

ewood Avenue, 60 feet wide, lying between and abutting the easterly line of the Fisher Freeway and the westerly line of Fort Street having been platted in the Plat of Hubbard's Subdivision of Private Claim 77, known as the Knagg's Farm, between Fort Street and the Michigan Central Railroad, in the Township of Springwells (now Detroit) as recorded in Liber 64, Page 1, Deeds, Wayne County records; also

All that part of the southerly 109.77 feet of the north-south public alley, 20 feet wide, first west of Fort Street between Vinewood and West Grand Boulevard being a part of Private Claim 78 as deeded to the City of Detroit on June 23, 1896 (J.C.C. Page 552); on a temporary basis for a period of three years to expire on May 30, 1982;

Provided, petitioner furnishes an Agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the Finance Department; and further

Provided, that said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

Provided, that no building or other structure is constructed in said street and alley that petitioner shall observe the rules of the Environmental Protection and Maintenance Department, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed street and alley;

Provided, that at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineer Division, by and at the permittee's expense, and further

Provided, this resolution is revocable at the will, whim, or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 8.

Nays — None.

Environmental Protection & Maintenance Department

May 15, 1979

Honorable City Council:

Re: Petition No. 664. Michigan Teamsters Joint Council No. 43. Conversion to Easement of portions of the alleys in the block bounded by Cochrane, Trumbull, Spruce and Perry.

The above petition requests the conversion of the above described alleys 18 and 20 feet wide into easements for public utilities. The requested conversions into easements 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 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: Receipt No. B28842 \$200.00 for the original cost of paving Perry and Spruce Avenues at the intersection of the north-south alley to be vacated.

The petitioner has requested that the paved returns at the entrance to the north-south alley remain in their 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.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right-of-ways into easements 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 the north-south public alley, 20 feet wide, in the block bounded by Cochrane,

May 23

Trumbull, Spruce and Perry Avenues, abutting the rear line of lots 6 to 10, Block 93, of the Plat of William L. Woodbridge's Subdivision of Block 93 and 94 and the north part of J. T. Abbott's lot, Woodbridge Farm, Detroit, Wayne County, Michigan as recorded in Liber 4, Page 82, Plats, Wayne County records; also

All that part of the east-west public alley, 18 feet wide, in the above described block abutting the rear line of lots 4 and 5 and lots 11 and 12 all inclusive of the above mentioned subdivision;

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, 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 an easement or right of way 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 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.

THIRD, 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 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 catch-basin located in the above described portion of east-west alley remain and that surface grade be maintained to allow drainage from the portion of alley to remain open to flow to the catch-basin. If at any time in the future this is not possible then a new catch-basin will be constructed in the open portion of alley with all costs borne by the petitioner or his assigns; and be it further

Resolved, that if any time in the future it becomes necessary to remove the paved alley returns at the entrance to the north-south alley, such removal and construction of new curb and sidewalk shall 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, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 8.

Nays — None.

Department of Health

April 4, 1979

Honorable City Council:

The City Personnel Department recently adopted a new classification and re-allocated one position in the Health Department's Dental Division to Supervising Dental Clinic Hygienist.

This position will be responsible for supervising and coordinating the activities of a group of sub-professional workers engaged in providing assistance to professional staff at satellite dental clinic facilities.

After discussion and approval of the Labor Relations Bureau Wage Division, a salary range of \$17,903 - \$21,000 per annum was agreed upon. We, therefore, respectfully request approval to establish the classification of Supervising Dental Clinic Hygienist at a salary of \$17,903 - \$21,000 per annum for use in our departmental activities.

Respectfully submitted,

JOHN B. WALLER, JR., Dr. PH
Public Health Director