

scribed 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 easements for the purpose above set forth.

Second, said utility easement or right-of-way in and over said vacated alleys 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 easements, 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 alleys shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property that 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; and be it further

Resolved, That at any time in the future it becomes necessary to remove the paved alley return such removal and construction of new curb and sidewalk shall be done under City permit and inspection with all costs borne by the petitioner.

Adopted as follows:

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

Nays — None.

Department of Public Works

December 3, 1982

Honorable City Council:

Re: Petition No. 786. Mr. Terrence K. Kinchsolar, et al. Conversion to Easement of Curtis Avenue, between Salem and Winston.

The above petition requests the conversion of the described street, 60 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 street 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, Department
of Public Works

By Council Member Ravitz:

Resolved, That all that part of Curtis Avenue, 60 feet wide, between Salem and Winston lying northerly of and abutting the northerly line of Lots 93 and 186 inclusive of Mortenson's Grand River Subdivision of part of the south half of Section 8, T.1S., R.10E., Redford Township, Wayne County, Michigan, as recorded in Liber 39, Page 1, Plats, Wayne County records; also lying southerly of and abutting the southerly line of Lot 427 and the westerly 167 feet of Lot 426 all inclusive of B. E. Taylor's Kenmoor Subdivision of part of the N.E. ¼ of Sec-

tion 8 and part of the S.W. ¼ of the N.W. ¼ of Section 9, T.1S., R.10E., lying south of Grand River Avenue, Redford Township, Wayne County, Michigan, as recorded in Liber 37, Page 39, Plats, Wayne County records,

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, 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 street 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 street 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 street 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 of the Department of Public Works,

Third, That if at any time in the future, the owners of any lot abutting on said vacated street 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

November 10, 1982

Honorable City Council:

Re: Federal-Aid Urban Highway Program, MacArthur Bridge Renovation, Urban Project M-2000 (007), Preliminary Engineering.

The City of Detroit is presumably in line to receive Federal funding under the Discretionary Critical Bridge Program for the renovation of the MacArthur Bridge to Belle Isle. We are now at a point where the plans are ready to be completed and further funds will be necessary beyond that already appropriated to cover various additional design work in connection with qualifying this project for Federal participation and investigating alternate designs to effect substantial estimated construction savings as well as compensate the consultant for increased labor costs because of the additional time required to fulfill Federal regulations.

It is therefore necessary to request an increase in Appropriation 4442 to \$700,000 to allow plans to be completed in a timely fashion. The necessary additional funds are available in Appropriation 4189, Major Street Fund, and we recommend adoption of the attached resolution which authorizes the Finance Director to transfer the necessary amount.

Respectfully submitted,

JOHN F. POTTS

Director

Approved:

W. I. STECHER

Budget Director

JOHN P. KANTERS

Deputy Finance Director

Approved:

JAMES W. WATTS

Street Administrator

By Council Member Eberhard:

Resolved, That, in accordance with the above communication, the Finance Director is hereby authorized to transfer the sum of \$64,744.66 from Appropriation 4189, Major Street Fund, Roads and Bridges-City Parks, to Appropriation 4442, MacArthur Bridge Renovation for a new total of \$700,000.

Adopted as follows:

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

Nays — None.