

City	L 15564	6461	21	45685	341.00	11-14-72
William A. Wood	L 22671	6534	16	24163-65	54.70	12-5-72
Metro. Det. City						
Develop. Authority	L 22680	6547	11	1234	207.50	12-6-72
					<u>\$3,356.77</u>	

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

Department of Public Works  
 April 4, 1973

Honorable Common Council:  
 Re: Petition No. 2532, Detroit Board of Education. Vacation of a portion of the alleys in the block bounded by Ward, Sorrento, Chalfonte, and Fenkell and the dedication of a new alley outlet into Ward.

Gentlemen — The above petition requests the vacation of the above described alleys. The requested vacation was recommended by the City Plan Commission with the further recommendation that sufficient land be dedicated for a new alley outlet into Ward 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 Order which has been credited to the department named for the purpose indicated:

Department of Public Works — Street Maintenance Division Purchase Order No. 84335 — \$7,700.00.

For the estimated cost to remove the paved alley returns and construct new curb and walk at the alley to be vacated, also to construct a new alley return and grade and stone the newly dedicated alley.

DPW — Intersection Fund, Purchase Order No. 84335 — \$161.00.

For the original cost of paving the streets at the intersection of the alley to be vacated.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Ward 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right of ways 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.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
 CLARENCE C. RUSSELL,  
 Commissioner

By Councilman Levin:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Ward, Sorrento, Chalfonte, and Fenkell Avenues abutting the southerly line of lots 69 to 81 and abutting the northerly line of lots 68 and 82 and the 18 foot wide, north-south public alley between said lots 68 and 82, all inclusive of Meyer's Grove Subdivision of the northeast 1/4 of the northwest 1/4 of Section 20, T.1.S., R.11.E., Detroit, Wayne County, Michigan, as recorded in Liber 50, Page 21, Plats, Wayne County records; also.

All that part of the north-south public alley, 18 feet wide, in the above described block, abutting the rear lines of lots 68 and 82 and the rear lines of the northerly 10 feet of lots 67 and 83 inclusive of the above mentioned subdivision,

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

1) 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

2) Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Services Section of the Detroit Metro Water Department and the Department of Buildings and Safety Engineering; and further

3) 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

4) 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

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accordance with Provision 2, mentioned above), then in such event, the petitioner or assigns shall be liable for all costs broken or damaged repair of such sewer; and shall also be liable for all claims for damages resulting from his action, 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 north 20 feet of the south 25 feet of lot 67 of Meyers Grove Subdivision of the northeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 20, T.1.S., R.11.E., Detroit, Wayne County, Michigan, as recorded in Liber 50, Page 21, 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.

#### Department of Public Works

March 20, 1973

Honorable Common Council:

Re: Highway Planning, Eight Mile Road (M-102) Widening Storm Water Drainage Agreement, Greenfield to Kelly, Supplemental Agreement No. 72-1451.

Gentlemen — We are submitting herewith for your approval, a proposed agreement between the City of Detroit and the Michigan State Highway Commission which amends an earlier contract (Agreement No. 69-1639) between these parties which provided for State payment to the City for the cost of accepting increased storm water run-off into the City sewer system because of the widening of Eight Mile Road (M-102). Agreement 69-1639 was confirmed by your Honorable Body on September 21, 1971 (JCC p. 2199).

As the design progressed on the Eight Mile Road widening it was found that it would be necessary to take additional storm water drainage into the Kelly Road sewer. This arrangement was not part of the additional agreement and this supplemental agreement provides for the additional use of the City's sewer system by payment of \$30,744.14 to the City as the State's share of the cost of providing the Kelly Road outlet.

This agreement has been approved as to form by the Corporation Counsel's office and has been reviewed and approved by the Detroit Metro Water Department. To allow the Michigan Department of State Highways to utilize the Kelly Road sewer for a storm water drainage

outlet for Eight Mile Road and to enable the City to recover the State's share of the cost of providing the sewer capacity we recommend adoption of the following resolution which approves the agreement and authorizes the Street Administrator to execute it in behalf of the City.

Respectfully submitted,  
CLARENCE C. RUSSELL,  
Commissioner  
Dept. of Public Works.  
ROBERT R. HICKS,  
Director

Approved:

A. L. WARREN  
Deputy Controller  
By Councilman Rogell:

Resolved, That in accordance with the above communication, the proposed agreement between the City of Detroit and the Michigan State Highway Commission, which amends Agreement 69-1639 by adding \$30,744.14 as the sum which the State will pay for the cost of additional storm water drainage into the Kelly Road sewer in connection with the Eight Mile Road widening project, to be deposited in Account 167-6614-003, be and the same is hereby approved; and be it further

Resolved, That the Street Administrator, Mr. Robert R. Hicks, be, and the same is hereby authorized and directed to execute agreement 72-1451 in behalf of the City of Detroit.

Adopted as follows:

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

#### Department of Public Works

March 7, 1973

Honorable Common Council:

Re: Curb and Walk Replacement and Resurfacing; Virginia Park NDP MICH. A-4-2; Groups 73 VP-1 and 73 VP-2; Award of Contracts.

Gentlemen — In response to published advertisements, bids were received on the dates indicated for curb and walk replacement and resurfacing Groups 73 VP-1 and 73 VP-2. These groups consist of the following Contracts in the Virginia Park Neighborhood Development Project MICH A-4-2.

#### GROUP 73 VP-1

Bids Received February 28, 1973  
PW-6527 Curb and Walk Replacement and Resurfacing on:  
Woodrow Wilson - From W. Grand Blvd. to Pallister.  
Gladstone - From Twelfth to Woodrow Wilson.  
Churchill - From W. Grand Blvd. to Pallister.

PW-6529 Curb and Walk Replacement on:  
Philadelphia - From Twelfth to J. C. Lodge W. Service Dr.