

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, Levin, Rogell and President Ravitz — 6.

Nays — None.

Department of Public Works

July 10, 1973

Honorable Common Council:

Gentlemen—Under date of J.C.C. July 5, 1972, page 1674, 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 1972-73.

The problem of providing funds for encumbering purchases of construction materials again exists, and to a greater degree because of increased costs. It is requested that the City Controller be authorized to advance \$150,000.00 for the fiscal year 1973-74.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

Approved:

A. L. WARREN
Deputy Controller

By Councilman Browne:

Resolved, That the Controller be and he is hereby authorized and directed to advance \$150,000.00 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, 1974 in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Levin, Rogell and President Ravitz — 6.

Nays — None.

Department of Public Works

July 6, 1973

Honorable Common Council:

Re: Petition No. 6303; McDonald's Conversion to Easement of a portion of the east-west alley in the block bounded by Gratiot, Knodell, and French.

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 the alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

By Councilman Browne:

Resolved, That all that part of the east-west public alley, 10 feet wide, in the block bounded by Gratiot, Knodell, and French, abutting the rear line of lots 333 to 335 inclusive of Bessenger and Moore's Gratiot Avenue Subdivision No. 2 of part of Private Claim 12 and part of Fractional Sections 22 and 23, T-1-S, R-12-E, Gratiot Township, Wayne County, Michigan, as recorded in Liber 28, Page 30, 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, 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, Henderson, Levin, Rogell and President Ravitz — 6.
Nays — None.

Department of Public Works

July 9, 1973

Honorable Common Council:
Re: Supplemental Appropriation Adjustments.

Gentlemen — As we arrive at the end of the fiscal year supplementary appropriation adjustments are necessary to cover year-end accrual deficits occurring in various Public Works salary, wage and supply accounts.

These adjustments are in addition to the transfer of funds authorized by your Honorable Body per J.C.C. May 8, 1973, page 1217-1219.

These shortages have occurred due to unforeseen expenditures, overtime work and the need to cover minor accrual deficits in conformity with the request of the Controller's Office.

Funds are available from estimated surpluses in other accounts within each D.P.W. Divisional Budget to offset the deficits.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

Approved:
A. L. WARREN
Deputy Controllor
By Councilman Browne:

Whereas, The above request is considered necessary to preserve the peace, health, safety, and welfare of the people of the City of Detroit, therefore be it

Resolved, That the Controllor be and he is hereby authorized and directed to transfer funds and honor vouchers and payrolls in accordance with the foregoing communication and the following schedule:

FROM:
125-2010-111 Office of the
Commissioner—
Salaries \$ 4,902

125-2420	Construction Inspection Charges	12,665
143-2126-412	Maint. of High- ways—Rental of Equipment	7,000
143-2152-121	Maintenance of Tools— Wages	10,500
144-2422-301	Supplies & Expense— Snow & Ice	8,535
TO:		
125-2021-307	Construction Inspection — Auto Maint.	\$12,665
125-2030-111	Bldg.-Grounds Watchman Service Salaries	319
125-2030-121	Bldg.-Grounds Watchman Service Wages	4,583
143-2153-121	Yard Operations Wages	15,700
143-2153-301	Yard Operations Supplies	1,800
144-2425-111	Route Manage- ment— Salaries	1,035
144-2425-111	Route Manage- ment— Salaries	1,035
144-2425-121	Route Manage- ment— Wages	7,500

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Henderson, Levin, Rogell and President Ravitz — 6.
Nays — None.

Department of Public Works

June 29, 1973

Honorable Common Council:
Re: Highway Planning: Eight Mile Road (M-102) Widening Brock to Kelly, Agreement No. 72-0947, File No. 7.03.

Gentlemen — This is in reference to an agreement between the Michigan State Highway Commission and the City of Detroit, which provides for the reconstruction and widening of Eight Mile Road (M-102) from Brock easterly to Kelly and the construction of Parking lanes between the same limits.

At the Common Council session of March 6, 1973, your Honorable Body approved this agreement and authorized the Street Administrator, Mr. Robert R. Hicks, to execute this agreement in behalf of the City of Detroit. This agreement has been fully-executed by both parties and the Corporation Counsel has examined and approved this agreement as to form and execution.

At this time, we are requesting that your Honorable Body approve and confirm the fully-executed agreement.