

ture, 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, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Department of Public Works

January 15, 1982

Honorable City Council:

Re: Petition No. 3767, Detroit Repertory Theatre. Conversion to Easement of a portion of the North-South Alley in the Block Bounded by Rosa Parks, Woodrow Wilson, Buena Vista and Tyler.

The above petition requests the conversion of the above described portion of alley, 18 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.

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:

Department of Public Works — Intersection Fund:

Receipt No. A18404 — \$276.00.

For the original cost of paving the north one-half of Buena Vista 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.

The adoption of the attached resolution is recommended.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

Approved:

JAMES W. WATTS

Director

By Council Member Eberhard:

Resolved, that all that part of the north-south public alley, 18 feet wide, in the block bounded by Rosa Parks, Woodrow Wilson, Buena Vista and Tyler Avenues, abutting the easterly line of Lot 102, and abutting the westerly line of Lots 104 to 108 and the southerly 12 feet of Lot 103, all inclusive of Robert Oakman's Glendale Avenue Subdivision, part of ¼ Section 15, 10,000 Acre Tract, T.1S., R.11E., Wayne County, Michigan, as recorded in Liber 29, Page 93, 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 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 fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval of 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 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, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Recreation Department

February 11, 1982

Honorable City Council:

Re: Naming of a park in honor of Bill Muncey.

The Recreation Department has reviewed your request dated October 22, 1981, to consider naming part of Memorial Park as Bill Muncey Park. Because the indicated property is so isolated from the flow of street traffic, a search was conducted to find a more suitable site near the Detroit River for

honoring Bill Muncey which would be more visible to the general public.

There is a 7.5-acre park site on the west side of Marquette Street which is recommended for the proposed naming. This property is near the racing pits used for the Unlimited Class Powerboats raced by Bill Muncey. The property is a portion of Water Works Park which was released for public park purposes under the terms and conditions approved by your Honorable Body on March 12, 1957 (J.C.C. Pages 415-416).

If your Honorable Body concurs with this recommended site for honoring Bill Muncey, please adopt the following resolution to designate it Bill Muncey Park.

Respectfully submitted,

DANIEL H. KRICHBAUM

Director

Recreation Department

CHARLES BECKHAM

Director

Water and Sewerage Department

By Council Member Eberhard:

Whereas, Bill Muncey was a champion hydroplane racer who brought racing excitement to Detroit, and

Whereas, The thousands of Detroiters who watched him race on the Detroit River for years have lost a good friend and fine sportsman, and

Whereas, It is only fitting that Detroit honor the memory of its own Bill Muncey who gave us an example of pride and courage until his recent death in a hydroplane race; Therefore Be It

Resolved, That the Public Park Site on the west side of Marquette in Water Works Park near the Detroit River is hereby designated as Bill Muncey Park.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Finance Department

February 15, 1982

Honorable City Council:

Re: Authorization to Public Notice of Sale, \$68,600,000 Project Notes, First Series 1982.

The attached resolution will authorize the publication of a Notice of Sale of Project Notes in the principal amount of \$68,600,000.

Proceeds from the sale of these notes will accomplish the following:

- a. Refund Project Notes currently outstanding.
- b. Provide additional funds to con-