

Gentlemen — On February 1, 1966 your Honorable Body approved an agreement between the Board of Trustees of the Policemen and Firemen Retirement System and the National Bank of Detroit for the furnishing of investment counseling service, on a variable fee basis, in connection with the retirement system's investments in common stocks.

Because of increased operating costs during the past five years, the National Bank of Detroit has requested an increase of twenty percent for this service for the period July 1, 1971 to June 30, 1972, as per the following schedule:

Quarterly Rate on Market Value	Present	Proposed
	Rate	Rate
First \$100,000	\$ 75.00	\$ 90.00
Next \$900,000	450.00	540.00
Per million for the next 4 million	187.50	225.00
Per million for the next 20 million	100.00	120.00
Per million for the next 125 million	75.00	90.00
Per million for the next 150 million	50.00	60.00
For custodial services	187.50	225.00

At its meeting of September 2, 1971, the Board of Trustees considered the request of the National Bank of Detroit, and approved a modification in the Investment Counseling Agreement to reflect the rates listed above. It has been determined that the granting of this increase would not be in conflict with the Presidential wage-price freeze order issued August 15, 1971. The total amount of the increase will be \$4,696.85.

Therefore, it is respectfully requested that Your Honorable Body approve a modification of paragraph VI of the Investment Counseling Agreement for the proposed rates for the period July 1, 1971 to June 30, 1972.

Respectfully submitted,
N. J. CHYLINSKI
 Executive Secretary
 Board of Trustees
 Policemen and Firemen
 Retirement System

Approved:
W. I. STECHER
 Controller

By Councilman Rogell:

Resolved, that the modification of paragraph VI of the Investment Counseling Agreement for the proposed rates be and the same is hereby approved in accordance with the

foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.
 Nays — None.

Department of Public Works
 December 20, 1972

Honorable Common Council:
 Re: Petition No. 5108; Philip W. Hartlein; Conversion to Easement of the north-south alley in the block bounded by Murray Hill, St. Marys, Clarita, and West Seven Mile Road.

Gentlemen — The above petition requests the conversion of the above described alley 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:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley 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 Levin:

Resolved, That all that part of the north - south public alley, 18 feet wide, in the block bounded by Murray Hill, St. Marys, Clarita, and West Seven Mile, lying between and abutting the rear line of lots 82 to 93 and lots 106 to 117 all inclusive of "College Drive" a subdivision of a part of the northeast ¼ of Section 12, T.1.S., R.10.E., Redford Township, Wayne County, Michigan, as recorded in Liber 48, Page 34, 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 purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephones, 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, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.
Nays — None.

Department of Public Works

December 19, 1972

Honorable Common Council:

Re: Petition No. 5452; Mrs. Amina Jones, 8221 St. Martins South; Request to construct house encroaching into easement.

Gentlemen — Your Committee of the Whole referred the above petition to this office for investigation and report. The Department of Public Works has made a field investigation of the petitioner's request. Our findings are as follows:

The petitioner's lot is 60 feet wide, which dimension includes a 9 foot easement at the side. The petitioner wishes to construct a house which will encroach into the easement.

The public utilities have no objection to an encroachment of 3 feet into the easement.

We find that the above request for permission to encroach into the easement complies with the policy adopted by your Honorable Body on February 23, 1965, J.C.C. Page 348 and 349. An appropriate resolution is attached for consideration and

adoption by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL

Commissioner

By Councilman Browne:

Resolved, That the Department of Public Works is hereby authorized and directed to issue a permit to:

Mrs. Amina Jones, Petition No. 5452, to construct a house which encroaches 3 feet into the nine foot wide public utility easement at the side of lot 41 of the Eight Mile-Wyoming Urban Renewal Plat, part of the southwest 1/4 of Section 4, T.1.S., R.11.E., City of Detroit, Wayne County, Michigan, as recorded in Liber 90, Pages 23 and 24, Plats, Wayne County Records, located on the south side of St. Martins, west of Roselawn, commonly known as 8221 St. Martins Avenue,

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded by and at the petitioner's expense in the Office of the Register of Deeds for Wayne County; and further

Provided, That no right in the public easement shall be considered waived by this permission which is granted expressly on the condition that the garage, driveway, building and all obstruction in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council; and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owners' expense; and further

Provided, That this resolution is revocable at the will, whim, or caprice of the Common Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 8.
Nays — None.

Department of Public Works

December 20, 1972

Honorable Common Council:

Re: Petition No. 5469; Bart Lincoln Mercury, Inc.; Temporarily Close