

rein, and the full faith and credit of the United States is pledged to such payment. Under the Act, this Agreement shall be construed separate and apart from the loan contract referred to in the within Note and shall be incontestable in the hands of a bearer.

IN WITNESS WHEREOF, this Agreement has been executed on behalf of the United States by the duly authorized facsimile signature of the Secretary of Housing and Urban Development, as of the date of Issue of the within Note.

UNITED STATES OF AMERICA

By:
Secretary of Housing and Urban Development

APPROVED

ALFRED SAWAYA
Acting Corporation Counsel
Adopted as follows:

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

Nays — None.

*RECONSIDERATION (No. 3), per motions before adjournment.

Finance Department
Purchasing Division

March 25, 1977

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contract with the following firm or person:

52012—Contract to lease Mini-Station at 1120 Clairmount. Beginning Approx. April 1, 1977 to March 1, 1978 at \$150.00 per month. City to pay Utilities, remodeling improvements business & licenses. Kenneth L. Townsend of Detroit, \$1,800.00, Police.

The above Contract has 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 file.

Respectfully submitted,
H. MICHAEL SMOTHERS,

Director

By Council Member Kelley:

RESOLVED, That Purchasing Contract 52012, as listed in the foregoing communication, be and the same is hereby approved.

Adopted as follows:

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

Nays — Council Member Eberhard — 1.

*RECONSIDERATION (No. 4), per motions before adjournment.

Finance Department
Purchasing Division

March 25, 1977

Honorable City Council:

The Purchasing Division of the Finance Department recommends Con-

tract with the following firm or person:

53010—To Lease Mini-Station at 18618 Fenkell. One Year lease for rental \$195.00 per month, beginning Approx. April 1, 1977 to February 20, 1978. Tenant pays Utilities, Business permits & licenses remodeling & improvements. Fred Burkhill, Partner Grandland Shopping of Detroit, \$2,340.00, Police.

The above Contract has 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 file.

Respectfully submitted,
H. MICHAEL SMOTHERS,
Director

By Council Member Kelley:

Resolved, That Purchasing Contract 53010, as listed in the foregoing communication, be and the same is hereby approved.

Adopted as follows:

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

Nays — Council Member Eberhard — 1.

*RECONSIDERATION (No. 5), per motions before adjournment.

Environmental Protection and
Maintenance Department

March 25, 1977

Honorable City Council:

Re: Petition No. 3532 — E. F. Houghton and Company, 14275 Lumpkin, Conversion to Easement of portions of St. Aubin, Lumpkin, and the alley turnaround between, all north of Modern.

The above petition requests the conversion of the above portions of streets and alleys 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:

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:

Department of Transportation \$40
For the estimated cost to remove street signs.

Provisions are contained in the vacating resolution protecting the fire hydrants to remain in the vacated streets.

All other involved City departments and private-owned utility companies reported that they have no objections to the conversions of public right of ways into easements provided that proper provisions are incorporated

into the vacating resolution protecting their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
JAMES W. WATTS,
Director

By Council Member Cleveland:
RESOLVED, That all that part of St. Aubin Avenue, 66 feet wide, northerly of Modern Avenue abutting the front line of lots 78 to 88 and the northerly 10 feet of lot 77 and abutting the front line of lots 95 to 105 and the northerly 10 feet of lot 106 all inclusive of the "Columbian Subdivision" being the easterly 20 acres of the westerly 40 acres of $\frac{1}{4}$ Section 2, T.1S., R.12E., 10,000 Acre Tract, Wayne County, Michigan, as recorded in Liber 18, Page 65, Plats, Wayne County records; also

All that part of the north-south public alley, 15 feet wide, between St. Aubin and Lumpkin Avenues northerly of Modern Avenue abutting the rear line of lots 102 and the southerly 10 feet of Lot 101 all of the above mentioned subdivision, and abutting the rear line of lot 76 and the southerly 10 feet of lot 77 inclusive of "Heathville Park" being Wilson, Paul and Farley's Subdivision of the east half of the west half of $\frac{1}{4}$ Section 2, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 16, Page 63, Plats, Wayne County records; also.

All that part of the alley turnaround between St. Aubin and Lumpkin Avenues north of Modern Avenue having been dedicated on June 20, 1967 (J.C.C. Page 1511) having been platted as the westerly 25 feet of lot 76 and the westerly 25 feet of the southerly 10 feet of lot 77 inclusive of "Heathville Park" being Wilson, Paul and Farley's Subdivision as recorded in Liber 16, Page 63, Plats, Wayne County records; also

50 feet wide, northerly of Modern Avenue abutting the front line of lots 78 to 83 and the northerly 10 feet of lot 77, and abutting the front line of lots 88 to 93 and the northerly 10 feet of lot 94, all inclusive of the last mentioned subdivision;

