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permits be obtained from the Department of Public Works; and

PROVIDED, That such use of said public property shall be made under the rules and regulations of the Department of Public Works and the Department of Streets and Traffic in accordance with plans approved by those departments, the Community Development Commission, and the City Plan Commission; and

PROVIDED, That said permission may be rescinded at any time it is deemed necessary by Department of Streets and Traffic, and further, that the issuance of the permits shall not in any way waive the rights of the City to utilize the area for street widening or other purposes as may become necessary in the future; and

PROVIDED, That the Department of Streets and Traffic post signs limiting parking to non-commercial vehicles; and

PROVIDED, That all construction costs be borne by permittee; and

PROVIDED, That the parking spaces shall not in any way waive the requirements of the Zoning Ordinance regarding off-street parking; and

PROVIDED, That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said encroachment and all obstructions in connection therewith shall be removed at the expense of the permittee at any time when so directed by the Common Council, and that the public property affected shall be restored to a condition satisfactory to said Departments by said permittee at its expense; and

PROVIDED, That this resolution is revocable at the will, whim or caprice of the Common Council and permittee hereby expressly waives any right to claim damages or compensation for removal of encroachment; and further that permittee acquire no implied or other privileges hereunder not expressly stated herein; and

PROVIDED, That these permits shall not be assigned or transferred without written approval of the Common Council; and

PROVIDED, That the area be subject to any tax which may be levied against it under the terms of Public Act 189 of 1953 and such other taxes as may be properly assessed and levied; and

PROVIDED, That the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

PROVIDED, That a certified copy of this resolution be recorded with the office of the Register of Deeds for Wayne County.

Unanimously adopted

### Department of Public Works

August 22, 1973

Honorable Common Council:  
 Re: Petition No. 4961, Edison Illuminating Company, Vacation of certain alleys in the block bounded by Third, Second, Elizabeth, and Plum.

The above petition requests the vacation of the east-west alley and the north-south alley first west of Second Avenue in the above described block. The requested vacations were 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:

DPW — Intersection Fund 143-6241, Receipt No. B 8298, \$91.00. For the original cost of paving the streets at the intersection of the alleys to be vacated.

The petitioner has also requested that the paved returns at the entrance to the north-south alley remain in their 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.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right of ways to be vacated.

All other involved City departments' and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
 CLARENCE C. RUSSELL  
 Commissioner

By Councilwoman Henderson:

RESOLVED, That all that part of the north-south public alley, 15 feet wide, first west of Second Avenue, between Elizabeth and Plum Streets abutting the rear line of lots 1 to 6 of block 66, Cass' Western Addition to the City of Detroit between the Chicago and Grand River Roads by Lewis Cass, 1851, as recorded in Liber 42, Pages 138 to 141, Deeds, Wayne County records; also

All that part of the east-west public alley, 15 feet wide, in the block bounded by Third, Second, Elizabeth, and Plum abutting the rear line of lots 7 to 9 and lots 10 to 12 inclusive of the above mentioned subdivision;

Be and the same are hereby vacated as public alleys to become a



part and parcel of the abutting property subject to the following provisions in the east-west alley:

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 Services 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 or 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; and shall also be liable for all claims for damages resulting from his action.

Unanimously adopted

#### Department of Public Works

August 13, 1973

Honorable Common Council:

Re: Travel Allowance for American Public Works Congress.

The American Public Works Association is holding its Annual Public Works Congress and Equipment Show in Denver, Colorado, September 15 thru September 20, 1973.

The program will include technical sessions on the latest developments in all phases of Public Works, including seminars on New Prospectives on Resources and Productivity; an Institute for Transportation; an Institute for Equipment Services; a Symposium on Administrative Management; a Symposium on Buildings and Grounds; on Water Resources; an Institute for Solid Wastes, and one for Municipal Engineering.

Also, as an integral part of the Congress, the equipment show will contain displays of the latest equipment, materials, and methods by all

major exhibitors, thus acquainting the members with the possibility of new economies as a result of technological advances.

The Department of Public Works is a member of the American Public Works Association and has been represented each year at the Annual National Meetings. We request authority to send four representatives to attend the forthcoming congress from the Department of Public Works. It is estimated that their expense would amount to \$475.00 per person, and your permission is hereby requested to authorize this expenditure from available funds.

Respectfully submitted,  
CLARENCE C. RUSSELL  
Commissioner

Approved:

A. L. WARREN

Deputy Controller

By Councilwoman Henderson:

RESOLVED, That the Controller be and he is hereby authorized to transfer the necessary funds from account 125-2020-111, Salaries, to account 125-2010-493 Travel Expense, and to honor travel vouchers when presented in accordance with the foregoing communication.

Unanimously adopted

#### Department of Public Works

August 15, 1973

Honorable Common Council:

Re: Resolution Designating the City Engineer as Agent for the City.

In order that the City of Detroit may make an amendatory application to the Federal Government for reimbursement of money spent on flood control, it will be necessary for your Honorable Body to pass the accompanying resolution designating the City Engineer as agent for the City of Detroit in this matter.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

By Councilman Rogell:

RESOLVED, By the Common Council of the City of Detroit, that Louis W. Klei, City Engineer, is hereby authorized to execute for and in behalf of the City of Detroit, a public entity established under the law of the State of Michigan, the application and to file it in the appropriate State Office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 606, 91st Congress).

Unanimously adopted

#### Purchases and Supplies

August 27, 1973

Honorable Common Council:

The Department of Purchases and Supplies has advertised for bids in accord with specifications and recommends that contracts be entered into with firms or persons as is detailed in the following communications: