

The approval of your Honorable Body and Waiver of Reconsideration is requested on the above files.

Respectfully submitted,
OREESE COLLINS, JR.
 Director

By Council Member Mahaffey:

Resolved, That Contract No. 64361, referred to in the foregoing communication, dated June 12, 1987, be and hereby is approved.

Adopted as follows:

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

Nays — None.

Finance Department

July 14, 1987

Honorable City Council:

Re: Acceptance of Gift to be Conveyed to the Museum of African American History.

We are happy to report to you that as a part of its initial fundraising efforts, the Museum of African American History has received a \$300,000 gift from the Skillman Foundation. This gift will be used to pay costs of the initial exhibit, which, I am sure, all of you have had an opportunity to view.

Under its conditions for gifts of this nature, the Skillman Foundation may only give this gift to the municipality, with the condition that the municipality will convey the total amount of the gift to the Museum. The Board of Directors of the Museum, therefore, requests that your Honorable Body accept this gift of \$300,000, to be used towards costs of the exhibit, with the condition that it be conveyed immediately to the Museum.

As a final note, we wish to formally thank the Skillman Foundation and other contributors to the Museum of African American History, the finest Museum of its type in the United States.

It is respectfully requested, therefore, that your Honorable Body approve the acceptance of this gift and authorize its contribution to the Museum of African American History.

Respectfully submitted,
BELLA I. MARSHALL
 Finance Director

Approved:
W. I. STECHER
 Budget Director

By Council Member Mahaffey:

Resolved, that the City of Detroit be and is hereby authorized to accept a gift of \$300,000 from the Skillman Foundation, and be it further

Resolved, that the City of Detroit be and is hereby authorized to donate the aforementioned \$300,000 to the Museum of African American History to pay costs for its exhibit; and be it further

Resolved, that the Finance Director is hereby authorized to transfer funds and honor vouchers, when presented, in accordance with the foregoing communication, this Resolution and standard City procedures; and be it further

Resolved, that the City of Detroit and the Museum of African American History hereby expresses their appreciation to the Skillman Foundation for their generous gift for use on the exhibit at the Museum of African American History.

Adopted as follows:

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

Nays — None.

Law Department

June 30, 1987

Honorable City Council:

Re: Amended Resolution — Alley Conversion — Petitions No. 184, 455 and 3900.

At the January 1987 public hearing Petition No. 184 did not have sufficient signatures to recommend the alley closure. Since that hearing the Community and Economic Development Department has received additional signatures to recommend approval of the closure at this time.

On February 10, 1987 at a public hearing for Petition No. 455, one owner protested the closing because of an Edison transformer behind her property and the servicing of it. Her concern was unfounded and the alley can be closed as intended.

On November 27, 1985 (J.C.C. Pages 2603-2607) your Honorable Body closed a portion of the alley under Petition No. 3900. Since that time additional signatures have been received requesting the closing of the remainder of the alley.

The following resolution is submitted to your Honorable Body for approval to reflect the closing of the three alley petitions.

Respectfully submitted,
HILDA H. HIRATA
 Supv. Asst. Corp. Counsel

By Council Member Eberhard:
 Whereas, the following petitions have been filed with the City Council, signed by not less than two-thirds of the owners of properties respectfully abutting the alleys as herein described, pursuant to the ordinance for the purpose of determining the advisability of these alley vacations.

Now Therefore Be It Resolved, That
PETITION NO. 184
CONVERSION TO EASEMENT OF
THE EAST/WEST AND NORTH/SOUTH
ALLEYS IN THE BLOCK BOUNDED BY
THE LODGE FREEWAY, FOURTH, ALEX-
ANDRINE AND WILLIS AVENUES;

That all that part of an eight (8) foot wide public alley running in a North/South direction and a twenty (20) foot wide section of public alley running in an East/West direction, in the block bounded by THE LODGE FREEWAY, FOURTH, ALEXANDRINE, AND WILLIS AVENUES, abutting Lots 1 to 7, both inclusive on the East of the North/South alley in the Bamlet's Subdivision of Out-Lot 10, Crane Farm, Private Claim 247, Detroit, as recorded in Liber 11, Page 53 of Plats, Wayne County Records. Also, abutting Lots 34 and 35 on the West of the North/South alley in the J. Connor's Subdivision of part of Out Lot 7, Forsyth Farm, as recorded in Liber 3, Page 26 of Plats Wayne County Records.

