

July 5

By Councilman Levin:
Be It Resolved, That, in accordance with the above communication, the Controller be, and is hereby, authorized and directed to transfer the sum of \$14,511.32 (the refund on the City's share of the cost of installing protective screening on pedestrian bridges on the State Trunkline System in Detroit) and a previously existing unexpended balance of \$2,305.38 from Account No. 195-9210-923 to Account No. 195-9212-961. Traffic Control Improvements.

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

Department of Public Works
June 14, 1972.

Honorable Common Council:
Re: Highway Planning, Agreement No. 71-0485; Penn Central over Jeffries Freeway (I-96), North of Fullerton Avenue, X07 & X08 of 82123E.

Gentlemen — We are forwarding herewith, for your consideration, copy of a formal agreement between the Michigan State Highway Commission, Board of Wayne County Road Commissioners, City of Detroit and the Penn Central Railway Company. This agreement provides for the construction of a grade separation structure to carry the Penn Central Railway Company over the Jeffries Freeway north of Fullerton.

This is part of the construction involved in building the Jeffries Freeway, which construction is authorized by the terms of an agreement entered into on February 3, 1959, between the City of Detroit, the Board of Wayne County Road Commissioners and the Department of State Highways, known as the Detroit Expressways Agreement. Funds for the construction of this structure are available by virtue of provisions of the referenced Detroit Expressways Agreement.

The Corporation Counsel has indicated his approval of this agreement as to form as indicated by the accompanying letter. The various interested City Departments have indicated that they have no objections to this agreement insofar as their interests are concerned.

In view of the foregoing, we recommend that your Honorable Body approve this agreement and adopt the following resolution authorizing the Commissioner of Public Works to execute this agreement in behalf of the City of Detroit.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner.

Approved:
W. I. STECHER
Deputy Controller

By Councilman Levin:
Resolved, That the formal agreement between the Michigan State Highway Commission the Board of Wayne County Road Commissioners, the City of Detroit and the Penn Central Railway Company, which provides for the construction of a grade separation structure to carry the Penn Central Railway Company over the Jeffries Freeway north of Fullerton, be and the same is hereby approved; and

Be It Further Resolved, That the Commissioner of Public Works is hereby authorized and directed to execute the agreement for and in behalf of the City of Detroit.

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

Department of Public Works
June 22, 1972.

Honorable Common Council:
Gentlemen — Under date of J.C.C. June 29, 1971, page 1545, your Honorable Body authorized the advance of \$100,000.00 to Account No. 143-2190-461, Stores Revolving, in our Street Maintenance and Construction Division for the purpose of encumbering a large number of purchase orders for materials in advance of their use during the construction season in the fiscal year 1971-72.

The problem of providing funds for encumbering purchases of construction materials still exists, and it is requested that the City Controller be authorized to advance \$100,000.00 for the fiscal year 1972-73.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner.

Approved:
W. I. STECHER
Deputy Controller
By Councilman Levin:

Resolved, That the Controller be and he is hereby authorized and directed to advance \$100,000.00 from Account No. 144-2421-121, Refuse Collection Wages (4th Quarter Allotment) to Account No. 143-2190-461, Stores Revolving, same to be repaid before June 30, 1973 in accordance with the foregoing communication.

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

Department of Public Works
June 15, 1972

Honorable Common Council:
Re: Petition No. 3674. Margaret Marria. Conversion to Easement of east - west and north - south

alleys in the block bounded by Hazelton, West Parkway, Tireman, and Belton Avenues.

Gentlemen—The above petition requests the conversion of the east - west and north - south alleys in the above described block 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:

All City departments and privately - owned utility companies reported that they will be unaffected by the conversion to an easement of said alleys or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

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

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Browne:

RESOLVED, That all that part of the east - west public alley, 20 feet wide, in the block bounded by Hazelton, West Parkway, Tireman, and Belton Avenues abutting the southerly line of the easterly 20 feet of lot 603, and abutting the northerly line of lot 602 inclusive of the Rouge Park Subdivision No. 1, being a part of Fractional Section 4, T.2.S., R.10.E., and part of lot 2, Joseph Coon Farm, on Fractional Sections 3 and 4, T.2.S., R.10.E., and the north part of Private Claim 615, City of Detroit and Dearborn Township, Wayne County, Michigan, as recorded in Liber 60, Page 40, Plats, Wayne County records; also

All that part of the north - south public alley, 20 feet wide, in the block bounded by Hazelton, West Parkway, Tireman, and Belton Avenues abutting the westerly line of lots 733 to 779 and abutting the easterly line of lots 602 and 603 and the 20 foot wide east - west alley between lots 602 and 603, all inclusive of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements shall be subject to the following covenants and agreements, uses, reservations and restrictions, which shall be observed by the owners of the lots abutting on said alleys and by their heirs, executors, administrators and assigns forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or right - of - way over said vacated public alleys 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 public alleys in the City of Detroit, with the right to ingress and egress at any time to and over said easements 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 easements, nor any change of surface grade made, without prior approval made, Department of Public Works, by the

THIRD, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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.

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

Department of Public Works

June 15, 1972

Honorable Common Council:
Re: Petition No. 4580.
Request to construct a guard rail encroaching into Blaine Avenue.

Gentlemen—Your Committee of the Whole referred the above petition to this office for investigation and report.

The petitioner wishes to construct a guard rail encroaching 3 feet into the Blaine Avenue right - of - way.

The Department of Public Works has no objection to the proposed encroachment as long as the work is done by City permit and according to Department of Public Works and the Department of Buildings and Safety Engineering specifications.
An appropriate resolution is