

ember 1, 1978 through November 30, 1979 for the Group Life Insurance and Disability Coverage has also been approved by the Board.

The new combined rate of \$0.6447386 per month per thousand dollars of insurance was computed in accordance with the contract formula, and represents a decrease from the rate of \$0.662667 per month the current policy year.

The Governing Board respectfully requests your concurrence in its action and adoption of the attached resolution.

Respectfully submitted,
FRED MURPHY
 Secretary

Approved:

G. F. FISCHER
 Deputy Finance Director

By Council Member Kelley:

RESOLVED, That the action of the Governing Board of the Employees Benefit Plan to approve the renewal of Group Life Insurance Policy L-1302 and Group Disability Insurance Policy G-1302 with Michigan Life Insurance Company for an additional three year period, commencing December 1, 1978, in accordance with the terms of the original bid proposal is hereby approved, and be it further

RESOLVED, That the action of the Governing Board of the Employees Benefit Plan to approve the rate of \$0.6447386 per month per thousand dollars of insurance as submitted by Michigan Life Insurance Company for the policy year beginning December 1, 1978 and ending November 30, 1979 for Group Policies L & G 1302 is hereby approved, and be it further

RESOLVED, That the employee's portion of said monthly rate be 32¢ per thousand dollars of insurance and the City's portion be the balance of said monthly cost, and be it further

RESOLVED, That the City will pay the full cost for the twenty-five per cent increase in limits of coverage granted to qualified employees at the rate of 64.4738¢ per month per thousand

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, Rogell, and President Pro Tem Mahaffey — 8.

Nays — None.

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

November 20, 1978

Honorable City Council:

Re: Petition No. 1086. Robinson and Robinson, Inc. Conversion to Easement of Shirley Avenue

between Fullerton and the Jeffries Freeway.

The above petition requests the conversion of Shirley Avenue between Fullerton and the Jeffries Freeway 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:

EPMD Intersection fund \$586.00 for the original cost of paving Fullerton Avenue at the intersection with Shirley Avenue to be vacated.

The petitioner has also requested that the paved returns at the entrance to Shirley Avenue 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.

The letter has agreed by letter to enter an annual maintenance agreement with the Public Lighting Department for the existing street lights in Shirley.

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 an 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,
LOUIS W. KLEI
 City Engineer

Approved:

JAMES W. WATTS
 Director

By Council Member Kelley:

Resolved, that all that part of Shirley Avenue, 60 feet wide, lying between and abutting the northerly line of Fullerton Avenue, 66 feet wide, and the southerly line of the Jeffries Freeway right-of-way and abutting the easterly line of Lots 21 to 33 and the southerly 7.57 feet of Lot 20; and abutting the westerly line of Lots 34 to 47 and the southerly 1.43 feet of Lot 48, all inclusive of the Browne and Bristah Subdivision of part of the S.E. ¼ of the N.E. ¼ of Section 30, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan as recorded in Liber

32, Page 42, Plats, Wayne County records;

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lot abutting on said street 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 street 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 street 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 street 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 petitioner will enter into an annual maintenance agreement with the Public Lighting Department for the street lighting located in vacated Shirley, and be it further

Resolved, that if in the future it becomes necessary to remove the paved street returns at the entrance to vacated Shirley, such removal shall be done under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner, his heirs, or his assigns; and be it further

Resolved, that the City Clerk is hereby directed to send a copy of this resolution to the Detroit Edison, Michigan Bell Telephone and Michigan Consolidated Gas Companies.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, Rogell, and President Pro Tem Mahaffey — 8.

Nays — None.

Department of Health

October 13, 1978

Honorable City Council:

The Board of Education of the City of Detroit has received a Nutrition Education and Training Program grant covering the period October 1, 1978 to September 30, 1979. As part of this program the Board has offered the Health Department a grant of \$28,677 for the provision of nutrition consultation services.

The funds will be utilized to employ one Nutritionist who will assist school staff in the development, implementation, and evaluation of a Nutrition Education Curricula designed to motivate children to practice sound eating habits. The Nutritionist will be supervised by the Health Department's Nutrition Division.

May we, therefore, request that your Honorable Body approve the acceptance of the grant in the amount of \$28,677 for the period October 1, 1978 to September 30, 1979 for the purpose outlined above.

Respectfully submitted,

JOHN B. WALLER, JR., DR. PH
Public Health Director

Approved:

W. I. STETCHER
Budget Director

PAUL R. THOMPSON, JR.
Finance Director

By Council Member McFadden:

RESOLVED, That the Health Department be and is hereby authorized to accept a grant in the amount of \$28,677 from the Detroit Board of Education for the provision of nutrition consultation services for the period October 1, 1978 to September 30, 1979; and be it further

RESOLVED, That the Finance Director be and he is hereby authorized