

No. 47225 — Change in Contract N.D.P. -A-4-1. Continental Avenue resurfacing and reconstruction, Jefferson-Chalmers. Change IT-3. Removal of trees on Emerson Avenue. Change IT-4. Removal of rubble not originally included in contract. P. Stramaglia Trucking, Inc., and Selecta Cement Contractors of Mt. Clemens, Mi. \$5,770.00. For Department: City Engineering Div. (E.P. & M).

No. 50354 — Services: Addition to Contract No. PCI-32. Test borings for regional interceptor system. To adjust for difference between estimated and actual test borings performed. Michigan Testing Engineers of Detroit. \$22,302.00. For Department: Water & Sewerage.

No. 51413 — Services: Contract to purchase five properties from HUD 18950 Mansfield, 19164 Rutherford, 18485 Biltmore, 16716 Rutherford, and 18285 Stansbury Avenue. Department of Housing and Urban Development of Detroit. \$48,350.00. For Department: Housing.

No. 100054 — Services: Contract to provide for live-in caretakers for City owned-property at 9240 Dwight Street for a period beginning June 21, 1976 and ending June 30, 1977, on a month-to-month basis with option to renew annually. Helen and Lawrence Fletcher of Detroit. \$20,000.00. For Department: Recreation.

No. 51573 — Services: Contract to purchase three HUD Properties, 9601 Terry Avenue, 8525 Lauder and 18676 Lindsay Avenue. Department of Housing and Urban Development of Detroit. \$23,175.00. For Department: Housing.

No. 0754 — Supplies: Maintenance of CDC 1700 Computer System Control Data Corp., of Minneapolis, Minn. Sole Bid \$5,700.00. For Department: Water & Sewerage.

No. 0908 — Supplies: Standards, Steel Tarnow Electric Supply Co., of Detroit. Lowest Bid \$6,200.00. For Department: Lighting.

The above Contracts have been reported to the Human Rights Department and no objection has been received from them.

The approval of your Honorable Body and Waiver of Reconsideration is requested on the above files.

Respectfully submitted,
H. MICHAEL SMOTHERS
Director

Finance Department
Purchasing Division
September 13, 1976

Honorable City Council:
Re: File 9782, Long Term Disability Insurance.

On June 2, 1976, we recommended and your Honorable Body approved an award to Eddie L. Humphrey of Detroit, agent for Sentry Life Insurance Co., for Long Term Disability Insurance for City Employees under a three-year policy effective June 1, 1976.

Coverage with the previous insurer expired September 1, 1975, leaving a

period of nine months not covered by this insurance program. The bid invitation on the above File requested information relative to handling administrative services for the uninsured period.

The present insurer has submitted a proposal to insure the nine-month period for a deposit premium of \$581,000.00. The company will experience-rate the nine months and refund any excess premium within 30 days of a final experience determination on December 1, 1977. No additional premium will be charged to cover paid claims, reserves and retention totaling in excess of the deposit premium. All other terms and conditions are identical to the current policy.

We recommend that your Honorable Body approve an award to Eddie L. Humphrey of Detroit, agent for Sentry Life Insurance Co. for the nine-month interim period with a deposit premium of \$581,000.00.

Respectfully submitted,
H. MICHAEL SMOTHERS
Purchasing Director

By Council Member Cleveland:

Resolved, That the Purchasing Division of the Finance Department be and it is hereby authorized and directed to enter into contract with the persons or firms recommended for furnishing the departments mentioned with the materials, equipment, supplies or services, in amounts, kinds and at prices as listed in accordance with the foregoing communications designated as Contract or File Nos. 51413, 100054, 51573, 0754, 0908 and 9782, and further

Resolved, That renewals, extensions of, additions to, and changes in commodities and/or prices on contracts as recommended in the foregoing communications designated as Contract or File Nos. 7022C, 8962, 45552, 46718, 47225 and 50354 be and the same are hereby approved.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Mahaffey, Rogell, and President Levin — 7.
Nays — None.

*RECONSIDERATION (No. 1), per motions before adjournment.

Environmental Protection &
Maintenance Department
City Engineering Division
September 7, 1976

Honorable City Council:
Re: Petitions No. 4283 and 1496 Michigan National Bank of Detroit, Conversion to Easement of the east-west public alley south of Plymouth Avenue between Penrod and Rosemont

The above petition requests the conversion of the above described alley, 20 feet wide, into an easement for public utilities.

The petition was originally submitted by the Burger King Corporation (1496). The property has now

been purchased by the Michigan National Bank, and they, under separate petition (4283), wish to complete the vacation petition.

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:

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:

Intersection Fund—EPM. For the original cost of paving Penrod and Rosemont Avenues at the intersection of the alley to be vacated. \$839.00

The petitioner has also requested that the paved returns at the entrance to the alley to 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 objections 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,
JAMES W. WATTS,
Director

By Council Member Rogell:

RESOLVED, That all that part of the east-west public alley, 20 feet wide, south of Plymouth between Penrod and Rosemont Avenues having been platted in "Emerson Park" a subdivision of part of the northeast $\frac{1}{4}$ of Section 35, T.1S., R.10E., City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 45, 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, and be it further

RESOLVED, That at any time in the future it becomes necessary to remove the paved alley returns, the cost of such removal, construction of new curb and sidewalk shall be done under City permit and inspection, according to Environmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner or his heirs or assigns.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

*RECONSIDERATION (No. 2), per motions before adjournment.

From the Clerk

September 15, 1976

That on September 9, 1976, he presented that portion of the proceedings of September 8, 1976 which was "reconsidered" as is required by the Charter to be so presented to His Honor, the Mayor, for approval, and same was approved on September 9, 1976.

That on September 13, 1976, he presented a resolution authorizing payment of \$6,466.00 in Satisfaction of Judgment in lawsuits of Cochise L. Bowens, which was adopted and "reconsidered" at the Special Meeting of September 13, 1976, to his Honor, the Mayor, on the same date, and