

May 9

**Finance Department  
Purchasing Division**

May 4, 1979

Honorable City Council:

Re: File No. 0412 — Insurance, Fire and Extended Coverage, Cultural Center (C.C. Res. 5-15-76) Extension renewal of policy for an additional three years at a guaranteed rate equivalent to the previous rate after adjustment for Public and Institutional Property coverage credit. Premium is adjustable based on annual review of values first year at \$74,162.00. Frank B. Hall & Company of Detroit. Detroit Institute of Arts.

The Purchasing Division of the Finance Department recommends a contract as outlined above.

The approval of your Honorable Body and a waiver of reconsideration is requested.

Respectfully submitted,  
**WILLIAM KRAUSE**  
Purchasing Director

By Council Member Rogell:

Resolved, That File No. 0412 referred to in the foregoing communication, dated May 4, 1979, be and hereby is approved.

Adopted as follows:

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

Nays — None.

\*RECONSIDERATION (No. 4) per Motions before Adjournment.

**Law Department**

May 8, 1979

Honorable City Council:

Re: Petition No. 593, Conversion to Easement of the North/South Alley in the Block Bounded by Iroquois, Burns, Charlevoix and Goethe Avenues;

The above petition requests the conversion of the above described alley, twenty (20) feet wide, into an easement for public utilities was recommended by the Community & Economic Development Department upon prior investigation and reports. Copies of the report, petition to vacate the public alley, sketches of the alley and notices have been previously presented to you.

All other involved City departments and privately owned utility companies have no objections to the conversion of the 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,  
**HILDA H. HIRATA**  
Assistant Corp. Counsel

By Council Member Cleveland:

WHEREAS, The following petition has been filed with the City Council, signed by not less than two-thirds of the owners of properties respectively abutting the alley as herein described, and a public hearing was held by this body on May 8, 1979, pursuant to the ordinance for the purpose of determining the advisability of this alley vacation;

NOW, THEREFORE, BE IT

Petition No. 593, Conversion to Easement of the North/South Alley in the Block Bounded by Iroquois, Burns, Charlevoix and Goethe Avenues;

RESOLVED, that all that part of the North/South alley, twenty (20) feet wide, in the Block bounded by Iroquois, Burns, Charlevoix and Goethe Avenues, abutting Lots 15 to 28, both inclusive, on the West of said alley in the Meredith-Iroquois Park Subdivision, of the West ½ of Block 14 and the East ½ of Block 15, of that part of the Cook Farm, P.C. 27-180 and lying between St. Paul and Mack Avenues in the City of Detroit, Wayne County, Michigan, as recorded in Liber 33, Page 67 of Plats, Wayne County Records. Also, abutting Lots 26 to 38, both inclusive, on the East of said alley, which includes the Thomas Mollicone Memorial Playground, in the Assessor's Plat of Blocks, 13, 16, 18, 19, 20, East of ½ of 14 and West ½ of 15 of addition to Park Subdivision being subdivision of that part of the Cook Farm, Private Claims 27 and 180, lying between St. Paul and Mack Avenues, City of Detroit, Wayne County, Michigan, as recorded in Liber 66, Page 56 of Plats, Wayne County Records.

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alley, which easements 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 alleys and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or right of ways over said vacated public alleys 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 alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth.

SECOND, said utility easements or right of ways in and over said vacated alleys hereinabove described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easements or right of ways. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies other than that specifically prohibited by this resolution shall be restored to a satisfactory condition.

THIRD, 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 easements, nor any change of surface grade made, without prior approval by the Environmental Protection and Maintenance Department.

FOURTH, that if at any time in the future the owners of any lots abutting on said vacated alleys 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 of excessive weights of materials or construction not in accordance with Section 3, 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 shall, within 30 days, record a certified copy of this resolution with the Wayne County Register of Deeds, and shall send a certified copy to the State Treasurer, and shall further transmit a copy of this resolution to the City Engineer, to the Law Department and to the Environmental Protection and Maintenance Department; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting on such alleys or portions thereof and other necessary parties that the alleys or portions thereof have been vacated and converted into easements for utilities; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the City Engineer shall correct the official city maps and records; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the Environmental Protection and Maintenance Department shall adjust its garbage and refuse collection services accordingly.

Approved:

GEORGE G. MATISH  
Corporation Counsel

Adopted as follows:

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

Nays — None.

Adopted as follows:

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

Nays — None.

\*RECONSIDERATION (No. 5) per Motions before Adjournment.

**Manpower Department**

March 26, 1979

Honorable City Council:

Re: Authority to accept additional funds from the National Council of Senior Citizens, Inc. to operate the Employment and Training Department Senior Aides Program and to increase its corresponding appropriation.

Effective February 27, 1979, the Employment and Training Department is in receipt of additional funds from the National Council of Senior Citizens, Inc. for \$22,575 to enroll 24 temporary participants through June 30, 1979. The participants shall work at an hourly rate of \$3.17 for Area Service Aides.