

The adoption of the attached resolution is recommended.

Respectfully submitted,  
JAMES W. WATTS,  
Director

By Council Member Mahaffey:

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Minock, Westwood, Van Buren, and Joy Road abutting the rear line of Lots 33 to 45 and lots 153 to 165, both inclusive of "Sloan's Park Drive Subdivision" of the east 50 acres of the west ½ of the northwest ¼, Section 2, T.2S., R.10E., Dearborn Township, Wayne County Michigan, as recorded in Liber 48, Page 52, 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 Environmental Protection and Maintenance 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, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

### Environmental Protection & Maintenance Department

October 22, 1976

Honorable City Council:

Re: Petition No. 2800, Dorothy A. Collins, et al. Conversion to Easement of the east-west public alley in the block bounded by Howell, Wesson, Ford Freeway, and Nowak.

The above petition requests the conversion of the above described alley, 20 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community & 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,  
JAMES W. WATTS,  
Director

By Council Member Mahaffey:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Howell, Wesson, Nowak, and the Ford Freeway abutting the side line of Lot 10, Block 1; Lot 18, Block 2; and Lot 9, Block 1, all inclusive of Joseph Bushey's Subdivision of part of Private Claim 171, confirmed to Joseph Livernois, Jr. as recorded in Liber 2, Page 9, 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 Environmental Protection and Maintenance Department.

Third, that if at any time in the future the owners of any 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, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

#### Department of Health

October 15, 1976

Honorable City Council:

Re: Drug Anti-Trust Payment — Boniface Community Action Corporation.

The City of Detroit has been awarded a settlement in the amount of \$204,678 as a result of a lawsuit filed jointly by the City of Philadelphia and the City of Detroit vs. Chas. Pfizer & Co., Inc., et al. The Court has ordered that the funds received are to be used in the Substance Abuse Program conducted by the Boniface Corporation in southwest Detroit under a contract with the Department of Health. Boniface has operated this program since 1971.

We are currently negotiating a contract with Boniface for the renewal of the program for the period November 1, 1976 to October 31, 1977. It is our desire to encumber these funds under this contract as we have been directed to do.

May we, therefore, request that the Health Department be authorized to accept the settlement in the amount of \$204,678 to be used for the purposes described above.

Respectfully submitted,  
WILLIAM CLEXTON  
Public Health Director

Approved:

W. I. STECHER  
Budget Director  
G. F. FISCHER  
Deputy Finance Director

By Council Member Mahaffey:

Resolved, That the Health Department is authorized to accept the court settlement in the amount of \$204,678 to be used for substance abuse treatment in southwest Detroit and be it further

Resolved, That the Finance Director be and he is hereby authorized to establish accounts and transfer funds in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

#### Neighborhood Services Department October 8, 1976

Honorable City Council:

Re: Authorization To Increase NSD Appropriations For Drug Abuse Program.

The Neighborhood Services Department (NSD) has received a grant of \$107,220 from the National Institute on Drug Abuse of the U.S. Department of Health, Education and Welfare to finance the continued operation of NSD's Drug Abuse Services project for a one month period through October 31, 1976.

This grant requires a 20% local match which will be supplied by Detroit Health Department staff currently assigned to work on the project.

Authorization to increase NSD Appropriation Account No. 4502, Drug Abuse Direct-HEW, 1975/76 and NSD Appropriation Account No. 4503, Drug Abuse Indirect-HEW, 1975/76 by \$98,457 and \$8,763 respectively is respectfully requested.

Respectfully submitted,  
GEORGIA R. BROWN  
Director

Approved:

W. I. STECHER  
Budget Director  
G. F. FISCHER  
Deputy Finance Director

By Council Member Mahaffey:

RESOLVED, That the Neighborhood Services Department be and is hereby authorized to increase Appropriation Account No. 4502, Drug Abuse Direct-HEW, 1975/76 by \$98,457 from \$1,378,412 to \$1,476,869; and be it further

RESOLVED, That the Neighborhood Services Department be and is