidewalk be constructed by private contract according to Department of Public Works specification and by City permit and inspection, the entire cost of said construction to be borne by the petitioner, and further

RESOLVED, That the Warranty Deed of the Detroit Board of Education deeding land to the City of Detroit for alley purposes being described as:

The south 20 feet of the north 25 feet of lot 59 of Hannan's American Park Subdivision of Lots 4, 5 and 6 of Plat of portions of Private Claims 50, 119 and 524, as divided by Commissioners in partition file No. 15343, Circuit Court, Ecorse Township, Wayne County, Michigan, as recorded in Liber 32, Page 85, Plats, Wayne County records,

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.
Nays — None.