

The Contractor has quoted a price of \$2,100.00 for this additional work. This has been checked by the City Engineer and found to be fair and reasonable. Funds are available in Account 955-9351-902.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner of Public Works

Recommended:  
JOHN P. KANTERS  
Director,  
Community Development Com.

Approved:  
A. L. WARREN  
Deputy Controller

By Councilman Eberhard:

Resolved, That the additional work described in the foregoing communication, be, and is hereby approved as an extra to Contract PW-6519, Twelfth Street Widening — Pallister to Philadelphia, Virginia Park NDP MICH. A-4-2, in the amount of \$2,100.00, for the reasons stated in the foregoing communication; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers, when presented, covering this additional work, and charge them to Account 955-9351-902.

Adopted as follows:  
Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 7.  
Nays — None.

#### Department of Public Works

December 3, 1973

Honorable Common Council:

Re: Contract PW-5761, Service Building & Yard Facilities — Davison Yard, Waterford Construction Co., Contractor. Contract Change AR-5.

In order to overcome a traffic hazard, eliminate a maintenance problem, and make provisions for the handicapped, it was deemed advisable to widen the sidewalk on the South side of Davison, eliminate a concrete strip along the curb as well as the lawn area between, adjust manholes to meet sidewalk curbs, and make provisions for ramps.

The Contractor has quoted a price of \$7,695.73 for this work, which is considered to be fair and reasonable. Funds are available in Account 197-9200-910.

It is therefore recommended that this work be added to the existing Contract PW-5761 in accordance with the Contract provisions for changes in the work.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

Approved:  
A. L. WARREN  
Deputy Controller

By Councilman Eberhard:

Resolved, That the work described be added to the existing Contract PW-5761 with the Waterford Construction Co. Inc., for Service Building & Yard Facilities — Davison Yard, for the reasons stated in the foregoing communication; 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 \$7,695.73 and charge them to Account 195-9200-910.

Adopted as follows:  
Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 7.  
Nays — None.

#### Department of Public Works

December 4, 1973

Honorable Common Council:

Re: Petition No. 6985, Titan Finishes Corporation, Conversion to Easement of the westerly portion of the east-west alley south of East Grand Boulevard between Canton and Helen Avenues.

The above petition requests the conversion of the above described portion of east-west alley, 20 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved 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 deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

DPW Intersection Fund 143-6241	
Receipt No. B-21231	\$140.00

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

The petitioner has requested that the paved return at the entrance to the alley to be vacated 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.

The Street Design Bureau of the Department of Public Works has replied that they have no objection to the conversion to easement as long as the catch basin located in the alley to be vacated is not changed in grade, allowing storm water to drain to dit. The petitioner has agreed to this provision.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right-of-way into an easement provided that proper provisions are

incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

By Councilman Eberhard:

RESOLVED, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Canton, Helen, Palmer, and East Grand Boulevard, lying northerly of and abutting the northerly line of lot C, and lying southerly of and abutting the southerly line of lots 1 to 3 and the westerly 7 feet of lot 4 inclusive of James Gambles Subdivision of part of lot 9 and 10, Private Claim 573, north of Gratiot Avenue, Detroit, Wayne County, Michigan, as recorded in Liber 14, Page 67, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, 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 public 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 water mains, sewers, gas lines or mains, 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 or 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 if at any time in the future it becomes necessary to remove the paved alley return and construct new curb and sidewalk, the cost of such removal and construction shall be borne by the petitioner or his assigns, and further

PROVIDED, That the catch basin located in the vacated portion of alley be kept available to drain storm water from the portion of alley to remain open; if this is not done a new catch basin will be installed in the open portion of alley with the entire expense borne by the petitioner or his assigns.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, and President Ravitz — 7.

Nays — None.

Department of Public Works

December 6, 1973

Honorable Common Council:

Re: Petition No. 7331, Henning and Cheadle, Inc. Use of Berm Area for Off Street Parking at Greenfield and Elmira.

In compliance with policy adopted by your Honorable Body on August 24, 1972, (J.C.C. Pages 2195-97) concerning use of berm areas for parking of motor vehicles, the Department of Public Works has consulted with the City Plan Commission, Corporation Counsel, Community Development Commission, and the Department of Streets and Traffic regarding the above petition.

All Departments have approved the use of the berm area for public parking. The petitioner is to provide necessary concrete curb stops to prevent cars from overhanging the sidewalk.

We are, therefore, submitting the following resolution authorizing the use of berm area and recommend approval of same.

Respectfully submitted,  
CLARENCE RUSSELL  
Commissioner

By Councilman Eberhard:

RESOLVED, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Henning and Cheadle, Inc. to use the berm area on the east side of Greenfield for a distance of 180 feet south of the south line of Elmira Avenue.