

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 the construction of the newly dedicated alley and alley return shall be done by private contract under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with the entire cost being borne by the petitioner; and be it further

RESOLVED, That the Warranty Deed of Blue Cross-Blue Shield of Michigan deeding land to the City of Detroit for alley purposes, being described as:

The easterly 20 feet of the westerly 21.5 feet of Lot 69 of the Plat of a part of the Beaubien Farm in the City of Detroit as surveyed into town lots for the proprietors by John Mullett, Surveyors, as recorded in Liber 6, Pages 475 to 478, City Records;

Be and the same is hereby accepted and the Law Department is hereby directed to record said deed in the office of the Register of Deeds for Wayne County; and be it further.

RESOLVED, That the City Clerk is hereby directed to send a copy of this resolution to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company.

Adopted as follows:

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

Nays — None.

**Environmental Protection and Maintenance Department
City Engineering Division**

September 22, 1977

Honorable City Council:

Re: Conversion to Easement of Certain Residential Alleys

The petitions listed below request the conversion of the described alleys into easements for public utilities.

Petition No. 2861. Petitioner Ora w. Todd, etal. Location All of the east-west and north-south alleys in the block bounded by Asbury Park, Mur-

ray Hill, Santa Maria, and Outer Drive.

Petition No. 4246. Petitioner Jake Hembree, etal. Location The westerly half of the east-west alley north of Lyndon between Trinity and Burt Road.

The requested conversions into easements for public utilities were approved by the Community and Economic Development Department. The petitions were then referred to us for investigation and report. Our report, accompanied by the original petitions, is as follows:

All City departments and privately-owned companies reported that they will be unaffected by the conversions into easements of said alleys.

The adoption of the attached resolution is recommended.

Respectfully submitted,
JAMES W. WATTS
Director

By Council Member Eberhard:

WHEREAS, The City Council has been petitioned to convert certain residential alleys into easements for public utilities which are listed below:

Petition No. 2861, Mr. Ora W. Todd, etal, for all of the north-south, 20 foot wide, and east-west, 18 feet wide, public alleys in the block bounded by Asbury Park, Murray Hill, Santa Maria, and Outer Drive as platted in St. Mary's Subdivision of part of the west ½ of the southeast ¼ of Section 12, T.1S., R.10E., City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 81, Plats, Wayne County Records, also

Petition No. 4246, Mr. Jake Hembree, etal, for all that part of the east-west public alley, 18 feet wide, in the block bounded by Trinity, Burt, Lyndon, and Eaton abutting the southerly line of lot 80 and abutting the northerly line of lots 75 to 79 and the westerly 12 feet of lot 74, all inclusive of B. E. Taylor's Brightmoor Henry Subdivision lying south of Grand River Avenue, being a part of the east ½ of the northwest ¼ of Section 22, T.1S., R.10E., Redford Township, Wayne County, Michigan as recorded in Liber 44, Page 44, Plats, Wayne County Records; Be and the same are hereby vacated as public alleys and are converted into public easements of the full width of the alleys, which easements 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 alleys, and by their heirs, executors, administrators and assigns, forever to wit:

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FIRST, said owners hereby grant to and for the use of the public an easement or right of way over said vacated public alleys 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 easements 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 alleys 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 or 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 the City Clerk is hereby authorized and directed to mail a copy of this resolution to the Detroit Edison Company, the Michigan Consolidated Gas Company, and the Michigan Bell Telephone Company.

Adopted as follows:

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

Nays — None.

**Finance Department
Purchasing Division**

October 9, 1977

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contracts with the following Firms or Persons:

1871—Tubes, Disposable, Laboratory & Microscope Slides from October 13, 1977 to May 31, 1978, Scientific Products of Romulus, Mi. 6 Items Lowest Total Bid \$11,450.00. Curtin-Matheson Scientific of Detroit, 5 Items Lowest Bid, 4 Items Lowest Acceptable Bid, \$39,925.00.

1949—Furnish All Labor, Materials and Equipment for the Construction of the Woodward Avenue Plaza Enclosure, Bid Pak 3. (Base Bid with Alternates, 1 thru 3). Oxhandler Structural Enterprises, Inc., — R. E. Linder, Steel Erection Company, Inc. (Joint Venture) of New York City, N. Y., Lowest Bid, \$3,438,700.00. C. E. D.

1982—Fence, Furnish and Install, Crown Fence & Supply Company of Detroit, Lowest Acceptable Bid, \$15,000.00. C. E. D.

2281—Conduit — 5 Inch and Bends, Tarnow Electric Supply Co., of Detroit, Lowest Acceptable Bid, \$10,274.22. Lighting.

2289—Regulated Power Supply System, Acopian Corp., of Easton, Pa., Sole Bid, \$5,892.00. Water & Sewerage.

2454—Control, Blood Gas, General Diagnostics Div., Warner Lambert Co., of Morris Plains, N. J., \$8,550.00. Hospitals.

2487—Card Files, 8 Drawer, Classic Office and School Supply Co., of Roseville, Mi., Lowest Acceptable Bid, \$11,206.20. Health.

1800—(E.D.A. Funded). Change in Contract No. 2434 (Finance No. 53149) to provide and install materials necessary to construction of 5 grade beams for Woodward Ave., Plaza Enclosure. Sciarrotta Construction Co., Inc., of Mt. Clemens, Mi. Increase of \$34,036.95 to \$120,082.15. C. E. D.

0403—(Title X Funded) Change in Contract No. 2296, (Finance No. 51485) to furnish and install $\frac{3}{4}$ pea gravel in tree wells with the top of the grating and adjust four tree guards in the Greektown Area Improvement Project. Hartwell Cement Company of Oak Park, Mi., Increase of \$1,300.00 to \$197,485.16. C. E. D.

Purchase Order No.

A-1594—Demolish House at 4300 Rohns. Contract documents included only a garage at this location, and it was necessary to demolish both the garage and house. Sarko Equipment, Inc., of Dearborn, Mi. \$1,750.00. E P M D, City Engineering Div.

1800—(E.D.A. Funded). Change in Contract No. 2434. (Finance No. 53149). Provide reinforcing steel for