

right, no change in zoning is necessary on this lot.

The Community and Economic Development Department therefore recommends that District Map No. 70 of Detroit's Official Zoning Ordinance be amended to show a P1 District Classification where an R1 District Classification is presently shown on Lots 111-114, inclusive, and Lots 155 and 156 of the Ardmore Gardens Subdivision, such property being located on the west side of Decatur Avenue south of Keal Avenue and on the south side of Keal Avenue west of Decatur.

You are reminded that the total petition involves alley changes as well as zoning changes and it is therefore recommended that formal action be taken on two parts simultaneously.

Respectfully submitted,

RONALD J. HEWITT,

Director

City Engineering Division, EPMD
September 23, 1976

Honorable City Council:

Re: Petitions No. 1463 and 3987. Industrial Tool Engineering Co. Vacation and Conversion to Easement of portions of alleys south of Keal Avenue between Volte and Decatur Avenues.

The above petition requests the vacation and conversion to easement of portions of the alleys 20 and 16 feet wide in the above described block. The requested vacation and 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 Decatur 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 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.

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

The petitioner has requested that the grading and stoning and construction of a concrete alley return on the newly dedicated alley be done by private contract, the Environmental Protection and Maintenance Department has no objection providing the work is done under City permit and inspection and according to En-

vironmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner.

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,

JAMES W. WATTS,

Director

By Council Member Eberhard:

RESOLVED, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Volte, Decatur, Orangelawn, and Keal Avenues, having been platted originally as the southerly 20 feet of lot 154 of the Ardmore Gardens Subdivision No. 1 of Lot 4 of the John Keal Estate of the east ½ of the northeast ¼ of Section 31, T. 1 S., R. 11 E., Detroit, Wayne County, Michigan, as recorded in Liber 36, Page 6, Plats, Wayne County records;

Be and the same is hereby vacated to become a part and parcel of the abutting property; and further

RESOLVED, That all that part of the north-south public alley, 16 feet wide, in the block bounded by Volte, Decatur, Orangelawn, and Keal Avenues, abutting the rear line of the southerly 20 feet of lots 154 and 159, all of lots 155 and 158, and the northerly 18.93 feet of lots 156 and 157 all inclusive of the Ardmore Gardens Subdivision No. 1 as recorded in Liber 36, Page 6, 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 Environmental Protection and Maintenance 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 removal of the paved alley return, the construction of new curb and walk, and the construction of a new alley return and the grading and stoning at the newly dedicated alley be done by private contract, under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner; and further

RESOLVED, That the deed of the Industrial Tool and Engineering Company deeding land to the City of Detroit for alley purposes being described as:

Land in the City of Detroit, Wayne County, Michigan, being the southerly 20.0 feet of Lot 156 of the Ardmore Gardens Subdivision No. 1 of Lot 4 of the John Keal Estate of the East 1/2 of the Northeast 1/4 of Section 31, T. 1 S., R. 11 E., Wayne County, Michigan, as recorded in Liber 36, Page 6, Plats, Wayne County records.

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

Adopted as follows:
Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, and President Levin — 8.

Nays — None.
*RECONSIDERATION (No. 2), per motions before adjournment.

Finance Department
Purchasing Division
September 22, 1976

Honorable City Council:
Re: Contract No. 047114, Amendment to conform with L.E.A.A. con-

tract for work performed in the Police Department at no increase in cost.

Arthur Anderson and Company of Detroit. Grant funds in the amount of \$99,723 previously approved by City Council on December 18, 1974.

The Purchasing Division of the Finance Department recommends a contract amendment as outlined above.

The approval of your Honorable Body and a waiver of reconsideration is requested.

Respectfully submitted,
H. MICHAEL SMOTHERS
Director

By Council Member Browne:
RESOLVED, That Contract 047114, referred to in the foregoing communication, be and hereby is approved.

Adopted as follows:
Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Mahaffey, Rogell and President Levin—7.

Nays—Council Member Kelley—1.
*RECONSIDERATION (No. 3), per motions before adjournment.

Finance Department
Purchasing Division
September 10, 1976

Honorable City Council:
Re: Sale of Aviation Fuel and Operation of General Aviation Support Service facilities. File No. 0879.

In response to our advertisement for bids on the above file at the City Airport for a period beginning approximately October 1, 1976 for three years with options to renew for four additional three-year periods, one bid was received as a result of nineteen solicitations.

Butler Aviation International Inc., of Paramus, New Jersey, agrees to pay the City of Detroit:

- 75% of Landing Fees.
- 75% of Parking Fees.
- Flowage fee of 4.5c gal. for fuel delivered up to two million gallons.
- Flowage fee of 5.5c gal. in excess of two million gallons per year.
- Minimum annual guarantee of \$12,000.00 or 5%, whichever is greater — on other sales and services.

We recommend that your Honorable Body approve entering into contract with Butler Aviation International, Inc., as outlined above.

Respectfully submitted,
H. MICHAEL SMOTHERS,
Director

The approval of your Honorable Body is requested.

Respectfully submitted,
H. MICHAEL SMOTHERS,
Director

By Council Member Kelley:
Resolved, That the contract with Butler Aviation International Inc., as outlined in the foregoing communication, be and the same is hereby approved.