

1493-268 Vocational Training Services	107	
301 Supplies and Expense	42	1,280
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TOTAL	\$ 36,620	\$ 439,410
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GRAND TOTAL	\$125,578	\$1,506,900

Respectfully submitted,
WILLIAM W. RUCKS
 Director

Approved:

MERVIN D. WINSTON
 Deputy Budget Director
DENNIS O. GREEN
 Finance Director

By Council Member Rogell:

RESOLVED, That the 1974-75 Corrections Department Budget be and it is hereby amended to include the seventy-eight (78) positions and appropriations as detailed in the foregoing communication to allow for the operation of Women's Division of the Corrections Department for the period August 1, 1974, through August 31, 1974; and be it further

RESOLVED, That the Finance Director be and he is hereby authorized and directed to transfer the sum of \$125,578.00 from the 1974-75 Appropriations in Account No. 167-8089-640, Reserve for Operation of Women's Division — Corrections Department, to the various operating accounts indicated in the foregoing communication and honor payrolls and vouchers when presented in accordance with the foregoing communication, and this resolution.

Adopted as follows:

Yeas — Council members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell and President Levin — 8.
Nays — None.

City Engineering Dept.
 July 12, 1974

Honorable City Council:
Re: Petition No. 5, Higgins Management Company, Conversion to Easement of a portion of the north-south alley north of Jefferson between Hibbard and Holcomb

The above petition requests the conversion of the above described alley, 18 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department with the recommendation that sufficient land be dedicated for a new alley outlet into Hibbard. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

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

The petitioner has requested that the paving of the new alley and alley return be done by private contract, this Department has no objection provided the work is done under City permit and inspection and according to City specifications and that the entire cost be borne by the petitioner.

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 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,
HERMAN T. DUDLEY
 Director

Approved:

JAMES WATTS
 Director, Environmental Protection & Maintenance Dept.

By Council Member Rogell:

RESOLVED, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Hibbard, Holcomb, Jefferson, and Agnes Avenues abutting the rear line of lots 99 to 116 inclusive of "Hibbard-Baker's Subdivision of Lots 4, 5, and 6 and part of Lot 3 of the Subdivision of Private Claim 644 and the east 53.91 feet of Private Claim 723, Hamtramck, Wayne County, Michigan," as recorded in Liber 7, Page 86, 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 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 City Engineering Department,

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

RESOLVED, That the Warranty Deed of the petitioner deeding land to the City of Detroit for alley purposes, described as

Land in the City of Detroit, Wayne County, being a part of lot 98 of Hibbard Baker's Subdivision of lots 4, 5 and 6 and part of lot 3 of the Subdivision of Private Claim 644 and the east 53.91 feet of Private Claim 723, Hamtramck, Wayne County, Michigan, as recorded in Liber 7, Page 86, Plats, Wayne County records, more particularly described as:

Beginning at a point in the easterly line of Hibbard Avenue, 60 feet wide, said point being 5.0 feet southerly of the northwesterly corner of lot 98; thence easterly along a line 5.0 feet southerly of and parallel to the northerly line of lot 98, 108.54 feet; thence northeasterly to the northeasterly corner of lot 98; thence southerly along the westerly line of an 18 foot wide public alley to the southeasterly corner of lot 98; thence northwesterly to a point in a line 25.0 feet southerly of and parallel to the northerly line of lot 98 said point being 108.54 feet easterly of the easterly line of Hibbard Avenue, 60 feet wide; thence westerly along a line 25.0 feet southerly of and parallel to

the northerly line of lot 98, 108.54 feet to the easterly line of Hibbard Avenue, 60 feet wide; thence northerly along said easterly line of Hibbard Avenue to the point of beginning.

Be and the same is hereby accepted and the Finance Department is hereby directed to record said deed in the office of the Register of Deeds for Wayne County; and further

RESOLVED, That the construction of the new alley and its drainage be done by private contract under City permit and inspection and according to the City Engineering Department specifications, and be it further

RESOLVED, That the Finance Department is hereby authorized and directed to issue a Quit Claim Deed to the above described vacated alley and that the Law Department is authorized and directed to prepare said deeds.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

Environmental Protection and Maintenance Department

July 10, 1974

Honorable City Council:

Re: Contract: PW-6536. For: Virginia Park NDP MICH. A-4-2 Parking Area Paving on Poe from Seward to Alley N. of Seward Street Widening on Merrill from Seward to Virginia Park; Adjusted Contract Price: \$63,359.81; Contractor: Fort Wayne Construction Co.

This is to certify that all work required of the Contractor in the performance of this Contract has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is therefore recommended that the total value of the work, as above stated, less the total amounts previously paid on all progress payments, be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

R. C. MONAHAN
Engineer of Inspection
N. T. DUDLEY
Director of Engineering
JAMES W. WATTS
Director - Environmental
Protection and Maintenance
Department