

\$17,250.00. From June 1, 1980 to April 30, 1981. CEDD. Renewal of Existing Contract.

6051—Change Order No. 1. Removal of Incinerator ash and grit from Lagoon No. 1, Wastewater Treatment Plant. Extension of final completion date from September 6, 1980 to October 6, 1980 due to inclement weather, a change in excavation work and a two-week strike. Plozai Contracting Company of Livonia, MI. No change in funding. Water & Sewerage.

T-83279—1981 membership and subscription dues for the U.S. Conference of Mayors Employment and Training Council from July 1, 1980, through June 30, 1981. The United States Conference of Mayors of Washington, D.C. \$14,761.00. Employment and Training.

The above Contracts have been reported to the Human Rights Department and no objection has been received from them.

The approval of your Honorable Body is requested on the above files.

Respectfully submitted,

VELESTIA A. ReVELS

Director

By Council Member Rogell:

Resolved, That the Purchasing Division of the Finance Department be and it is hereby authorized and directed to enter into contract with the persons or firms recommended for furnishing the departments mentioned with the material, equipment, supplies or services, in amounts, kinds and at prices as listed in accordance with the foregoing communication, designated as Contract or File Nos. 6958, 7284, 7372, 7376, 7396, 7403 and T-83279, and further

Resolved, That renewals, extensions of, additions to, and changes in commodities and/or prices on contracts as recommended in the foregoing communication, designated as Contract or File Nos. 3117, 4940, 5256 and 6051 be and the same are hereby approved.

Adopted as follows:

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

Nays — None.

Law Department

September 17, 1980

Honorable City Council:

Re: Victoria Calhoun vs. James Moor, The Department of Transportation for the City of Detroit, A Municipal Corporation and George A. Sterbenz. Civil Action No. 80 011 242 NI, File No. 78-4168

HHH.

Representation by the Law De-

partment of the City employee listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of the official duties of such defendant.

Defendant: James Moore.

Respectfully submitted,

MERCEDES MUECKENHEIM

Supervising Attorney

Approved:

SYL DELANEY

Deputy Corporation Counsel

By Council Member Eberhard:

Resolved, that the Law Department is hereby authorized under the provisions of Chapter 16, Article 13 of the Municipal Code of the City of Detroit in accordance with the foregoing communication to provide legal representation to defendant: James Moore.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

October 7, 1980

Honorable City Council:

Re: Revised Petitions to Convert Alley to Easements. Petitions No. 634 & 4121 and 2640.

For your consideration, submitted herewith are two (2) revised petitions requesting the conversion of alleys into easements in the City of Detroit.

The revised requested conversions into an easements for public utilities was recommended by the Community and Economic Development Department upon prior investigation and report. For filing in the office of the City Clerk, please find report, petition to vacate the public alley, a sketch of the alley and Notice of City Council hearing.

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 revised resolution is recommended.

Respectfully submitted,

JOSEPH N. BALTIMORE

Supervising Asst.
Corporation Counsel

Approved:

SYL DELANEY

Deputy Corporation Counsel
By Council Member Eberhard:

WHEREAS, the following petitions have been filed with the City Council, signed by not less than two thirds of the owners of properties respectively abutting the alleys as herein described, pursuant to ordinance for the purpose of determining the advisability of this alley vacation.

NOW THEREFORE, BE IT
PETITION NO. 634 & 4121

CONVERSION TO EASEMENT OF
THE NORTH/SOUTH ALLEY IN
THE BLOCK BOUNDED BY ARTE-
SIAN, STAHELIN, TIREMAN AND
BELTON AVENUES;

RESOLVED, that an eighteen (18) foot section of alley running North and South, in the block bounded by ARTESIAN, STAHELIN, TIREMAN AND BELTON AVENUES, abutting Lots 51, 52 and 53 on the West of said alley and Lots 87, 88, and 89 on the East of said alley in the BONAPARTE PARK SUBDIVISION, of part of the West ½ of the Northeast ¼ Section 2, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 49, Page 99 of Plats, Wayne County Records;

PETITION NO. 2640

CONVERSION TO EASEMENT OF
THE NORTH/SOUTH ALLEY IN
THE BLOCK BOUNDED BY OHIO,
CHERRYLAWN, 7 MILE ROAD AND
CAMBRIDGE AVENUES;

RESOLVED, that all that part of the North-South alley, eighteen (18) feet wide in the block bounded by OHIO, CHERRYLAWN, 7 MILE ROAD AND CAMBRIDGE AVENUES, abutting Lots 549 to 560, both inclusive, on the East of said alley and Lots 561 to 572, both inclusive, on the West of said alley in the CHESTER HEIGHTS SUBDIVISION, being a part of the South ½ of the Southwest ¼ of Section 4 and the Northwest ¼ of the Northwest ¼ of Section 9, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 42, Page 49 of Plats, Wayne County Records.

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 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 utility easement or right-of-way in and over said vacated alley 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 easement or right-of-way. 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 fences) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

FOURTH, 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 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 il-

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 Department of Public Works; and be it further

RESOLVED, that upon receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting on such alley or portion thereof and other necessary parties that the alley or portion thereof have been vacated and converted in easement 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 Department of Public Works shall adjust its garbage and refuse collection services accordingly.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

October 7, 1980

Honorable City Council:

Re: Revised Petition to Convert Alley to Easement. Petitions No. 2493.

For your consideration, submitted herewith is one (1) revised petition requesting the conversion of an alley into an easement in the City of Detroit.

The revised requested conversion into an easement for public utilities was recommended by the Community and Economic Development Department upon prior investigation and report. For filing in the office of the City Clerk, please find report, petition to vacate the public alley, a sketch of the alley and Notice of City Council hearing.

All other involved City Departments and privately owned utility companies

have no objection to the conversion of the public right-of-way into an easement provided that proper provisions are incorporated into the vacating resolution protecting their installation located therein.

The adoption of the attached revised resolution is recommended.

Respectfully submitted,

JOSEPH N. BALTIMORE

Supervising Asst.
Corporation Counsel

Approved:

SYL DELANEY

Deputy Corporation Counsel

By Council Member Eberhard:

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, pursuant to ordinance for the purpose of determining the advisability of this alley vacation.

NOW THEREFORE, BE IT
PETITION NO. 2493

CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED BY HEYDEN, VAUGHAN, OUTER DRIVE AND FENKELL AVENUES;

RESOLVED, that all that part of a section of the twenty (20) foot wide alley, running East-West in the block bounded by HEYDEN, VAUGHAN, OUTER DRIVE AND FENKELL AVENUES, abutting lots 170 to ten (10) feet east of the East line of the property line of Lot 174, both inclusive, on the South half of said alley and on the North half of the alley twenty (20) feet East of the East property line of Lot 174 abutting Lot 37 and 92 on the North of said alley in the B.E. TAYLOR's CORONODO SUBDIVISION, lying South of Grand River Avenue, being a part of the Northeast ¼ of Section 22, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 54, Page 84 of Plats, Wayne County Records.

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 easement or right-of-way over said vacated public alley hereinabove described for the purpose of maintaining, installing, re-