

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 further

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

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 Metro Water Department and the Department of Buildings and Safety Engineering; and further

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

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 Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Department of Public Works

April 11, 1972

Honorable Common Council:

Re: Petition No. 3822, Hausman Corporation, Alley bounded by

Hubbard, Vinewood, Toledo, and the New York Central Railroad, Conversion to Easement.

Gentlemen — The above petition requests the conversion of a portion of the north-south public alley, 20 feet wide, in the above described block into an easement for public utilities.

The requested conversion into easement for public utilities was 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 made the following deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

Public Lighting Commission Fund
990-9423, \$300.00.

For the estimated cost to relocate lighting facilities from the alley to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of the public right-of-way into 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,
CLARENCE C. RUSSELL
Commissioner

By Councilman Rogell:

Resolved, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Hubbard, Vinewood, Toledo, and the New York Central Railroad, abutting the easterly line of lot 22 and the southerly 30 feet of lot 24; and abutting the westerly line of lot 21 and the southerly 30 feet of lot 23, all inclusive of Daniel Scotten's Subdivision of all that part of Bela Hubbard's Subdivision of Private Claim 77, Knaggs or Hubbard Farm, so called, lying between the Dix Road, so called, and the Michigan Central Railroad and between Vinewood and Indian Avenues, also all that part of Bela Hubbard's Subdivision of Private Claim 77 lying west of Indian Avenue and between Michigan Central Railroad and lot 56 of B. Hubbard's Subdivision of Private Claim 77, Town of Springwells, Wayne County, Michigan, recorded in Liber 1, Page 196, 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,

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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 in 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 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 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.

Adopted as follows:

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

Nays — None.

Department of Public Works

April 6, 1972

Honorable Common Council:
Subject: Position Reallocations.

Gentlemen—The Civil Service Commission has completed a survey of the duties and responsibilities of two employees in the Street Maintenance Division of this Department.

As a result of their survey, the Civil

Service Commission at their meeting of February 22, 1972, established one position of Mechanical Maintenance General Foreman in lieu of one position of Mechanical Maintenance Supervisor, and one position of Senior Mechanical Maintenance Foreman in lieu of one position of Mechanical Maintenance Foreman.

The Mechanical Maintenance General Foreman is responsible for supervising and coordinating the activities of several shop and field crews engaged in the repair and modification of construction and automotive equipment; directing the assignment of construction operators and equipment to construction sites; determining and evaluating divisional needs and making recommendations regarding the purchase of new vehicles and equipment; maintaining records of maintenance activities; and assisting in preparing divisional budget requests. The Senior Mechanical Maintenance Foreman is responsible for supervising the division's repair shops engaged in the repair and modification of construction and automotive equipment by: determining repair work priorities; scheduling work assignments for subordinate sub-foremen and mechanics; inspecting work in progress and upon completion; requisitioning necessary parts and materials; keeping records of repair activities.

In order that these changes might be made effective, we respectfully request that your Honorable Body approve the attached resolution.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

Approved:

W. I. STECHER,
Deputy Controller
WILLIAM MARCUS,
Chief Labor Relations Specialist
Labor Relations Bureau

Classification Approved:

CHARLES A. MEYER,
Secretary & Chief Examiner
Civil Service Commission
4-14-72

By Councilman Rogell:

Resolved, That the Official Compensation Schedule be and it is hereby amended to include the classification of Mechanical Maintenance General Foreman (71-20-65) at the rate of \$16,619 to \$17,235 per annum and effective July 1, 1972, \$17,540 to \$18,175 per annum; and be it further

Resolved, That this classification shall be eligible for a cost of living allowance; and be it further

Resolved, That the Department of Public Works, Street Maintenance Division, Budget for Fiscal Years 1971-72 and 1972-73, Account No. 143-2110-111, Administration Salaries, be and is hereby amended to include one