

with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

The petitioner wishes to have the street light remain in place and has agreed to enter an annual maintenance agreement with the Public Lighting Department.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion 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 Cockrel:

Resolved, that all that part of Fort Street, 50 feet wide, west of Helen Avenue abutting the northerly line of lots 28 to 30 and the southerly line of lots 31 to 33 both inclusive of the Subdivision of part of the Louis Chapoton Farm, Private Claim No. 573, by the heirs-at-law of the late Genevieve Poupart, Hamtramck Township, Wayne County, Michigan, as recorded in Liber 7, Page 7, 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 lots 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, retain-

ing 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 Department of Public Works.

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 maintenance of the existing light, located in vacated Fort Street; and be it further

Resolved, that if in the future it becomes necessary to remove the paved street return at the entrance to vacated Fort Street, such removal will be done under City permit and inspection, according to Environmental Protection and Maintenance Department specifications with all costs 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 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 & Maintenance Department
City Engineering Division, EPMD
November 21, 1978

Honorable City Council:
Re: Petition No. 579. Cook Paint and Varnish Company, Conversion to Easement of Fairfield Avenue, south of Bourke Avenue.
The above petition requests the

conversion of Fairfield Avenue, 60 feet wide, south of Bourke Avenue 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 \$365.00
Receipt No. B14874 for the original cost of paving Bourke Avenue at the intersection with Fairfield Avenue to be vacated.

The petitioner has also requested that the paved return at the entrance to Fairfield Avenue remain in its 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 petitioner has agreed to enter a maintenance agreement with the Public Lighting Department for the existing street lights located in Fairfield.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of a 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 Cockrel:

Resolved, that all that part of Fairfield Avenue, 60 feet wide, south of Bourke Avenue abutting the front line of lots 179 to 187 and lots 196 to 203 all inclusive of Robert Oakman's "Livernois and Terminal Subdivision", part of Fractional Section 22, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan as recorded in Liber 35, Page 64, 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

lots 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 thing 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 enter an annual maintenance agreement with the Public Lighting Department regarding the existing lights in vacated Fairfield; and be it further

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

Resolved, that the City Clerk send a

December 6

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.

Department of Hospitals

October 25, 1978

Honorable City Council:

The budget presented to City Council by the Mayor on April 12, 1978, included \$2,747,771 in the Non-Departmental Appropriation for start-up costs for the new Detroit General Hospital. On July 26, 1978, your Honorable Body authorized the transfer of \$723,100 of these appropriations, offset by \$623,100 in revenues, to the Department of Hospitals' operating budget.

An additional \$1,036,785 will be needed by the Hospital beginning November 1, 1978 for the following purposes:

Equipment, \$350,000

Authority is also requested to transfer these funds to the Detroit Building Authority to supplement existing funds for medical equipment for the new hospital.

Utilities, \$660,000; Elevator Maintenance, \$26,785; Total, 686,785.

Funds are requested to cover the first three months of building operation.

It is respectfully requested that the Finance Director be authorized to transfer \$1,036,785 from Appropriation 94-0361, Tax Support—New Detroit General Hospital, to Department of Hospitals accounts.

Respectfully submitted,
W.A. HIMMELSBACH, JR.
Director of Hospitals

Approved:

W. I. STECHER

Budget Director

PAUL R. THOMPSON JR.

Finance Director

By Council Member Mahaffey:

Whereas the Detroit City Council is willing to authorize the transfer of only \$60,000 to pay those utility bills already received rather than to provide funds for future utility bills as requested, now therefore be it

RESOLVED, That the Finance Director be and is hereby authorized to transfer the sum of \$436,785 from Appropriation 94-0361, Tax Support-New Detroit General Hospital, to Appropriation 32-0353, New Facility Costs; and be it further

RESOLVED, That the Finance Director be and is hereby authorized to transfer funds, establish accounts and honor payrolls and vouchers when presented in accordance with this resolution and the foregoing communication.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
Nays — None.

Housing Department

November 28, 1978

Honorable City Council:

Re: Claim for Reimbursement - Loss of Employee's Personal Property.

In accordance with the rules adopted by your Honorable Body, we are requesting to reimburse our employee, Mr. Henry Purdue, an auto mechanic at our Central Maintenance Auto Garage, for the loss of his personal tool valued at \$46.76.

As described by Police Report 7-389749, sometime between September 3 and 5, 1978, party or parties unknown, forced entry into our building and removed a number of tool items including Mr. Purdue's personal tool that he kindly was using to repair our vehicles. In view of the circumstances, we recommend your authorization to reimburse Mr. Purdue with the attached resolution.

Respectfully submitted,
THEODORE JORDAN
Director

Approved:

W. I. STECHER

Budget Director

G. F. FISCHER

Finance Director

By Council Member Mahaffey:

Resolved, that the Finance Director be and is hereby authorized to honor vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
Nays — None.

City Council Historic Designation Advisory Board

November 28, 1978

Honorable City Council:

Under today's date I am pleased to be submitting to you the Historic Designation Advisory Board's final report on the proposed St. Albertus his-