

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 all that part of the new alley outlet into Fischer Avenue, the title to which is accepted for the City in this resolution, being the northerly 20 feet of the southerly 25 feet of Lot 7 of Bernart and Fischer's Subdivision as recorded in Liber 10, Page 27, Plats, Wayne County records

Be and the same is hereby closed on a temporary basis for a period to run concurrently with the Board of Zoning Appeals Grant No. 754-77 which expires on December 20, 1982 and the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permit to the petitioner for said closing subject to the following provisions:

PROVIDED, that petitioner shall be subject to any tax which may be levied against it pursuant to law with regard to such use of public property, and further

Provided, petitioner first furnishes an Agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the Finance Department, and further

PROVIDED, that said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense, and further

PROVIDED, that no building or other structure is constructed in said alley that petitioner shall observe the rules and regulations of the Environmental Protection and Maintenance Department, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said areas of temporarily closed alley and further

PROVIDED, that at the expiration of said permit, all obstructions therein shall be removed at the expense of the

grantee, and the public property affected shall be restored to a condition satisfactory to the Environmental Protection and Maintenance Department, by and at the permittee's expense, and further

PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein, and be it further

Resolved, that if at any time in the future it becomes necessary to open the new alley outlet, the cost of construction of a new concrete alley return and the necessary construction in the new alley shall be the responsibility of the petitioner or his assigns; and be it further

Resolved, that the Finance Director is hereby authorized and directed to issue to the petitioner a Quit Claim Deed, and the Law Department is directed to prepare the deed to the above described portions of vacated alleys; and be it further

Resolved, that the Warranty Deed of the Union Building Corporation, a Michigan Non-profit Corporation, deeding land to the City of Detroit for a new alley outlet being described as:

Land in the City of Detroit being the northerly 20 feet of the southerly 25 feet of lot 7, inclusive of "Bernart and Fischer's Subdivision of Lots 22 and 23 of the Subdivision of the West part of the Private Claim 723", Hamtramck, Wayne County, Michigan, as recorded in Liber 10, Page 27, Plats, Wayne County records,

Be and the same is hereby accepted and the Finance Director 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 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 Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 8.

Nays — None.

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

September 13, 1978

Honorable City Council:

Re: Petition No. 287. Patton Block Club. Vacation of the public walkway north of Patton Court, between Braile and Patton Avenue.

The above petition requests the vacation of the above described public

walkway, 10 feet wide. The requested vacation 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:

An easement is reserved in the vacating resolution for public utilities in a 12 foot strip which coincides with the utility easement north and south of this portion.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Eberhard:

Resolved, that all that part of the public walkway, 10 feet wide, north of Patton Court, between Braile and Patton Avenues, lying between and abutting the side line of lots 29 and 30 and lots 51 and 52 all inclusive of the Stollman Subdivision of part of the SE $\frac{1}{4}$ of Section 27, T. 1S, R. 10E, City of Detroit, Wayne County, Michigan as recorded in Liber 74, Page 16, Plats, Wayne County records;

Be and the same is hereby vacated as a public walkway subject to the following easement provisions:

FIRST, said owners hereby grant to and for the use of the public an easement or right of way over a 12 foot wide strip which coincides with the twelve foot easement now existing and extending north and south of this vacated walkway, at the rear of lots mentioned above, 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 easement 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 easement 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 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 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, Cockrel, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 8.

Nays — None.

Department of Health

August 31, 1978

Honorable City Council:

Re: Grant — Community Health and Social Services (CHASS).

The Michigan Department of Public Health, the Michigan Department of Social Services, the Detroit Department of Health, and various community organizations have been involved in a project in Southwest Detroit to pursue the development of a center which would deliver health and related social services. As a result of this effort, under the operational leadership of the Detroit Health Department, the Community Health and Social Services Center (CHASS) has been able to evolve from a study project status into a productive source for much needed health and social services in Southwest Detroit, and has been providing such services for a number of years.

To continue support of this project, the Michigan Department of Public Health has recently offered a grant in the amount of \$610,000 to the Detroit Department of Health for this opera-