

petitioners by the City within two weeks.

WHEREAS, This extension was requested by the Merchants Association and the extension was concurred in by the C. & E.D.D.,

NOW, THEREFORE, BE IT RESOLVED that the resolution of the City Council on October 16, 1974, J.C.C. pages 2239-40, be amended to substitute the date December 13, 1974 for the November 15, 1974 date in clause 3, and to substitute the date February 15, 1975 for the date January 15, 1975, in the same clause.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

Community & Economic Development Department

November 18, 1974

Honorable City Council:

Re: Virginia Park Citizens' District Council and Henry Ford Hospital — Joint Venture Agreement.

The Virginia Park Citizens' District Council and Henry Ford Hospital have executed a joint venture agreement to plan and develop new housing in the Virginia Park Neighborhood Development Program. The development site covered in the joint venture agreement is generally bounded by Delaware on the north, John C. Lodge on the east, Pallister on the south and Poe on the west.

The Community and Economic Development Department believes that the joint venture agreement executed by the Virginia Park Citizens' District Council and Henry Ford Hospital is beneficial to both parties and the City of Detroit.

We therefore request your Honorable Body to approve the joint venture agreement, and authorize the Acting Director to execute this agreement on behalf of the City of Detroit, in accordance with the attached resolution.

Respectfully submitted,
RONALD J. HEWITT
Acting Director

By Council Member Kelley:

Be It Resolved, That the Acting Director is hereby authorized and directed to execute the joint venture agreement on behalf of the City of Detroit, as outlined in the foregoing communication.

Adopted as follows:
Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

City Engineering Department

October 29, 1974

Honorable City Council:

Re: Petition No. 7166 — Board of Education, Conversion to Easement of the East-West Alley in the Block Bounded by Wyoming, Wisconsin, West Chicago and Morley.

ment of the East-West Alley in the Block Bounded by Wyoming, Wisconsin, West Chicago and Morley.

The above petition requests the conversion of the above described public alley, 16 feet wide, into an easement for subsurface public utilities. The requested conversion into easement for subsurface public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has issued the following Purchase Order which has been credited to the department named, for the purposes indicated:

Public Lighting Department, Purchase Order No. 69577—\$570.00. For the estimated cost to remove overhead lighting facilities from the alley.

The petitioner requested that the paved returns at the entrance to the alley be vacated 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.

All other involved City departments and privately-owned utility companies reported that they have no objection to the conversions of public right-of-way into easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein. The adoption of the attached resolution is recommended.

Respectfully submitted,
HERMAN T. DUDLEY
Director
City Engineering Department

Approved:

JAMES W. WATTS
Director
Environmental Protection and Maintenance Department

By Council Member Kelley:

RESOLVED, That all that part of the East-West public alley, 16 feet wide, in the block bounded by Wyoming, Wisconsin, West Chicago and vacated Morley, abutting the rear line of Lots 731 to 751 and Lots 752 to 787, all inclusive, of B. E. Taylor's Southlawn Subdivision No. 2, of part of the Southwest ¼ of the Northwest ¼ of Section 33, T-1-S, R-11-E, Greenfield Township, Wayne County, Michigan, as recorded in Liber 33, Page 57, 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 under 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 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 City Engineering Department,

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 if at any time in the future it becomes necessary to remove the paved alley returns, the cost of such removal and construction of new sidewalk and curb, shall be borne by the petitioner or his assigns.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

City Engineering Department

October 30, 1974

Honorable City Council:

Re: Petition No. 4712 — Community and Economic Development Department Street and Alley Vacations, Ash-Humboldt Rehabilitation Project.

We wish to advise that in carrying out the development plan for the area known as the Ash-Humboldt Re-

habilitation Project, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Community and Economic Development Department has requested that a certain street be converted to a public easement and that certain alleys be converted to underground easements.

The Detroit Edison Company and the Michigan Bell Telephone Company have reported that they have lines and poles that will have to be removed and rerouted.

The Detroit Edison Company has listed \$10,000.00 as their costs of relocation.

The Michigan Bell Telephone Company has listed \$9,754.12 as their costs of relocation.

Your Honorable Body on September 25, 1974, passed a resolution authorizing and directing the Finance Director to pay the above amounts.

The Community and Economic Development Department has issued the following Inter-Departmental Purchase Orders:

S-22111—\$1,275.00, Street Maintenance Division E.P.M.D. To remove the paved alley return, construct new curb and sidewalk and backfill where necessary at the alley on the South side of Ash.

S-22113—\$445.00, Intersection Fund - E.P.M.D. For the original cost of paving the streets at the intersection with the streets and alleys to be vacated.

S-22112—\$48,500.00, Public Lighting Department. For the estimated cost to relocate their facilities.

All other City departments and privately owned utility companies reported that they will be unaffected by the conversion to easements of said rights-of-way or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

H. T. DUDLEY

Director

City Engineering Department

Approved:

JAMES W. WATTS

Director

Environmental Protection and Maintenance Department

By Council Member Mahaffey:

WHEREAS, the City of Detroit is undertaking the rehabilitation of the area known as the Ash-Humboldt Rehabilitation Project pursuant to Act 344 of the Public Acts of 1945, as amended, and

WHEREAS, in order to carry out the development plan for this project it is necessary for the City of Detroit to vacate a certain street and two alleys in the area; therefore be it

RESOLVED, That all that part of Ash Street, 50 feet wide, lying between and abutting the Westerly line