

be unable to meet their obligation to supply mandated services to the people of the City of Detroit.

Therefore, during the recess, I request that your Honorable Body approve our purchase of goods and services requiring your approval under Ordinance No. 570-H under provisions as follows:

1. Weekly lists of awards, which are distributed by the Office of the City Clerk to members of the City Council each Friday, will be held until Thursday of the following week. In the event any Council Member objects to the contract or purchase, the contract or purchase will be held either until formal action by the City Council or withdrawal of the objection by the objecting Council Member.

2. No contracts or purchase orders will be issued if, in my judgment, any Council Member would want the contract or order held for formal action by the City Council.

Your Honorable Body approved the same procedure as outlined above for the City Council recess from August 8, 1985 through September 10, 1985 per your resolution of July 17, 1985.

Respectfully submitted,
O'REESE COLLINS, JR.,
Director

By Council Member Hood:

Resolved, That the Director of the Purchasing Division of the Finance Department is hereby authorized to purchase goods and services requiring City Council approval under Ordinance No. 570-H during the period of the City Council recess of July 31, 1986 through September 5, 1986 in accordance with the foregoing communication dated July 11, 1986 based upon the weekly distribution of lists of awards by the Office of the City Clerk on Fridays with award items held until Thursdays.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

Law Department

June 20, 1986

Honorable City Council:

Re: Gerald Plesz v. City of Detroit.

The Law Department has reviewed the above entitled workers' compensation matter, the facts and particulars of which are contained in the memorandum.

From that review, it is our opinion that a settlement in the amount of

\$20,000.00 is in the best interest of the City of Detroit.

Respectfully submitted,
THOMAS L. WALTERS
Supervising Assistant
Corporation Counsel

Approved:

DONALD PAILEN
Corporation Counsel

By: ABIGAIL ELIAS
Deputy Corporation Counsel

By Council Member Cleveland:

Resolved, That the Finance Director be and she is hereby authorized to draw her warrants upon the proper fund in favor of Gerald Plesz, and his attorney, Woll, Crowley, Berman & Olsman, P.C., in the total sum of \$20,000.00 in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of Gerald Plesz's past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers' Compensation Department of the State of Michigan.

Approved:

DONALD PAILEN
Corporation Counsel

By: ABIGAIL ELIAS
Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

Law Department

July 2, 1986

Honorable City Council:

Re: Amended Resolution Alley Conversion. Petition No. 4090.

On November 27, 1985, action was taken by your Honorable Body to close the East/West alley in the block bounded by Sanilac, Ford Freeway, Moross and McCormick Avenues but leaving open Lots 67 to 81, inclusive, on the South of said alley and Lots 191 to 197, inclusive, on the North of said alley. Since that time a communication has been received from Mrs. Roy, owner of Lot 191, indicating her willingness to close the alley behind her property. The following amended resolution reflects that closing.

Respectfully submitted,
HILDA H. HIRATA
Supervising Assistant
Corporation Counsel

Approved:

DONALD PAILEN
Corporation Counsel

By: ABIGAIL ELIAS
Deputy Corporation Counsel

By Council Member Cleveland:

Resolved, That all that part of alley lying behind Lots 76 to 81, inclusive, on the South of said alley and Lots 191, 192 and 193, on the North of said alley be closed, in the block bounded by Sanilac, Ford Freeway, Moross and McCormick Avenues, in the East Park Manor Subdivision, of part of Private Claim's 123 and 617, City of Detroit and Township of Gratiot, Wayne County, Michigan, as recorded in Liber 54, Page 45 of 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 easement of right-of-way over said vacated public alley hereinabove described for the purpose 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 fences) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by 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 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 3, 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 City Clerk shall, within 30 days, record a certified copy of this resolution with the Wayne County Register of Deeds, and shall send a certified copy to the State Treasurer; and shall further transmit a copy of this resolution to the City Engineer, to the Law Department and to the Department of Public Works; and be it further

Resolved, that upon the receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting on such alley or portions thereof, and other necessary parties, that the alley or portions thereof have been vacated and converted into easement for utilities; and be it further

Resolved, that upon the receipt of a copy of the resolution, the City Engineer shall correct the official city maps and records; and be it further

Resolved, that upon the receipt of a copy of resolution, the Department of Public Works shall adjust its garbage and refuse collection service accordingly.

Approved:

DONALD E. PAILEN

Corporation Counsel

By: ABIGAIL ELIAS

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.