

Detroit City Limits while all of the parking lane construction is in the City.

The cost of performing the reconstruction and widening in Detroit is estimated by the Michigan Department of State Highways to be \$1,026,000. Federal Aid will be applied to this project. The City's share of the cost of this work, in accordance with State Law, is 12½ per cent of the total cost after the Federal Aid has been applied. This amount is estimated to be \$106,125, which is payable in installments of \$44,250 and \$61,875 after bids are opened on the two contracts which comprise the project. The bid-opening for the first contract has been tentatively set for December 16, 1970. Sufficient funds are available for the City's share of this cost in Account No. 976-9982-901.

The cost of constructing the parking lanes is estimated to be \$100,000 which is also payable in two installments. Sufficient funds are available for the City's share of this cost in Account No. 195-9212-925. Both the estimated cost of the widening and reconstruction of the roadway and construction of the parking lanes are subject to adjustment after completion of the work and final auditing of the bills.

This agreement has been examined and approved as to form by the Corporation Counsel's office. A copy of their letter indicating same is attached.

Because of the importance of reconstructing and widening Eight Mile Road for the safety and convenience of the traveling public and the construction of parking lanes to also serve the public, approval of this agreement and authority for the Commissioner of Public Works to execute it in behalf of the City of Detroit is recommended.

Respectfully submitted,  
ALFRED BERARDUCCI,  
Commissioner

Approved:

W. I. STECHER,  
Deputy Controller

By Councilman Browne:

Resolved, That in accordance with the above communication the Agreement between the City of Detroit and the Michigan State Highway Commission which provides for the reconstruction and widening of Eight Mile Road (M-102) between Lauder and approximately 700 feet east of Dequindre and the construction of parking lanes between the same limits, be and the same is hereby approved; and

Be It Further Resolved, That the Commissioner of Public Works be and is hereby authorized and directed to execute the Agreement in behalf of the City of Detroit; and

Be It Further Resolved, That the Controller be and is hereby directed to honor vouchers when presented in

accordance with the foregoing communication subject to confirmation of the agreement by Common Council.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

Department of Public Works

December 7, 1970

Honorable Common Council:

Re: Petition No. 1521

Michigan Bell Telephone Company. Alley Bounded by Woodward, John R, Bethune and Smith Conversion to Easement

Gentlemen—The above petition requests the conversion of a portion of the east-west public alley, 20 feet wide, in the block bounded by Woodward, John R. Bethune and Smith 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 deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

Public Lighting Commission Fund 990-9423. Receipt No. A-22801, \$130.00. For the estimated cost to relocate lighting facilities.

DPW-Intersection Fund 143-6241. Receipt No. A-22800, \$167.00. or the original cost of paving John R Street at the intersection of the alley to be vacated.

The petitioner has also 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.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of a public right-of-way into an easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,  
ALFRED BERARDUCCI,  
Commissioner

By Councilman Van Antwerp:

Resolved, That all that part of the east - west public alley, 20 feet wide, in the block bounded by Woodward, John R, Bethune and Smith Avenues

lying southerly of and abutting Lots 145 to 155 and northerly of and abutting Lots 158 to 168 all inclusive of William Y. Hamlin and S. J. Brown's Subdivision of Lots 3 and 4, Quarter Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 8, Page 72, 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 purpose 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 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 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 if at any time in the future the paved alley return at the entrance to the vacated alley from John R Street is removed all costs incidental to the removal of same

shall be borne by the petitioner, their heirs, executors, administrators or assigns, and be it further

Resolved, That the City Controller is hereby authorized and directed to issue a Quit Claim Deed to the Michigan Bell Telephone Company to the above described vacated alleys and that the Corporation Counsel is directed to prepare said deed.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Van Antwerp, Wierzbicki, and President Ravitz—9.

Nays—None.

#### Department of Public Works

December 3, 1970

Honorable Common Council:

Re: Petition No. 2044 of Rev. C. J. Gadson, Pastor of East Lake Baptist Church, 728 Conner, to Remove Debris Free of Charge.

Gentlemen—Rev. C. J. Gadson, Pastor of East Lake Baptist Church, addressed a letter to the Department of Public Works requesting removal of debris free of charge from the alley behind the church, located at 728 Conner Avenue.

Our Commercial Bureau investigated this case and reports that there is approximately four yards of concrete and dirt in the alley, which resulted from the sodding of the church frontage.

Rev. Gadson advises that "we are a struggling congregation and do not possess the financial ability to have the debris removed by a commercial sanitation company". The cost of removing this debris is \$28.00.

We, therefore, request authority from Your Honorable Body to remove this debris free of charge.

Respectfully submitted,

ALFRED BERARDUCCI,  
Commissioner.

By Councilman Browne:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to remove the debris from 728 Conner Avenue, free of charge, in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Wierzbicki and President Ravitz—8.  
Nays — Councilman Van Antwerp—1.

#### Department of Public Works

December 3, 1970

Honorable Common Council:

Re: Petition No. 1782 of Mrs. Lillie Mae Burks, 2921 Sheridan, Requesting Removal of Debris Free of Charge.

Gentlemen—This is in reply to your communication of recent date regarding petition of Mrs. Lillie Mae Burks, requesting removal of old lumber free of charge.