

By Councilman Wierzbicki:

Whereas, From the foregoing communication, it appears that all work required to be performed by the Contractors under the Contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the terms and conditions of said Contracts by the Department of Public Works; therefore be it

Resolved, That the said Contracts be and are hereby accepted.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Wierzbicki, and President Ravitz — 7.

Nays — None.

#### Department of Public Works

February 14, 1973

Honorable Common Council:

Re: Petition No. 3178; University of Detroit; Vacation of a portion of the alley in the block bounded by Livernois, Petoskey, Puritan, and Florence.

Gentlemen — The above petition requests the vacation of a portion of the north-south alley in the above described block. 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 also requested that the paved return at the entrance to the alley 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 Detroit Edison Company and the Michigan Bell Telephone Company for the maintenance of their installations located in the public right of way to be vacated.

The petitioner has requested that the original paving cost of \$531.00 for paving Florence Avenue at the intersection of the alley to be vacated be waived in order to keep the costs of this project as low as possible. Proper provisions are incorporated in the vacating resolution waiving these costs.

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 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.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
CLARENCE C. RUSSELL,  
Commissioner

By Councilman Wierzbicki:

Resolved, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Livernois, Petoskey, Puritan, and Florence Avenues abutting the rear line of lots 21 to 46 and lots 47 to 61, inclusive of the Marshall Park Subdivision of the North 30 Acres of the S.W.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of Section 15, T.1.S., R.11.E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 33, Page 54, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley 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 Detroit Edison Company and the Michigan Bell Telephone Company an easement or right of way over said alley hereinabove described for the purpose of maintaining, installing, repairing, removing, or replacing utilities such as 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 Detroit Edison Company and the Michigan Bell Telephone Company.

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, and 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 Services 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 shall also be liable for all claims for damages resulting from his action, and further**

Resolved, That the reimbursement to the City of the original paving cost (\$31.00) for paving Florence Avenue at the intersection with the alley to be vacated is hereby waived.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Wierzbicki, and President Ravitz — 7.

Nays — None.

#### Purchases and Supplies

February 26, 1973.

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. 6711

Six bids were received as a result of thirteen solicitations for furnishing the City of Detroit with normal requirements of Ladders, Wood, Portable for a period starting March 8, 1973 and ending January 31, 1974 with option to renew for one additional year.

Items and prices as are on file in the office of the City Clerk.  
To: Rayl Industrial Supply Co. of Detroit.

4 Items (Lowest Total Bid)  
This is estimated at \$10,200.00.  
Prices are firm and F.O.B. delivered.

Terms: 2 per cent — 30 days.

#### FILE NO. 6747

Two bids were received as a result of twelve solicitations for furnishing the Metropolitan Water Department with Water Screens, Traveling and Parts.

To: Jeffrey Manufacturing Co. of Columbus, Ohio (Lowest Bid)

2 Only Traveling Water Screens, including supporting frame, spray system and valve, splash housing, operating mechanism and all appurtenances necessary for proper operation. \$28,200.00 Ea.

1 Set Spare Parts for above Screen. \$1,050.00 Set.

This purchase totals \$57,450.00.

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

Terms: Net — 30 days.

#### FILE NO. 6759

Eight bids were received as a result of thirty-four solicitations for furnishing the Department of Parks and Recreation with Tree Removal.

To: Harry Fox, Inc. of Roseville, Mich. (Lowest Bid)

379 Trees, Area J. \$20,845.00.

Price is firm and F.O.B. delivered.

Terms: Net — 30 days.

#### FILE NO. 6763

Four bids were received as a result of nineteen solicitations for furnishing the Metropolitan Water Department with Valves Butterfly, Cone & Ball.

To: B.I.F., A Unit of General Signal Corporation of Providence, R.I. (Lowest Acceptable Bid)

28 Only Valves, Butterfly, 24", AWWA-C-504, Cast Iron Body, Flanged Ends, Rubber Seated, Hydraulically operated. \$2,095.00 Ea.

To: Henry Pratt Co. of Southfield, Mich. (Sole Bid)

Payment To: 401 South Highland Ave., Aurora, Ill.

1 Only Valve, Ball, ASTM Designation, A48, Gray Iron Castings, Class 35. \$8,045.00 Lot.

This purchase totals \$66,705.00.

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

Terms: Net — 30 days.

#### FILE NO. 6806

Four bids were received as a result of eleven solicitations for furnishing the Department of Hospitals with Laboratory Equipment, Miscellaneous.

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

To: Scientific Products, Inc. of Romulus, Mich.

Payment To: Box 95220, Chicago, Ill.

22 Items (Lowest Total Bid)