

partments by said permittee at their expense.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.
Nays — None.

Department of Public Works

October 22, 1981

Honorable City Council:

Re: Petition No. 5355. United Methodist Retirement Homes. Conversion to Easement of a Portion of the East-West Public Alley in the Block Bounded by Dunedin, Rosa Parks, West Grand Boulevard and Lothrop.

The above petition requests the conversion of a portion of the above described alley, 20 feet wide into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department with the recommendation that sufficient land be dedicated for a new alley outlet into West Grand Boulevard. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has requested that the paved return at the entrance to the portion of 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.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into West Grand Boulevard. This deed was approved as to form and execution by the Law Department as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

The petitioner has requested permission to pave the newly dedicated alley by private contract. The Department of Public Works has no objection to this request provided the work is done under City permit and inspection and according to Department of Public Works specifications with all costs borne by the petitioner or his assigns.

The Public Lighting Department reported that they may have a street lighting standard close to the new alley outlet which may have to be moved. The petitioner has agreed by letter to pay all costs of such relocation if it proves necessary.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of 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,
LOUIS W. KLEI,
City Engineer

Approved:

JAMES W. WATTS,
Director

By Council Member Hood:

RESOLVED, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Dunedin, Rosa Parks, West Grand Boulevard and Lothrop abutting the rear line of Lots 5 to 9 and the easterly 4.5 feet of Lot 4 all inclusive of Whitney's Subdivision of Lots 1, 2 and south part of Lots 3, 6 and 11, Quarter Section 54, and Lots 16, 18, 38 and 40 of T. S. Anderson's Subdivision of Lots 7 and 8 of Quarter Section 54, 10,000 Acre Tract, Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 78, 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 ususally 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 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 Warranty Deed of the United Methodist Retirement Homes, deeding land to the City of Detroit for alley purposes being described as:

Land in the City of Detroit, Wayne County, Michigan being the westerly 20 feet of the easterly 24.5 feet of Lot 4 of Whitney's Subdivision of Lots 1, 2 and south part of Lots 3, 6 and 11, Quarter Section 54, and Lots 16, 18, 38 and 40 of T. S. Anderson's Subdivision of Lots 7 and 8 of Quarter Section 54, 10,000 Acre Tract, Detroit, Wayne County, Michigan as recorded in Liber 27, Page 78, Plats, Wayne County records,

Be and the same is hereby accepted, and the Law Department is hereby directed to record said deed in the office of the Register of Deeds for Wayne County's and be it further

RESOLVED, That if at any time in the future it becomes necessary to remove the paved alley return of the entrance to the vacated portion of alley, such removal, will be done under private contract with all costs borne by the petitioner.

Be it Further Resolved, That the paving of the new alley outlet be done by private contract under City of Detroit permit and inspection and according to Department of Public Works specification with all costs borne by the petitioner.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.
Nays — None.

Recreation Department

October 13, 1981

Honorable City Council:

Inspection reveals that there is lo-

cated on private property on Lot 28, Premier Subdivision a/k/a 19469 Danbury, a high hedge obstructing the view of the intersection in violation of Section 64-2 of the City Code.

Repeated attempts to obtain the cooperation of the owner to abate this violation have been unsuccessful.

Therefore, as provided in the Code, we request Council direction to prune this hedge to abate the violation, all cost to be reported to the City Assessor to be collected by Special Assessment.

To this end, we request adoption of the attached resolution.

Respectfully submitted,

DANIEL H. KRICHBAUM

Director

By Council Member Hood:

Resolved, that the Recreation Department be and is, hereby authorized and directed to prune the hedge located on private property known as 19469 Danbury, to abate an existing violation, the cost of same being reported to the Assessor to be collected by special assessment, in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.
Nays — None.

Recreation Department

September 29, 1981

Honorable City Council:

Re: Detroit Area Agency on Aging — Senior Centers Funding.

The Recreation Department has been awarded a grant by the Detroit Area Agency on Aging that will continue funding to provide a Program Planner/Developer to the administrative staff of the Specialized Services Unit.

The program concerns itself with the evaluation of quantity and quality of services provided to Senior Citizens through Senior Centers.

The City of Detroit will receive \$19,310 for the program period October 1, 1981 to September 30, 1982. A local in-kind match of \$2,146 will be provided by the Recreation Department in appropriation 0134 (Recreation).

We request authority to accept the grant award from D.A.A.A.

Respectfully submitted,

DANIEL H. KRICHBAUM,

Director

Approved:

CONLEY ABRAMS,

Deputy Budget Director

JOHN P. KANTER,

Deputy Finance Director