

Resolved, That the Police Department 1969-70 budget Account No. 118-1070-111, Section F. Technical Services Division Salaries, be and it is hereby amended to include one position of Identification Bureau Supervisor at the above rate in lieu of one position of Principal Identification Technician at the rate of \$10,009 to \$10,798 per annum; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor payrolls when presented in accordance with this resolution and the above communication.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Miriani—8.

Nays—None.

Note: \*RECONSIDERATION WAIVED per motions before adjournment.

#### Department of Public Works

December 30, 1969

Honorable Common Council:

Re: Petition No. 8439

Medical Center Development Corporation  
3800 Woodward Avenue  
Vacation of Underground Easements in Vacated Superior, Willis and Alexandrine

Gentlemen — The above petition requests the vacation of the underground public easements retained in vacated Alexandrine and Willis Avenues, between John R. and Brush Streets, and in vacated Superior Avenue between Brush and Beaubien Streets.

The requested vacations were 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 agreed with the Detroit Housing Commission to leave the paved returns at the entrances to the vacated streets in their present status and will bear the cost of removal when such removal becomes necessary.

The Detroit Edison Company has reached agreement with the petitioner to retain easement rights in vacated Superior and Willis Avenues. Necessary provisions are included in the vacating resolution granting the Detroit Edison Company continued easements.

The Detroit Metropolitan Water Services has reported that their contractual agreement with the petitioner for the alteration and construction of new water mains within the Medical Center area has not been completed. It will be necessary to retain temporary easements for the Detroit Metropolitan Water Services in

vacated Superior and Willis Avenues and in the westerly 220 feet of vacated Alexandrine. These easements will be temporary and will be vacated by the Detroit Metropolitan Water Services upon completion of all the new water system construction within the Medical Center area and acceptable transitional arrangements between the above department and the petitioner to ensure adequate and uninterrupted water supply to the area.

The Sewer Design Section of the Detroit Metropolitan Water Services has reported that it will be necessary to retain sewer rights in the northerly 25 feet of the westerly 160 feet of vacated Alexandrine Avenue.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacations or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

ROBERT P. ROSELLE,  
Commissioner

By Councilman Hood:

RESOLVED, That all that part of the underground public utility easement as created by Common Council on November 3, 1965, J.C.C. Page 2603 in vacated Willis Avenue, 100 feet wide, between John R and Brush Streets, and

ALL That part of the underground public utility easement as created by Common Council on February 22, 1966, J.C.C. Pages 336 to 341 in vacated Superior Avenue, 50 feet wide, between Brush Street and relocated Beaubien Avenue,

Be and the same are vacated as underground public easements subject to the following:

1) An underground utility easement is retained for the Detroit Edison Company, a Michigan and New York corporation, and its successors and assigns, for the continued operation and maintenance of its steam and electric utility facilities located within the areas of said public utility easements vacated herein in former Superior and Willis Avenues and

2) Temporary underground utility easements are retained in vacated Superior and Willis Avenues for the Detroit Metropolitan Water Services for maintenance of their facilities located therein. These easements are for the duration of construction of new water facilities and until acceptable transitional arrangements are made between the above mentioned department and the petitioner, and be it further

RESOLVED, That all that part of the underground public utility easement as created by Common Council on November 3, 1965, J.C.C.



Page 2603 in vacated Alexandrine Avenue, 100 feet wide, between John R and Brush Streets,

Be and the same is hereby vacated as an underground public utility easement subject to the following:

1) A temporary underground utility easement is retained in the westerly 220 feet of vacated Alexandrine Avenue, 100 feet wide, for maintenance of their facilities located therein. This easement is for the duration of construction of new water facilities and until acceptable transitional arrangements are made between the above mentioned department and the petitioner;

2) An easement is retained for the Sewer Design Section of the Detroit Metropolitan Water Services in the northerly 25 feet of the westerly 160 feet of vacated Alexandrine Avenue, 100 feet wide, subject to the following provisions:

1) 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

2) PROVIDED, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Design Section of the Detroit Metropolitan Water Services and the Department of Buildings and Safety Engineering; and further

3) 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

4) 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;

Adopted as follows:

Yeas — Councilmen Beck, Hood, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Miriani—8.

Nays—None.

Note: \* RECONSIDERATION WAIVED per motions before adjournment.

## Department of Public Works

December 18, 1969

Honorable Common Council:  
Re: Petition No. 8987 of 300 Whitmore Co., Conversion to Easement of a portion of Whitmore Road at Merton Road.

Gentlemen —The Above petition requests the conversion of a portion of Whitmore Road, 60 feet wide, at the intersection with Merton Road into an easement for public utilities.

The requested conversion into easement for public utilities was recommended by 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. C-22383. \$1,102.00. For the original cost of paving Merton Road at the intersection of Whitmore Road to be vacated.

The petitioner has also requested that the paved return at the entrance to Whitmore Road remain in its present status. The petitioner has agreed by submitting plan (filed with this petition file) which indicates his desire to redesign the opening into Whitmore Road, to be vacated. He wishes to have this work done by private contract. This department has no objections as long as the work is done under City permit and inspection and by Department of Public Works specification, at no expense to the City.

The Department of Streets and Traffic approved the proposed plans.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion 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,

ROBERT P. ROSELLE  
Commissioner

By Councilman Rogell:

Resolved, That all that part of Whitmore Road, 60 feet wide, between Second Avenue and Merton Road lying easterly of the westerly line of lot 344 extended southerly to the southerly line of Whitmore Road, lying easterly of the curved easterly property line of lot 353 (said curve has a radius of 25 feet) southerly of and abutting the southerly line of lots 344 to 349, lying northerly of and abutting the northerly line of Merton Road, 60 feet wide, all inclusive of the