

would open the way to a complete negotiation of the purpose of the Historic District Ordinance.

Respectfully submitted,
WILLIAM M. WORDEN
 Advisory Board Staff

By Council Member Cleveland:

Resolved, That the foregoing recommendation of the Historic Designation Advisory Board to deny the petition of Loretta Benbow (3848), to extract the historic designation of Lot 304 in the Turkel-Benbow Historic District, be and the same is hereby concurred in.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 7.
 Nays — Council Member Hood — 1.

Neighborhood Services Department

June 18, 1980

Honorable City Council:

Re: Authorization to Increase the MDOL (MEA) Energy Crisis Assistance Program Appropriation No. 5870 to \$3,421,894.

When Your Honorable Body approved the Neighborhood Services Department (NSD) budget for Fiscal Year 1980, the MDOL (MEA) Energy Crisis Assistance Appropriation was established in the amount of \$1,000,000. This was based on our estimate of the grant amount we would receive for this activity. The actual grant amount received was \$1,696,436 and we requested and received your authority to increase Appropriation Account 5870 by that amount, (J.C.C. 1/16/80, P. 12). Subsequently NSD has twice received additional funds of \$1,514,738 and \$137,720 from the Michigan Department of Labor, Bureau of Community Services and again received your authority to increase Appropriation Account 5870 (J.C.C. 3/12/80, P. 35 and 6/11/80, P. 17).

The NSD has now received written notification from the Michigan Department of Labor, Bureau of Community Services, that we have been granted a third increase in ECAP funds of \$73,000. No local match is required.

Therefore, we respectfully request your authority to increase the MDOL (MEA) Energy Crisis Assistance Appropriation Account 5870 from \$3,348,894 to \$3,421,894.

Respectfully submitted,
EDWARD J. MARTIN
 Management Services Administrator

Approved:

CONLEY C. ABRAMS
 Deputy Budget Director
JOHN P. KANTERS
 Deputy Finance Director

By Council Member Hood:

Resolved, That the Neighborhood Services Department be and is hereby authorized to increase the Appropriation Account 5870 captioned (MEA) Energy Crisis Assistance Program from \$3,348,894 to \$3,421,894 and be it further;

Resolved, That the Finance Director be and is hereby authorized and directed to increase the necessary accounts and honor vouchers and payrolls in accordance with the foregoing communication and the regulations of the Michigan Department of Labor, Michigan Energy Administration and the U.S. Community Services Administration.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 8.
 Nays — None.

Department of Public Works City Engineering Division

July 2, 1980

Honorable City Council:

Re: Petition No. 2555. Mello Consultants. Conversion to Easement of a portion of the north-south alley in the block bounded by McClellan, Cooper, Forest and Carelton.

The above petition requests the conversion of the above described portion of alley, 16 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:

DPW — Inspection Fund Receipt No. B29816, \$195.00. For the original cost of paving the north ½ of Forest Avenue at the intersection of the alley to be vacated.

The petitioner has requested that the paved return at the entrance to the alley to be vacated remain in its 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 a 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 resolutions 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, 16 feet wide, in the block bounded by McClellan, Cooper, Forest and Carleton lying easterly of and abutting the easterly line of lots 6 to 8, and the southerly 5.27 feet of lot 5, and the northerly 13.5 feet of lot 9; and lying westerly of and abutting the westerly line of the northerly 108.77 feet of lot 10, all inclusive of Sprague and Visger's Subdivision of Riverview Subdivision in the Rear Concession of Private Claim 152, Hamtramck, Wayne County, Michigan as recorded in Liber 15, Page 40, 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 an easement or right-of-way over said vacated public alley 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 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 Department of Public Works,

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.

Adopted as follows:

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

Nays — None.

Department of Public Works

July 3, 1980

Honorable City Council:

Re: Petition No. 3773. St. Joseph Mercy Hospital Unit. Request to install a hand rail on City sidewalks at Outpatient Clinic at 2242 East Grand Boulevard.

The above petition was referred to this department for investigation and report. Our report is as follows:

The petitioner has requested permission to install a safety handrail abutting a forty foot section of City sidewalk on the south side of their Outpatient Clinic Building located at the above address.

The Department of Public Works has no objection to the request to encroach.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

By Council Member Cockrel:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to St. Joseph Mercy Hospital to install a safety handrail abutting a forty foot section of City sidewalk on the south side of their Outpatient Clinic Build-