

new brick facing to be installed on the building.

The petition was referred to us for investigation and report; our report is as follows:

The Environmental Protection and Maintenance Department has no objection to the proposed encroachment.

The City Engineering Department has no objection to the proposed encroachment.

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

Respectfully submitted,
HERMAN T. DUDLEY,
Director

By Council Member Browne:

RESOLVED, That the Environmental Protection and Maintenance Department and the Department of Building and Safety Engineering be and they are hereby authorized and directed to issue permits to the Detroit Edison Company for encroachment on public property at 650 Howard Street, Detroit, Michigan, property being described as:

"Lots 7 and 8, Block 38, Subdivision of part of the Cass Farm, Private Claim 55, as recorded in Liber 12, Page 324, Plats, Wayne County records".

Encroachment to consist of a new facing on the building, said facing to encroach 2.5 inches into the alley at the rear of the building.

PROVIDED, That the necessary permits be obtained from the Department of Building and Safety Engineering and the Environmental Protection and Maintenance Department and that same shall be constructed and maintained under the rules and regulations of said departments and the Community and Economic Development Department in accordance with plans submitted to and approved by those departments; and

PROVIDED, That permittee at the time of obtaining said permits file with the Finance Department an indemnity agreement in form approved by the Law Department saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and, in addition, to pay all claims, damages, or expenses that may arise out of the maintenance of said permission; and

PROVIDED, That no rights in the public alley or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the permittee at any time when so directed by the City 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 and caprice of the City Council and permittee hereby expressly waives any right to claim damages or compensation for property constructed hereunder for the removal of same and further that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

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

PROVIDED, That the filing of the indemnity agreement and 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 shall be recorded with the office of the Register of Deeds for Wayne County by and at the permittee's expense.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Rogell, and President Pro Tem Hood — 7.

Nays — None.

City Engineering Department
April 30, 1975

Honorable City Council:

Re: Petition No. 877 — Indiana, Seven Mile, Kentucky Block Club. Conversion to Easement of the easterly portion of the East-West Alley north of Seven Mile between Kentucky and Indiana.

The above petition requests the conversion of the above described portion of alley, 18 feet wide, into an easement for public utilities. The requested conversion into easement for 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:

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.

The adoption of the attached resolution is recommended.

Respectfully submitted,
HERMAN T. DUDLEY
Director

Approved:
JAMES WATTS
Director

Environmental Protection
& Maintenance Dept.

By Council Member Kelley:

RESOLVED, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Kentucky, Indiana, Seven Mile Road, and Cambridge lying between and abutting the easterly line of the north-south alley extended southerly and

the westerly line of Indiana, all inclusive of the "Chester Heights Sub-division" being a part of the south $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 4 and the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 9, T.1.S., R.11.E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 42, Page 49, 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 herein above 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 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 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 — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Rogell, and President Pro Tem Hood — 7.

Nays — None.

Environmental Protection and Maintenance Department

May 2, 1975

Honorable City Council:
Re: Cancellation of Assessment for cost of cleaning private lot.

The Environmental Protection and Maintenance Department recommends cancellation of the following item from the Assessment Rolls:

Roll No. RUC 155WL; Lot 32; Location, NS Hancock betw. Russell & Lopelle, Wm. Taits Sub.; Item No. 1338; Dept. No. San 6380; Amount of Assessment, \$1,307.50.

Upon investigation by the Environmental Enforcement Department and the Central Accounting Office, it was discovered that this lot was not cleaned by Solid Waste.

We, therefore, recommend that the above assessment be cancelled.

Respectfully submitted,

JAMES W. WATTS

Director

By Council Member Kelley:

Resolved, That the City Treasurer be and he is hereby ordered to cancel the assessment for weed cutting on the property listed in connection with the foregoing communication because this lot was not cleaned.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Kelley, Rogell, and President Pro Tem Hood — 7.

Nays — None.

Department of Health

April 28, 1975

Honorable City Council:
Re: Acceptance of Grants for Hearing Testing and Vision Testing Programs.

On a number of prior occasions, your Honorable Body has approved the acceptance of grants to assist in providing various health programs within the Department of Health. Until July, 1967, grants of this nature were made directly to the Detroit Health Department by the State of Michigan. Since that date, these funds have been given directly to the County of Wayne with the stipulation that the distribution of these monies is to be made by the Health Commissioner. For the current fiscal year, July 1, 1974 through June 30, 1975, the Health Commissioner has advised that allocations have been made to fund the following programs: The first of these programs is intended to provide for a speech and hearing project with a consultant assuming the responsibilities of planning, developing, organizing, and promoting both existing and new hearing programs. The second program provides for the continuation of a vision testing program for children and includes the hiring of testing and clerical personnel. These programs contain amounts of miscellaneous expenditures covering such items as supplies, equipment, travel expenses, etc.