

Your Honorable Body appropriate these additional grant funds.

Respectfully submitted,  
CORINNE L. GILB  
Director of Planning

Approved:

W. I. STECHER  
Budget Director  
JOHN P. KANTERS  
Deputy Finance Director

By Council Member Peoples:

Resolved, That the Planning Department is hereby authorized to increase Appropriation No. 5499, E.D.A. Grant by \$25,914 and be it further

Resolved, That the Finance Director is hereby authorized to establish the necessary appropriations and accounts and honor payrolls and vouchers when presented in accordance with the foregoing communication and the rules and regulations of the U.S. Economic Development Administration.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.  
Nays — None.

**Planning Department**

June 16, 1982

Honorable City Council:

Re: Community Development Block Grant — Transfer of Funds

It is respectfully requested that Your Honorable Body transfer \$200,000 from the Appropriation No. 46-6664 Contingency-Technology Center to Appropriation 46-6045 Planning Administration, leaving a balance of \$100,000 for the Technology Center.

This \$200,000 transfer coupled with a grant from the U.S. Economic Development Administration for \$25,914 and the deletion of two positions, will allow the Planning Department to retain six staff persons, scheduled for lay-off as of July 1, 1982, who provide assistance to neighborhood organizations as well as to City Departments.

Respectfully submitted,  
CORINNE L. GILB  
Director of Planning

Approved:

W. I. STECHER  
Budget Director  
JOHN P. KANTERS  
Deputy Finance Director

By Council Member Peoples:

Resolved, That the Finance Director be and is hereby authorized to transfer the sum of \$200,000 from Appropriation No. 46-6664 Contingency-Technology Center to Appropriation

No. 46-6045 Planning Administration; and

Be It Further Resolved, That the Finance Director be and is hereby authorized to honor vouchers and payrolls when presented in accordance with the foregoing communication and this resolution.

Adopted as follows:

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

Nays — None.

**Department of Public Works**

June 10, 1982

Honorable City Council:

Re: Petition No. 5475, Boomer Land Company, Conversion to Easement of a portion of the east-west alley in the block bounded by the Grand Trunk Railroad, St. Aubin, Warsaw and Hancock.

The above petition requests the conversion of the above described portion of public alley, 17.95 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:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation 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, 17.95 feet wide, in the block bounded by the Grand Trunk Railroad, St. Aubin, Warsaw Place and Hancock abutting the rear line of Lots 38 to 40 inclusive of Harrah and Brandenburg's St. Aubin Avenue Subdivision of part of Outlots 46 and 47, St. Aubin Farm, and Outlot 25 of the Witherell Farm as recorded in Liber 18, Page 9, Plats, Wayne County records; also abutting the rear line of Lots 70 to 72 of the Subdivision of Lots 12 and 13 and Lot "A" of Harrah and Brandenburg's St. Aubin Avenue Subdivision of part of Outlots 46

and 47, St. Aubin Farm and Outlot 25 of the Witherell Farm as recorded in Liber 21, Page 98, 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 driveays, 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.

#### Department of Transportation

May 20, 1982

Honorable City Council:

Re: Federal-Aid Highway Program,  
Tireman — C&O Railroad Crossing  
Urban Project M-2000 (046)  
Agreement No. NH 77-0948.

The City of Detroit and the Chesapeake and Ohio Railway Company signed the above agreement (City Contract No. 54522) on February 21, 1979. The agreement provided for reimbursement to the railroad for the cost constructing the grade crossing of Chesapeake and Ohio Railway Company at Tireman Avenue west of Greenfield. Your Honorable Body approved this agreement on March 7, 1979 (J.C.C. p. 726).

The total cost of construction of this grade crossing was estimated in 1979 to be \$208,500.00 to be paid 70% by Federal-Aid and 30% from the Street Fund. Since the subject crossing has already been constructed, the final project cost has been estimated to be about \$217,000.00. The major reason for the overrun is the somewhat long time period between the preparation of the estimate and the completion of the construction and the consequent inflation of costs. The Federal-Aid reimbursement will now be 75% and the City share 25%.

The comparison between the original and present estimate of this work and the participation therein is as follows:

Item: Original Estimate; Revised Estimate; Increase/(Decrease)