

February 8

request that the Resolution of January 25, 1984, approving our request for \$90,000.00 be rescinded. Waiver of reconsideration is requested in order to assure completion of this matter before annuity rates are again increased.

Respectfully submitted,

WILLIAM B. DANIEL

Supv. Asst. Corp. Counsel

Approved:

MARK R. ULICNY

Deputy Corporation Counsel  
By Council Member Collins:

Resolved, that the resolution adopted in this matter on January 25, 1984, be hereby rescinded; and be it further

Resolved, that the Finance Director be, and she is, hereby authorized and directed to draw her warrant upon the proper fund in the amount of \$30,000.00 payable to Judith A. Presley and Clyde Pritchard, her attorney and \$61,499.00 payable to Structured Benefit Consultants, Inc. for a sum of Ninety-One Thousand Four Hundred Ninety-nine (\$91,499.00) Dollars in full payment of any and all claims which she may have against the City of Detroit by reason of the fatal injuries sustained by decedent, Ronald Presley, as a result of being shot by defendant police officers and that said amount be paid upon presentation of Consent Judgment of Lawsuit No. 80 017 869 CZ approved by the Law Department

Approved:

MARK R. ULICNY

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, and President Henderson — 6.

Nays — None.

\*RECONSIDERATION (No. 3), per Motions before Adjournment.

#### Office of the City Clerk

February 6, 1984

Re: Petition of Los Legumbres, Inc. (2577) for a resolution of recognition as a non-profit organization.

Honorable City Council:

The Office of the City Clerk recommends the adoption of the attached resolution so that the petitioner may obtain a license from the State of Michigan to conduct raffles.

Respectfully submitted,

JEFFREY D. BLAINE

Deputy City Clerk

By Council Member Eberhard:

Resolved, That Los Legumbres, Inc. is a recognized non-profit organization in the City of Detroit

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, and President Henderson — 6.

Nays — None.

\*RECONSIDERATION (No. 4), per Motions before Adjournment.

#### City Engineering Department

February 3, 1984

Honorable City Council:

Re: Petition No. 2254, Community and Economic Development Department and the Livernois-Seven Mile Cooperative Center, Inc.

Vacation and Conversion to Easement of Certain Alleys and Portion of Stoepel in the area bounded by: Santa Rosa, Livernois, Seven Mile Road and Cambridge.

The above petition requests the vacation and conversion to easement of certain portions of street and alleys in the above-described blocks.

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 vacation and conversion to an easement of said street and alleys, or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Eberhard:

Resolved, That all that part of the easterly 20 feet of Stoepel Avenue, 90 feet wide, north of West Seven Mile Road, abutting the westerly line of Lot 99 of the Ridgefield Subdivision of part of the Southeast Quarter of Section 4, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 48, Page 2 of Plats, Wayne County Records; also

All that part of the westerly three (3) feet of the public utility easement, 18 feet wide, (vacated public alley, Petition Number 1402, J.C.C. Pages 1468 to 1475) in the block bounded by Santa Rosa, vacated Stoepel, West Seven Mile Road and Cambridge abutting the rear line of Lots 36 to 46 and Outlet D, all inclusive of the above-mentioned subdivision; also

All that part of the east-west public alley, 18 feet wide, in the block bounded by Santa Rosa, Stoepel, West Seven Mile Road and Cambridge abutting the rear line of Lots 47 to 50, all inclusive of the above-mentioned subdivision.

Be and the same are hereby vacated as public street and alley and easement, to become a part and parcel of the abutting property; and be it further

Resolved, That all that part of the westerly 20 feet of Stoepel Avenue, 90

feet wide, north of West Seven Mile Road, abutting the easterly line of Lot 50, and the 18 feet wide alley northerly of and abutting the northerly line of said Lot 50, all inclusive of the Ridgefield Subdivision, as recorded in Liber 48, Page 2 of Plats, Wayne County Records.

Be and the same are hereby vacated as public streets and are hereby converted into public easements of the full width of the streets, which easements 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 streets and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to, and for the use of, the public easements or right-of-way over said vacated public streets 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 easements 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 easements, nor any change or surface grade made, without prior approval by the City Engineering Department.

THIRD, that if at any time in the future the owners of any lot abutting on said vacated streets shall request the removal and or relocation of any existing poles or other utilities in said easements, such owners, upon whose property the poles or other utilities are located, shall 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 the Finance Department is hereby authorized and directed to issue deeds to the above-described property, and the Law Department is hereby directed to prepare said deed.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, and President Henderson — 6.

Nays — None.

\*RECONSIDERATION (No. 5), per Motions before Adjournment.

### Neighborhood Services Department

January 13, 1984

Honorable City Council:

Re: Authorization to Increase Appropriation No. 6833 for the Home Weatherization Program by \$5,575,673 from \$2,444,389 to \$8,020,062.

The Neighborhood Services Department (NSD) has received written notification that the Michigan Department of Labor (MDOL) has increased NSD's grant award from \$2,444,389 to \$8,020,062 for the Home Weatherization Program.

These funds will be used to provide much needed winterization insulation and minor household repairs to low income residents of the City of Detroit. No local match is required for this grant.

Therefore, we respectfully request that Appropriation No. 6833 be increased by \$5,575,673 from \$2,444,389 to \$8,020,062 for the Home Weatherization Program with a waiver of reconsideration.

Respectfully submitted,

WILLIE J. FOWLER

Deputy Director

Approved:

W. I. STECHER

Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Eberhard:

Resolved, That the Neighborhood Services Department be and is hereby authorized to increase Appropriation No. 6833 for the Home Weatherization Program by \$5,575,673 from \$2,444,389 to \$8,020,062 and be it further:

Resolved, That the Finance Director be and is hereby authorized to establish the necessary accounts and honor vouchers in accordance with the foregoing communications and the regulations of the Michigan Department of Labor, Bureau of Community Services.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, and President Henderson — 6.

Nays — None.

\*RECONSIDERATION (No. 6), per Motions before Adjournment.