

15% of construction cost and was not revised. To eliminate the deficits in these appropriations, we recommend consideration of the attached resolution to transfer a total of \$4,908,00 of the Major Street Fund.

Respectfully submitted,
JAMES W. WATTS
Street Administrator

Approved:

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

By Council Member Collins:

Resolved, That in accordance with the above communication, the Finance Director is hereby authorized to transfer funds as follows:

From Appropriation No. 4189, Unallocated Urban Systems Street Fund-Major, \$4,908;

To Appropriation No. 4401, Beau-bien-E. Jefferson-Congress Urban Project M2000 (010), \$1,528;

To Appropriation No. 4750, Liver-nois-Burlingame-Lyndon Signals Urban Project M2000 (003), \$10;

To Appropriation No. 4966, Resur-facing sections of ten Streets Urban Project M2000 (060), \$3,370;
and be it further

Resolved, That the Finance Director is hereby authorized to honor vouchers and payrolls when presented in accord-ance with this resolution.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaf-fey, Peoples, Ravitz and President Hen-derson — 9.

Nays — None.

Department of Public Works

May 3, 1983

Honorable City Council:

Re: Petition No. 821, National Repro-duction's Corp. Conversion to Ease-ment of the East Half of the Public Alley South of West Eight Mile Road, between Biltmore and Fergu-son.

The above petition requests the con- version of the above described public alley, 20 feet wide, into an easement for public utilities. The requested con- version into easement for public utili- ties was approved by the Community and Economic Development Depart- ment. The petition was then referred to us for investiagtion and report. Our report, accompanied by the original petition is as follows:

The petitioner has made the follow- ing deposit with the City Treasurer, which has been credited to the depart- ment and account named, for the purpose indicated:

City Engineer Department — Inter- section Fund, Receipt No. A24249 - \$300.00, for the original cost of paving the west one-half of Ferguson Avenue at the intersection with 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 let- ter 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 public right-of- way into easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolu- tion is recommended.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

By Council Member Hood:

Resolved, That all that part of the east one-half of the east-west public alley, 20 feet wide, in the block bounded by Biltmore, Ferguson, Hessel and West Eight Mile Road lying southerly of and abutting the southerly line of Lots 1160 to 1166 inclusive of the Madison Park No. 1 Subdivision as recorded in Liber 64, Page 84, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby con- verted into a public easement of the full width of the alley, which easement shall be subject to the following cov- enants and agreements, uses, reserva- tions 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 ease- ment or right-of-way over said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing pub- lic utilities such as water mains, sew- ers, gas lines or mains, telephone, elec- tric 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

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installations located therein.
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s recommended.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

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one-half of the east-west public
20 feet wide, in the block bounded
more, Ferguson, Hessel and West
Mile Road lying southerly of and
ng the southerly line of Lots 1160
6 inclusive of the Madison Park
Subdivision as recorded in Liber
age 84, Plats, Wayne County
ds;

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public alley and is hereby con-
into a public easement of the
dth of the alley, which easement
be subject to the following cov-
s and agreements, uses, reserva-
and regulations, which shall be
ed by the owners of the lots
ng on said alley and by their
executors, administrators and
s, forever to wit:

s, said owners hereby grant to
e the use of the public an ease-
or right-of-way over said vacated
alley hereinabove described for
poses of maintaining, installing,
ng, removing, or replacing pub-
ities such as water mains, sew-
s lines or mains, telephone, elect-
ht conduits or poles or things
y placed or installed in a public
n the City of Detroit, with the
o ingress and egress at any time
l over said easement for the
ie above set forth,

nd, said utility easement or right-
in and over said vacated alley
above described shall be forever
ible to the maintenance and

inspection forces of the utility com-
panies, or those specifically authorized
by them, for the purpose of inspecting,
intalling, maintaining, repairing, re-
moving, or replacing any sewer con-
duit, water main, gas line or main, telephone
or light pole or any utility facility
placed or installed in the utility ease-
ment or right-of-way. The utility com-
panies 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-men-
tioned tasks, with the understanding
that the utility companies shall use
due care in such crossing or use, and
that any property damaged by the uti-
lity companies other than that speci-
fically prohibited by this resolution, shall
be restored to a satisfactory condi-
tion,

Third, said owners for their heirs
and assigns further agree that no build-
ings or structures of any nature what-
soever 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 sur-
face grade made, without prior ap-
proval of the City Engineering Department,

Fourth, that if 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 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 mate-
rials 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 above described
alley hereby reverts to the ownership
of the owners of Lots 1160 to 1166 of
the above described subdivision.

Adopted as follows:

Yeas — Council Members Cleveland,
Collins, Eberhard, Hood, Kelley, Mahaf-
fey, Peoples, Ravitz and President Hen-
derson — 9.

Nays — None.

Recreation Department

April 5, 1983

Honorable City Council:

Re: Shiffman Foundation Grant for
Chene Park Programming.

The Shiffman Foundation has offered
the Recreation Department a \$20,000
grant for staff and program costs re-
lated to arts programming for Chene
Park, the first of the three Linked Riv-
erfront Parks to be constructed. This grant
will enable the Recreation Department
to organize a Summer Festival for the
Arts at Chene Park in 1984. The festi-
val, featuring outdoor concerts from a
number of performing arts disciplines,
is to be funded from private sources.

It is respectfully requested that your
Honorable Body authorize acceptance
of this grant.

Respectfully submitted,
DANIEL H. KRICHBAUM
Director

Approved:

W.I. STECHER

Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Collins:

Resolved, That the Recreation Depart-
ment be and is hereby authorized to
accept a grant of \$20,000 from the
Shiffman Foundation for Chene Park
Programming; and be it further

Resolved, That the Finance Director
be and is hereby authorized to estab-
lish accounts, transfer funds and honor
vouchers in accordance with this reso-
lution and the foregoing communication.

Adopted as follows:

Yeas — Council Members Cleveland,
Collins, Eberhard, Hood, Kelley, Mahaf-
fey, Peoples, Ravitz and President Hen-
derson — 9.

Nays — None.

Finance Department Purchasing Division

May 13, 1983

Honorable City Council:

The Purchasing Division of the Finance
Department recommends contracts with
the following firms or persons:

60140 — To provide legal assistance
in the matter of City Council's subpo-
nae to the Executive Office of the
City to produce records related to the
contract of the City of Detroit and
Magnum Oil beginning March 9, 1983
at an hourly rate of \$150.00. Cockrel
and King P.C. of 409 Griswold, Detroit,
Mich. Estimated at \$4,000.00. Law.

The approval of your Honorable Body
and Waiver of Reconsideration is re-
quested on the above files.

Respectfully submitted,
FAYE B. PAIGE,
Director