

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, McFadden, Rogell, and President Henderson — 9.
Nays — None.

Environmental Protection and Maintenance Department

February 14, 1978

Honorable City Council:
Re: Petition No. 5097 — Police Department. Vacation of Alley East of Lesure, north of Grand River

The above petition requests the vacation of a portion of the north-south alley first east of Lesure Avenue in the rear of the building at 13530 Lesure. The Police Department has acquired this building to replace the 14th Precinct Station which lies just to the east facing Schaefer Road. The newer building is being renovated and extended across this portion of alley.

The Community and Economic Development Department and Streets and Traffic Division of the Department of Transportation have approved this vacation provided a new alley outlet is provided extending easterly to Schaefer on the north side of the precinct parking lot. This outlet will be provided by the Police Department.

The Water and Sewerage Department must relocate the existing alley sewer. An easement centered on the new sewer lines will be needed for their facility.

All other City Departments have reported that they are not involved, or that they have reached satisfactory arrangements with the Police Department.

The Michigan Bell Telephone Company has requested a 6 feet wide easement across the north side of the City property extending west to Lesure from the alley. In addition, they have indicated that their costs for line relocation work is estimated at \$4,500.00.

The Detroit Edison Company has equipment in the alley and requested payment of \$3,757.00 for removal of same. On October 5, 1977, JCC Page 2140, your Honorable Body authorized the depositing of this amount with Detroit Edison so that their work could proceed. An agreement has been negotiated with Detroit Edison which provides for payment of their costs

and which safeguards the City's right to recover the cost through legal procedures, provided they are instituted within one year of completion of the relocation work. This agreement has been approved as to form and execution by the Law Department.

It is requested that your Honorable Body approve and confirm this Agreement. It is recommended that the attached resolution which vacates the portion of alley, creates the necessary alley outlet and easements, and confirms the Agreement be adopted.

Respectfully submitted,
JAMES W. WATTS,
Director

By Council Member Mahaffey:

RESOLVED, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Lesure, Schaefer, Grand River, and Schoolcraft, abutting the easterly line of lot 58 and the northerly 76.91 feet of lot 2 and the vacated alley, 20 feet wide, between said lots 58 and 2 all inclusive of Oscar LeSeure's Subdivision on Sections 19 and 30, Greenfield Township, T.1S., R.11E., Wayne County, Michigan as recorded in Liber 24, Page 52, Plats, Wayne County records; also

All that part of the sewer easement retained for the Water and Sewerage Department in the westerly 60 feet of the east-west alley vacated on December 12, 1952, J.C.C. Pages 2816 and 2817, having been originally platted as the northerly 20 feet of lot 62 of the above mentioned subdivision;

Be and the same are hereby vacated to become a part and parcel of the abutting property, and be it further

RESOLVED, That the easements are hereby granted to:

1) Water and Sewerage Department - City of Detroit

A 20 feet wide easement for sewer purposes lying 10 feet each side of a line described as commencing at the intersection of the centerline north-south alley first west of Schaefer Highway and the southerly line of lot 65 extended westerly, all in Oscar LeSeure's Subdivision of Section 19 and 30 Greenfield Township T.1S., R.11E., L. 24, P. 52, Plats, W.C.R.; thence south along the centerline of the vacated alley, 43 feet more or less to a sewer manhole; thence southeasterly 105 feet, more or less, to a sewer manhole which is 82 feet east of, as measured on a right angle, from the centerline of the vacated north-south alley; thence southwesterly 165 feet, more or less, to a sewer manhole on the centerline of said north-south alley.

2) Michigan Bell Telephone Company

The northerly six feet of lot 58 of

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Oscar LeSeure's Subdivision as recorded in Liber 24, Page 52, Plats, Wayne County records;

Said easements shall be subject to the following:

FIRST, said easements or rights of way hereinabove described are for the purpose of maintaining, installing, repairing, removing, or replacing utilities such as water mains, sewers, telephone conduits or poles with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

SECOND, 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 easements, nor any change of surface grade made, without prior approval by the grantees,

THIRD, that if at any time in the future the owners of any lots abutting on said easements shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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 further

RESOLVED, That the Detroit Water and Sewerage Department be, and it is hereby authorized to review the drawings for the lateral sewer relocation, to prepare the necessary specifications, and to issue a permit to the petitioner to cover the construction of the relocation of a portion of the existing lateral sewer in the alley; and

RESOLVED, That the sewer relocation plans shall be prepared by a registered engineer; and be it further

RESOLVED, That the entire work is to be performed in accordance with plans and specifications approved by the Detroit Water and Sewerage Department and constructed subject to the inspection and approval of the Detroit Water and Sewerage Department; and be it further

RESOLVED, That the entire cost of the lateral sewer construction includ-

ing inspection, survey and engineering shall be borne by the petitioner; and be it further

RESOLVED, That the petitioner shall deposit with the Detroit Water and Sewerage Department, in advance of engineering, inspection and survey, such amounts as that Department deems necessary to cover the costs of these services; and be it further

RESOLVED, That upon satisfactory completion of the sewer construction, the relocated sewer shall be City property and become part of the City sewer system; and further

RESOLVED, That the northerly 20 feet of lot 66 of Oscar LaSeure's Subdivision on Sections 19 and 30, Greenfield Townships, T.1S., R.11E., Wayne County, Michigan, as recorded in Liber 24, Page 52, Plats, Wayne County records;

Be and the same is hereby set aside for use of the public for alley purposes; and further be it

RESOLVED, That the above noted Agreement between the City of Detroit, by and through its Chief of Police, and the Detroit Edison Company be and the same is hereby approved and confirmed; and be it further

RESOLVED, That the Finance Director is hereby authorized and directed to honor a voucher covering the costs of the Detroit Edison Company's removal and relocation of its facilities covered by said Agreement; and be it finally

RESOLVED, That the City Clerk is hereby directed and authorized to send a certified copy of this resolution and said executed agreement to the Detroit Edison Company.

Approved as to Form:

ROGER E. CRAIG

Corporation Counsel

Adopted as follows:

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

Nays — None.

Department of Health

March 6, 1978

Honorable City Council:

Re: Acceptance of Grant — Hypertension Control Program

The Detroit Health Department has been notified that a grant in the amount of \$216,384 has been awarded by the Department of Health, Education and Welfare, National Heart, Lung and Blood Institute for the operation of the Detroit Hypertension Control Program. The grant period is 9/30/77 through 8/31/78. In addition,