Also, abutting on the twenty (20) foot alley are Lots 22, 23 and 24 on the South of said alley and Lots 25, 26 and 27 on the North of said alley in the Forsyth Farm Subdivision, of Out Lots No. 6 and 7, North of Grand River Road, as recorded in Liber 1, Page 269 of Plats, Wayne County Records. Also, abutting Lots 33 and 34 on the North of said alley and Lots 35 and 36 on the South of said alley in the J. Connor's Subdivision of part of Out Lot 7, Forsyth Farm, as recorded in Liber 3, Page 26 of Plats, Wayne County Records;

PETITION NO. 455

CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED BY REDMOND, BOULDER, LIBERAL AND MANNING AVENUES;

That all that part of an eighteen (18) foot wide public alley running in an East/West direction, in the Block bounded REDMOND, BOULDER, LIBERAL AND MANNING AVENUES, abutting Lots 406 to 422, both inclusive, on the North of said alley and Lots 423 to 437, both inclusive on the South of said alley, in the Avalon Heights Subdivision, of part of Fractional Section 6, Town 1 South, Range 13 East, Gratiot Township, Wayne County, Michigan, as recorded in Liber 49, Page 100 of Plats, Wayne County Records;

PETITION NO. 3900

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY RUTHERFORD, FORRER, PAUL AND RADCLIFFE AVENUES;

That all that part of an eighteen (18) foot wide public alley running in a North/South direction, in the Block bounded by RUTHERFORD, FORRER, PAUL AND RADCLIFFE AVENUES, abutting Lots 11 to 17, both inclusive, on the West of said alley and Lots 54 to 60, both inclusive, on the East of said alley in the Laurel Park Subdivision, of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Town 2 South, Range 10 East, Dear-

born Township, Wayne County, Michigan, as recorded in Liber 46, Page 99 of Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, 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 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 easements or right-of-ways over said vacated public alleys 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 insalled 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 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 lo-

cated 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 or 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 in 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 the resolution, the Department of Public Works shall adjust its garbage and refuse collection services accordingly.

Approved:

DONALD PAILEN

Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

June 4, 1987

Honorable City Council:

Re: Margie Jester vs. City of Detroit, Detroit Police Department, a Municipal Corporation, P.O. Kathy Warren, SGT. James Elliot, P.O. Kenneth Surman, P.O. Alphonso Mitchell and P.O. Alonzo Pugh. Case No. 84-435-146-NO. File No. 83-8253 (TWD).

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in the memorandum. From this review, it is our considered opinion that a judgment in the amount of Two Thousand Five Hundred (\$2,500) Dollars

plus interest is in the best interest of the City of Detroit.

We, therefore, request your Honorable Body to direct the Finance Director to issue her draft in the amount of \$2,500 plus interest in the amount of three hundred (\$300.00) Dollars for a total amount of \$2,800 through June 10, 1987, with interest thereafter accruing at one dollar each day until date of payment. The draft should be payable to Margie Jester and her attorney, Frank Becker upon receipt of properly executed Satisfaction of Judgment for Lawsuit No. 84-435-146-NO.

Respectfully submitted,
BRENDA E. BRACEFUL
Supv. Asst. Corp. Counsel

Approved:

DONALD E. PAILEN

Corporation Counsel

By: ABIGAIL ELIAS

Deputy Corporation Counsel

By Council Member Eberhard:

Resolved, that the Finance Director be and she is hereby authorized and directed to draw her warrant upon the proper fund in favor of Margie Jester and her attorney, Frank Becker, in the sum of Two Thousand, Five Hundred (\$2,500.00) Dollars, plus interest in the amount of Three Hundred (\$300.00) Dollars for a total of Two Thousand, Eight Hundred (\$2,800.00) Dollars through June 10, 1987 with interest thereafter accruing at one dollar each day until date of payment, in full payment of any and all claims which they may have against the City of Detroit by reason of alleged injuries sustained as a result of illegal entry and search and that said amount be paid upon presentation of properly executed Satisfaction of Judgment for Lawsuit No. 84 435 146 NO approved by the Law Department.

Approved:

DONALD E. PAILEN

Corporation Counsel

By: ABIGAIL ELIAS

Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

June 24, 1987

Honorable City Council:

Re: Aminika Abdoul Jaleel, Personal Representative of the Estate of Sean Steele, Deceased vs. The City of Detroit, The City of Detroit Department of Parks and Recreation, Sterling Harper and John McIntosh. Case No. 85 531 519 NO. File No. 85-9384 (DB).

Representation by the Law Department of the City employees listed below