

completed; and

WHEREAS, The completed work has been found acceptable under the terms and conditions of said contracts by the Department of Public Works; therefore be it

Resolved, That the said contracts be and are hereby accepted.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Wierzbicki, and President Ravitz — 6.

Nays — None.

**Department of Public Works**

September 22, 1972

Honorable Common Council:

Re: Medical Center Rehabilitation Project No. 3, Michigan R-112, Petition No. 3938.

Gentlemen — We wish to advise that in order for the Plymouth Congregational Church to develop the parcel of land in the block bounded by St. Antoine, the Chrysler Freeway, Hancock, and Warren, it will be necessary to vacate the east - west public alley in the block, to allow construction of their new facility.

Provision for relocation of utilities which must be ordered out of the area will be processed with the right of way adjustments for the remainder of the Medical Center No. 3 Project.

In view of the foregoing, it is requested that the following resolution be adopted vacating the above described alley and directing various utilities to remove their installations therefrom.

Respectfully submitted,

CLARENCE C. RUSSELL,

Commissioner

By Councilman Hood:

Whereas, In order to carry out a portion of the development plan for rehabilitating the area known as Medical Center Project No. 3, Michigan R-112, it is necessary to vacate the following alley:

All that part of the east - west public alley, 20 feet wide, in the block bounded by St. Antoine, the Chrysler Freeway, Hancock, and Warren Avenues, lying between the rear lines of Lots 1 to 10 of Block 27, C. K. Gunn's Re-Subdivision of Blocks 22, 23, 26, and 27, Antoine Beaubien Farm, between Warren and Fremont Avenues, Detroit, Wayne County, Michigan, as recorded in Liber 11, Page 32, Plats, Wayne County records; and lying between the rear lines of lots 1 to 6 and lots 15 to 20 of McLaughlin's Subdivision of Block B of the Subdivision of the Charles Moran Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 10, Page 17, Plats, Wayne County records, therefore be it

Resolved, That the above described alley is hereby vacated to become a part and parcel of the adjoining property; and be it further

Resolved, That all city utilities are

hereby directed to remove all their pipes, poles and wires in this right of way as expeditiously as possible and to consider the work as a portion of those right of way adjustments necessitated by the Medical Center No. 3 Project; and be it further

Resolved, That upon the proper application, the Department of Public Works shall issue to the Detroit Edison Company, the Michigan Bell Telephone Company, the Michigan Consolidated Gas Company permits to re - locate their pipes, poles and lines from the vacated alley to public streets more conveniently located in reference to the vacated alley and consistent with the public health, safety, convenience and general welfare; and be it further

Resolved, That the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company are hereby directed to remove all their pipes, poles and wires from the vacated alley without expense to the City within thirty (30) days after receipt of a copy of this resolution; and be it further

Resolved, That all that part of the east - west public alley, 20 feet wide, in the block bounded by St. Antoine, the Chrysler Freeway, Hancock, and Warren Avenues lying between the rear lines of lots 7 to 10 and lots 11 to 14 of McLaughlin's Subdivision of Block B of the Subdivision of the Charles Moran Farm as recorded in Liber 10, Page 17, Plats, Wayne County records

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement for subsurface utilities 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 in said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing subsurface public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed under 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 utilities in said easement, such owners, upon whose property the 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 all city utilities are hereby directed to remove all their poles and wires in these rights of way as expeditiously as possible and to consider the work as a portion of those right of way adjustments necessitated by the Medical Center No. 3 Project; and be it further

Resolved, That upon the proper application, the Department of Public Works shall issue to the Detroit Edison Company and the Michigan Bell Telephone Company permits to relocate their poles and lines from the vacated alleys and consistent with the public health, safety, conveniences and general welfare; and be it further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their poles and wires from the vacated alleys without expense to the City within thirty (30) days after receipt of a copy of this resolution and be it further

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Levin, Wierzbicki and President Ravitz—5.

Nays—None.

Due to a possible conflict of interest, Councilman Hood was excused from voting.

Department of Public Works

September 6, 1972

Honorable Common Council:

Re: Professional Services Contract; Gmeiner Recreation Center (Robert Tindal Memorial Recreation Center); Winebrenner & Ebejer AIA Architects, Professional Contractor; Contract for Design Documents.

Gentlemen — The Department of Parks and Recreation has requested the City Engineer's Office to prepare Preliminary Design Documents for the construction of the Gmeiner Recreation Center (Robert Tindal Memorial Recreation Center).

Because of the amount of other high priority assignments being handled by the City Engineer's Office, and because of our dwindling staff, it is felt that it would be advisable to engage a private consultant. Such consultant would work under the direct supervision and be responsible to the City Engineer in the same manner as now being used on other projects.

The firm of Winebrenner & Ebejer AIA Architects has submitted a proposal to provide the required professional services for \$12,250. This firm is well qualified by experience and has an adequate staff to provide the required professional services. Their proposal appears to be fair and reasonable for the work involved. It is therefore respectfully recommended that authority be granted to enter into a Professional Services Contract with this firm for the above-stated services at a cost of \$12,250.

Funds to cover such proposed expenditure are available in Account 259-9523-934.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

Recommended:  
JAISE L. SALIE  
Vice President  
Parks and Recreation  
Commission

Approved:  
W. I. STECHER  
Controller

By Councilman Hood:

Resolved, That the Commissioner of Public Works be and he is hereby authorized to enter into a Professional Services Contract in the amount of \$12,250 with the firm of Winebrenner & Ebejer AIA Architects for the preliminary design of the Gmeiner Recreation Center (Robert Tindal Memorial Recreation Center); and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented covering the cost in the amount of \$12,250 and charge them to Account 259-9523-934.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Wierzbicki, and President Ravitz — 6.

Nays — None.