

Adopted as follows:  
Yeas — Council Members Cleveland,  
Cockrel, Eberhard, Hood, Kelley,  
McFadden, and President Henderson  
— 7.  
Nays — None.

**Environmental Protection &  
Maintenance Department**

July 2, 1979

Honorable City Council:

Re: Petition No. 1443, Sure-Weld and  
Plating Rack Company, Conversion  
to Easement of the public  
alley in the block bounded by St.  
Aubin, Dubois, Franklin and  
Woodbridge.

The above petition requests the conversion of the above described public alley, 20 feet wide into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community, Economic and 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 requested that the paved returns at the entrance to the alley to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
LOUIS W. KLEI  
City Engineer

Approved:  
JAMES W. WATTS  
Director

By Council Member McFadden:

Resolved, that all that part of the east-west public alley, 20 feet wide, in the block bounded by St. Aubin, Dubois, Franklin and Woodbridge abutting the rear line of Lots 1 to 10, Section 6, of the Subdivision of the St. Aubin Farm south of Jefferson Avenue, Detroit, Michigan, as recorded in Liber 1, Page 35, Plats, Wayne County records; and as opened on July 6, 1868, that portion being described as: "All that part of the Dubois Farm, West ½ of P.C. 91, commencing at the S.E. corner of Lot 6, Block 6, Subdivision of St. Aubin Farm, thence N. 60 deg E. 146 feet to the line of Dubois Street. thence S. 26

deg E., 20.05 feet, thence S. 60 deg W., 146 feet; thence N. 26 deg W., 20.05 feet to the place of beginning"

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the 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 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 an easement or right of way over said vacated public alley hereinabove described for the purpose 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 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 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, and be it further

Resolved, that if at any time in the future it becomes necessary to remove the paved alley returns, such removal will be done under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with all costs borne by the petitioner or his assigns.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, and President Henderson — 7.

Nays — None.

**Environmental Protection & Maintenance Department**

June 28, 1979

Honorable City Council:

Re: Petition No. 700 and 702. Frank DiMercurio and Gino Paluzzi. Vacation of the north and south 10 feet of Parkgrove east of Gratiot.

The above petition requests the vacation of the north and south 10 feet of Parkgrove Avenue east of Gratiot Avenue. The requested vacation was approved by the Community, Economic and Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

All City\* departments and privately-owned utility companies reported that they will be unaffected by the vacation of said street or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

LOUIS W. KLEI  
City Engineer

Approved:

JAMES W. WATTS  
Director

By Council Member McFadden:

Resolved, that all that part of the north and south 10 feet of Parkgrove Avenue, 80 feet wide, between Gratiot and the alley first east of Gratiot, abutting the southerly line of Lot 762 and abutting the northerly line of Lot 687 both inclusive of Seymour and Troester's Montclair Heights Subdivision No. 2 or part of the NW¼ of Section 12, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 40, Page 74, Plats, Wayne County Records,

Be and the same are hereby vacated as a public street to become a part and parcel of the abutting property; and be it further

Resolved that the Finance Department is hereby authorized and di-

rected to issue a Quit Claim Deed to the above described property and the Law Department is directed to prepare said deeds.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, and President Henderson — 7.

Nays — None.

**Fire Department**

June 15, 1979

Honorable City Council:

Re: Increase Appropriation to provide sufficient Funding for balance of fiscal year 1978-79.

A review of the Fire Department-Disaster Prevention and Control appropriation (0066) balance indicates insufficient funds for the balance of fiscal year 1978-79.

The additional expenditure of funds is a direct result of large unexpected requests for purchases of Federal Surplus property from other city departments. To date, these purchases total over \$30,000 and chargeable to a recommended approved budget of \$10,000 for this purpose. The over expenditure is expected to be offset by a corresponding increase in collected revenue.

Therefore, to meet our expenses and balance the budget, we request that your Honorable Body approve the following:

Appropriation 0064 — Cost Center 0300

Increase estimated revenue \$20,645 — account 1760

Increase estimated expenditure \$20,645 — account 2530

Respectfully submitted,  
PHILLIP F. GORAK

Deputy Fire Commissioner

Approved:

W. I. STECHER  
Budget Director

JOHN L. DAVIS  
for Finance Director

By Council Member Hood:

RESOLVED, That the Finance Director be and is hereby authorized to increase the estimated revenue and appropriation by the sum of:

\$20,645 to Appropriation No. 0064-0300-1760

\$20,645 to Appropriation No. 0064-0300-2530

as outlined in the foregoing communication; and be it further

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