Be and the same are hereby vacated as public streets and alley and are hereby converted into a public easement of the full width of the streets and 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 streets and 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 easements or rights of way over said vacated public streets and alley hereinabove described for the purposes of maintaining, installing, re-

pairing, 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 the maintenance of the existing fire hydrants in vacated St. Aubin and Lumpkin shall be the responsibility of the petitioner. There will be no storage of materials or fence within 15 feet of the hydrant. If at any time in the future the existing hydrants are to be fenced into the petitioner's property, then new hydrants shall be installed in the open portion of St. Aubin and Lumpkin with all expenses borne by the petitioner, his heirs, assigns or executors; and further

RESOLVED, That the Finance Director is hereby authorized and directed to issue to E. F. Houghton and Company a Quit Claim Deed and the Law Department is directed to prepare said deed to the above described property; and be it further

RESOLVED, That the City Clerk is hereby authorized and 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 Browne, Cleveland, Eberhard, Henderson, Hood,

Kelley, Mahaffey, Rogell, and President Levin — 9.
 Nays — None.
 *RECONSIDERATION (No. 6), per motions before adjournment.

Neighborhood Services Department

March 15, 1977

Honorable City Council:
 Re: Authority to Utilize City Cash as Required and to Continue Operations of the Neighborhood Services Department's CSA Programs, During the Period of April, 1977 through August, 1977.

The Neighborhood Services Department (NSD) has received verbal notification from the Community Services Administration (CSA) that a grant of \$3,048,750 which requires a 40% local match of \$2,032,500 to operate CSA Main Grant activities during the period of April, 1977 through August, 1977 is being processed. We expect to receive this five month grant in April, 1977.

Therefore, in order to facilitate the continuation of CSA Main Grant program activities, and to allow the NSD to make funds available to our programs and for NSD Program Administration Expenses, we are requesting your authority to continue the NSD-CSA Main Grant activities and utilize City cash as required pending receipt of a Federal grant and funds. A Waiver of Reconsideration is respectfully requested.

Respectfully submitted,
EDWARD J. MARTIN,
 Management Serv. Admin.

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

By Council Member Cleveland:

RESOLVED, That the Neighborhood Services Department be and is hereby authorized to continue operations and to utilize City cash as required pending receipt of a Federal grant and funds for NSD-CSA Main Grant programs, and for NSD Program Administration Expenses during the period of April 1, 1977 through August 31, 1977; and be it further

RESOLVED, That the Finance Director be and is hereby authorized and directed to honor vouchers and payrolls in accordance with the foregoing communication and the regulations of the Community Services Administration.

Adopted as follows:

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

Nays — None.

*RECONSIDERATION (No. 7), per motions before adjournment.

From the Clerk

March 30, 1977

That on March 24, 1977, he presented that portion of the proceedings of March 23, 1977 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 March 29, 1977.

That the balance of the proceedings of March 16, 1977 was presented to His Honor, the Mayor, on March 22, 1977 and was approved by the Mayor on March 29, 1977, with the exception of a resolution urging an immediate search for funding for archeological work at the site of the proposed arena which was neither approved nor vetoed.

Also, That an ordinance to amend Chapter 60, Article 2 of the Code of Detroit, by amending Section 60-2-13, to provide for the increase of liability coverage, bodily injury and property damage for the licensee of a taxicab or motor vehicle for hire, was presented to His Honor, the Mayor, for approval on March 22, 1977, and same was approved on March 22, 1977.

Also, That an ordinance to amend Chapter 2, Article 10 of the Code of Detroit, by amending Section 2-10-21 to change the boundaries of the McDougall-Hunt District area, pursuant to the provisions of Act 173 of the Public Acts of 1969, was presented to His Honor, the Mayor, for approval on March 22, 1977, and same was approved on March 29, 1977.

That on March 28, 1977, a resolution authorizing payment of \$35,000.00 in settlement of lawsuit of Lewis Sublett, et al, which was adopted at the Special Meeting of March 28, 1977 and "reconsidered", was presented to His Honor, the Mayor, for approval, and same was approved on March 29, 1977.

Also, That he was served with the following papers issued out of Wayne Circuit Court, and same were referred to the Law Department:

Summons, Complaint and Demand for Jury Trial, Calvin Jackson, pl. vs. City of Detroit, et al, def.

Also, That annual reports of the following departments for the year mentioned were filed in his office:

Recreation Department, Fiscal Year Ended June 30, 1975.

Placed on File.

From the Clerk

March 30, 1977

Honorable City Council:

This is to report for the record that on March 28, 1977, a Public Hearing was held before the City Council, 13th Floor of the City-County Building, relative to the petition of Regal Packing Co. (4797), for establishment of a Plant Rehabilitation District at 1445 E. Kirby.

Council Members present: Ernest C. Browne, Jr., Clyde Cleveland, David Eberhard, Erma Henderson, William G. Rogell, President Carl