

statewide trend as a result of the returnable bottle and can legislation. The Environmental Protection and Maintenance Department requests that Your Honorable Body authorize the transfer of funds in accordance with the attached Resolution.

Respectfully submitted,
JAMES W. WATTS
 Director

Approved:
CONLEY ABRAMS
 Deputy Budget Director
G. F. FISCHER
 Deputy Finance Director

By Council Member Cleveland:
RESOLVED, That the Finance Director be and is hereby authorized to transfer the sum of:

\$145,000 from Appropriation No. 22-0040 — Disposal Activities

\$145,000 to Appropriation No. 22-5880 — Resource Recovery;
 and be it further

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

Adopted as follows:

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

Nays — None.

**Environmental Protection
 & Maintenance Department**

July 16, 1979

Honorable City Council:

Re: Petition (No. 2411). Community and Economic Development Dept. Vacation and conversion to easement of certain streets and alleys in the Virginia Park and Rehabilitation Project.

The above petition requests the vacation and conversion of certain streets and alleys in the Virginia Park Rehabilitation Project. The petition was referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

Provisions are made in the vacating resolution authorizing the Community, Economic and Development Department to pay the private utilities for the removal and relocation of their facilities.

All other City Departments and privately owned utility companies reported that they will be unaffected by the vacation and conversion to an easement of said street and alleys 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 Rogell:
 Resolved, that all that part of Pingree Avenue, 60 feet wide, lying between and abutting the easterly line of Fourteenth Street, 66 feet wide, and the westerly line of Rosa Parks Boulevard, 66 feet wide; also

All that part of Philadelphia Avenue, 60 feet wide, lying between and abutting the westerly line of Rosa Parks Boulevard, 66 feet wide, and a line which is 190 feet easterly of and parallel to the easterly line of Fourteenth Street, 66 feet wide; also

All that part of the north-south and east-west public alleys, 18 feet wide, in the block bounded by Fourteenth, Rosa Parks Boulevard, Euclid and Philadelphia; also

All that part of the east-west public alley, 18 feet wide, lying easterly of and abutting a line which is 190 feet easterly of and parallel to the easterly line of Fourteenth Street, 66 feet wide, in the block bounded by Fourteenth, Rosa Parks Boulevard, Philadelphia and Pingree, also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Fourteenth, Rosa Parks Boulevard, Philadelphia and Pingree; also

All that part of the north-south and east-west public alleys, 18 feet wide, in the block bounded by Fourteenth, Rosa Parks Boulevard, Pingree and Blaine;

All of the foregoing having been platted in "Austin's Subdivision of part of ¼ Section 47, 10,000 Acre Tract, Greenfield, Wayne County, Michigan as recorded in Liber 30, Page 45, Plats, Wayne County Records",

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

Resolved, that all that part of the east-west public alley, 18 feet wide, in the block bounded by Fourteenth, Rosa Parks Boulevard, Philadelphia and Pingree abutting the rear line of Lots 125 to 129 and 181 to 185, all inclusive of the above mentioned subdivision,

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 co-

venants 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 purposes of maintaining, installing, repairing, revoving, 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 Community, Economic and Development Department is hereby authorized and directed to honor billings from the Detroit Edison Company, The Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company for the removal and relocation of their facilities as previously agreed to among the parties, and further

Resolved, that the City Clerk is hereby directed to mail to the Detroit

Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company, a copy of this resolution.

Adopted as follows:

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

Environmental Protection & Maintenance Department

July 25, 1979

Honorable City Council:

Re: Petition No.: 1833 and 1960. Detroit Radiator Corporation. Erect sign which will encroach into street right-of-way.

The above petition requests permission to encroach in to the right-of-way of East Grand Boulevard between Brush and Beaubien with a sign.

The sign will encroach approximately 6 feet into the right-of-way and be 13.5 feet above the sidewalk.

The Environmental Protection and Maintenance Department has reviewed the petition and has no objections provided the work is done under permit from the Building and Safety Engineering Department.

An appropriate resolution authorizing the issuance of the permit by the Building and Safety Engineering Department is attached for consideration by your Honorable Body.

Respectfully submitted,

LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Rogell:

Resolved, That the Building and Safety Engineering Department is hereby authorized and directed to issue permits to the Detroit Radiator Corporation 2960 East Grand Boulevard to encroach with an overhead sign into the right-of-way of East Grand Boulevard,

Encroachment to consist of an overhead sign extending approximately 6 feet into the street right-of-way at a minimum elevation of 13.5 feet above the sidewalk, all of this being at Lot 26 of Atkinson's Subdivision of the south part of Lot 1 of the Subdivision of Quarter Section 57, 10,000 Acre Tract, Township of Hamtramck, Wayne County, Michigan as recorded in Liber 7, Page 33, Plats, Wayne County records;

Provided, that same shall be constructed and maintained under the rules and regulations of the Department of Buildings and Safety En-