

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 alleys 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 the removal of the paved street and alley returns and the construction of new curb and sidewalks be done by private contract under City permit and inspection and according to Department of Public Works specification with the entire cost being borne by the petitioner.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 8.

Nays — None.

Department of Public Works

September 10, 1973

Honorable Common Council:

Re: Contract PW-6256F. Area Demolition — Frame and Brick Veneer Residential Buildings S.W. Sector, North of John Kronk — (Revenue Sharing Program), Award of Contract.

In response to published advertisements, six bids were received on August 14, 1973, for the Area Demolition of Frame and Brick Residential Buildings in the Southwest Sector, North of John Kronk, Contract PW-6256-F, under the Revenue Sharing Program. Bids were received as noted on the attached tabulation.

The low bid was regular in all respects. It is therefore recommended that the Contract be awarded to the Adamo Wrecking Co., in the amount of their bid price of \$109,850.

Total funds in the amount of \$130,000 are required to cover the cost of design, advertising, inspection, utilities and minor contingencies, in addition to the Contract price. An appropriation is available in Account 125-2020-364 to cover this amount.

Since these bids were taken on a unit price basis, they are subject to adjustment when actual quantities are known.

It is also recommended that this Contract be considered confirmed after Certification by the Controller and approval as to form and execution by the Corporation Counsel.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

Approved:

A. L. WARREN  
Deputy Controller

By Councilwoman Henderson:

Resolved, That the Commissioner of Public Works be and he is hereby authorized and directed to enter into Contract for the Demolition of Frame and Brick Veneer Residential Buildings in the Southwest Sector, North of John Kronk, Contract PW-6256F, in the amount of \$109,850; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented, the vouchers to include the cost of design, advertising, inspection, utilities and minor contingencies, as well as the Contract cost, and charge them to Account 125-2020-364; and be it further

Resolved, that this Contract shall be considered confirmed after Certification by the City Controller and approval by the Corporation Counsel as to form and execution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 8.

Nays — None.

Department of Public Works

August 6, 1973

Honorable Common Council:

Re: Petition No. 6259, Shore-Severs Company. Vacation of the alley in the block bounded by Stoepel, Livernois, Oakman Boulevard, and Ewald Circle.

The above petition requests the vacation of the above described alley. 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 returns at the entrance to the alley to be vacated remain in their 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, the Michigan Bell Telephone Company, and the Detroit Public Lighting Commission for the maintenance of their installations located in the public right of way to be vacated.

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 the 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 Councilwoman Henderson:

RESOLVED, That all that part of the public alley, 18 feet wide in the block bounded by Stoepel, Livernois, Oakman Boulevard, and Ewald Circle, abutting the rear line of lots 349 to 358 and the westerly 13.57 feet of lot 359; and abutting the rear line of lots 362 to 365 and the westerly 21.37 feet of lot 361 all inclusive of the amended plat of Robert Oakman's Turner and Ford Highway Subdivision of part of ¼ Sections 9 and 10, 10,000 Acre Tract, and Fractional Section 28, T.1.S., R.11.E., City of Detroit, Wayne County, Michigan, as recorded in Liber 44, Page 96, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley and is hereby converted into an easement of the full width of the alley for the Detroit Edison Company, the Michigan Bell Telephone Company, and the Detroit Public Lighting Commission 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 Detroit Edison Company, the Michigan Bell Telephone Company, and the Detroit Public Lighting Commission, an easement or right of way over said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing public 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 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, 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 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 be it further

RESOLVED, That if at any time in the future it becomes necessary to remove the paved alley returns and construct new curb and sidewalk such removal will be done by City permit and inspection and according to Department of Public Works specifications with the entire cost being borne by the petitioner or his assigns and further

RESOLVED, That the City Clerk is hereby authorized and directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Detroit Public Lighting Commission a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 8.

Nays — None.

Department of Public Works

August 8, 1973

Honorable Common Council:

Re: Contract PW-6234 MS, Area Demolition, Solid Masonry and Commercial Buildings-City Wide (West Side), Macy's, Inc., Contractor, Contract Change IT-1.

The City is experiencing difficulty with the Seaway Wrecking Company in fulfilling their contractual obligations for Contract PW-6224MS, Area Demolition-City Wide - Solid Masonry, Commercial (W. Side).

In order to continue the scheduled demolition program in this area, it is requested that Contract PW-6234MS, Area Demolition, Solid Masonry and Commercial Buildings, City Wide (West Side), Macy's Inc., Contractor, be increased by \$18,000, in order to allow assignment of some of the work originally intended to be handled under the Seaway Contract, to the Macy firm.

This will ensure Macy's the required capacity until such time as it is possible to set up a new Contract in this area. This work would be done at the same unit prices as quoted in the Contractor's original Proposal for PW-6234MS.

Funds are available in Account 125-2020-364.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

Approved:

A. L. WARREN  
Deputy Controller

By Councilman Hood:

Resolved, That the work described in the foregoing communication, be added to the existing Contract, PW-6234MS, for the reasons stated; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers, when

presented, covering the additional costs in the amount of \$18,000, and charge them to Account 125-2020-364.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 8.

Nays — None.

Department of Public Works

August 8, 1973

Honorable Common Council:

Re: Contract PW-6235F, Area Demolition—Frame and Brick Veneer Residential Buildings in the Southwest Sector; Adamo Wrecking Company, Inc., Contractor, Contract Change IT-1.

This City is experiencing difficulty with the Seaway Wrecking Company in fulfilling their contractual obligations for Demolition Contract PW-6222F, Area Demolition — Frame and Brick Veneer Residential Buildings in the Southwest Sector.

In order to continue the scheduled demolition program in this area, it is requested that Contract PW-6235F, Area Demolition — Frame and Brick Veneer Residential Buildings in the Southwest Sector, Adamo Wrecking Company, Inc., be increased by \$16,400, in order to allow assignment of some of the work originally intended to be handled under the Seaway Contract to the Adamo Wrecking Company, Inc.

This will ensure Adamo Wrecking Company, Inc., the required capacity until such time as it is possible to set up a new Contract in this area. This work would be done at the same unit prices as quoted in the Contractor's original Proposal for PW-6235F.

Funds are available in Account 125-2020-364.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

Approved:

A. L. WARREN  
Deputy Controller

By Councilman Hood:

Resolved, That the work described in the foregoing communication, be added to the existing Contract, PW-6235F, for the reasons stated; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers, when presented, covering the additional costs in the amount of \$16,400, and charge them to Account 125-2020-364.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 8.

Nays — None.

Department of Public Works

September 26, 1973

Honorable Common Council: