

February 14, 1989. Mt. Nebo Community Resource Center, 18403 Ryan Road, Detroit, MI. Not to exceed \$50,000.00 with an advance payment of \$7,500.00. CEDD.

65286—(100% Federal Funding) — 87-88 Neighborhood Opportunity Fund — Provide low income Detroit residents with free income tax preparation, information and assistance from January 4, 1988 thru December 31, 1988. Accounting Aid Society, One Kennedy Square, #1919, Detroit, MI. Not to exceed \$32,000.00 with an advance payment of \$2,500.00. CEDD.

65288—Provide renovation to Warehouse No. 1 at Historic Fort Wayne upon Notice to Proceed. John Hilberry & Associates, 1452 Randolph, Detroit, MI. Not to exceed \$155,155.00. Historical.

65290—Provide Legal Services in the matter of Terry Novak, et al. v City of Detroit, et al., Wayne County Circuit Court No. 86-634-342-NZ from January 25, 1988 until conclusion of litigation. Patrick, Reid & Lewis, 2100 Cadillac Tower, Detroit, MI. Not to exceed \$18,500.00. (Outside legal services processed as of April 6, 1988 — \$1,740,738.00). Law.

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

Respectfully submitted,
OREESE COLLINS, JR.
Director

By Council Member Hood:

Resolved, That the Purchasing Division of the Finance Department be and it is hereby authorized and directed to enter into contract with the persons or firms recommended for furnishing the departments mentioned with the material, equipment, supplies or services, in amounts, kinds and at prices as listed in accordance with the foregoing communication, designated as Contract or File Nos 6924, 7003, 7039, 7043, 7045, 7064, 7094, 7099, 7107, 7175, 7196, 7197, 7204, 7214, 7252, 7281, 7302, 65256, 65285, 65286, 65288 and 65290, and further

Resolved, That renewals, extensions of, additions to, and changes in commodities and/or prices on contracts as recommended in the foregoing communication, designated as Contract or File Nos. 1142, 1765 (PO C01531), 2277 (PO C04597), 4346, 5367, 6945, and 63994 (Change Order No. 1) be and the same are hereby approved.

Adopted as follows:

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

Nays — None.

Law Department

March 28, 1988

Honorable City Council:
Re: Petition to convert alley to easement.

For your consideration, submitted herewith are twelve (12) petitions requesting the conversion of alleys into easements in the City of Detroit.

The requested conversions into easements for public utilities were recommended by the Community and Economic Development Department upon prior investigation and report. For filing in the office of the City Clerk, please find reports, petitions to vacate the public alleys, sketches of the alleys and Notice of the City Council hearing.

All other involved City Departments and privately owned utility companies have no objections to the conversion of the public right-of-ways into easements provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
NORRIS GOUDY
Acting Supervising Assistant
Corporation Counsel

Approved:
DONALD PAILEN
Corporation Counsel
By: ABIGAIL ELIAS
Deputy Corporation Counsel

By Council Member Collins:

WHEREAS, The following petitions have been filed with the City Council, signed by not less than two-third of the owners of properties respectively 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
PETITION NO. 1110

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY MACKENZIE, BELTON, LAUDER AND MARLOWE AVENUES;

That all that part of an eighteen (18) foot wide section of public alley running in a North/South direction, in the block bounded by MacKenzie, Belton, Lauder and Marlowe Avenues, abutting Lot 33 on the East of said alley and Lot 54 on the West of said alley in the Theisen's Subdivision, of part of the Southeast ¼ of the Northwest ¼ of Section 6, Town 2 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 47, Page 51 of Plats, Wayne County Records; Also, abutting Lots 85 to 98, both inclusive, on the East of said alley and Lots

71 to 84, both inclusive, on the West of said alley, in the Chase Highlands Subdivision, of the Southerly 15 acres of the Northerly 50 acres of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 6, Town 2 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 50, Page 79 of Plats, Wayne County Records; Also, abutting Lots 213 to 219, both inclusive, on the East of said alley and Lots 158 to 164, both inclusive, on the West of said alley in the Obenauer, Barber and Laing Orchard Blvd. Subdivision, of part of the east half of the Northwest $\frac{1}{4}$ of Section 6, Greenfield Township, Town 2 South, Range 11 East, Wayne County, Michigan as recorded in Liber 46, Page 90 of Plats, Wayne County Records;

PETITION NO. 1130

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY ACACIA, KENDALL, PATTON AND FIELDING AVENUES;

That all that part of a sixteen (16) foot wide section of public alley running in a North/South direction, in the block bounded by Acacia, Kendall, Patton and Fielding Avenues, abutting Lots 252 to 275, both inclusive, on the East of said alley and Lots 316 to 339, both inclusive, on the West of said alley, in the B.E. Taylor's Brightmoor Park Subdivision, lying South of Grand River Avenue, being a part of the Southeast $\frac{1}{4}$ of Section 22, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan as recorded in Liber 47, Page 5 of Plats, Wayne County Records;

PETITION NO. 1203

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY FULLERTON, BUENA VISTA, BIRWOOD AND MENDOTA AVENUES;

That all that part of a sixteen (16) foot wide section of public alley running in a North/South direction, in the block bounded by Fullerton, Buena Vista, Birwood and Mendota Avenues, abutting Lots 492 to 513, both inclusive, on the East of said alley in the Glendale Courts Subdivision of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 29, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 35, Page 24 of Plats, Wayne County Records; Also, abutting Lots 1 to 22, both inclusive, on the West of said alley in the Glendale Gardens Subdivision, of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 29, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 33, Page 24 of Plats, Wayne County Records;

PETITION NO. 1208

CONVERSION TO EASEMENT OF THE

NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY FENKELL, KEELER, MARK TWAIN and FREELAND AVENUES;

That all that part of a sixteen (16) foot wide section of public alley running in a North/South direction, in the block bounded by FENKELL, KEELER, MARK TWAIN and FREELAND AVENUES, abutting Lots 124 to 136, both inclusive, on the East of said alley and Lots 148 to 160, both inclusive, on the West of said alley, in the UNIVERSITY PARK SUBDIVISION, of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 18, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 37, Page 60 of Plats, Wayne County Records;

PETITION NO. 1309

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY EMERY, HEALY, HASSE and LANTZ AVENUES;

That all that part of a sixteen (16) foot wide section of public alley running in a North/South direction, in the block bounded by EMERY, HEALY, HASSE and LANTZ AVENUES, abutting Lots 59 to 78, both inclusive, on the East of said alley and Lots 133 to 152, both inclusive, on the West of said alley, in the SEVEN OAKS SUBDIVISION, of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 5, Town 1 South, Range 12 East, Hamtramck Township, Wayne County, Michigan as recorded in Liber 36, Page 9 of Plats, Wayne County Records. Also, the 100 feet square turn around in the EMERY PLAYGROUND abutting Lots 58 and 153.

PETITION NO. 1332

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY TIREMAN, DIVERSEY, FORRER and MONTROSE AVENUES;

That all that part of a eighteen (18) foot wide section of public alley running in a North/South direction, in the block bounded by TIREMAN, DIVERSEY, FORRER and MONTROSE AVENUES, abutting Lots 308 to 311, both inclusive, on the East of said alley and Lots 354 to 357, both inclusive, on the West of said alley, in the GAYNOR PARK SUBDIVISION #1, of Lots 8, 9, 10 and 11 of Demick's Subdivision of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan as recorded in Liber 46, Page 64 of Plats, Wayne County Records;

PETITION NO. 1348

CONVERSION TO EASEMENTS OF THE EAST/WEST ALLEY AND THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY NORTHROP, COOLEY, GRAND RIVER, and WILLMARTH AVENUES;

That all that part of a twenty (20) foot wide section of public alley running in a East/West direction, in the block bounded by NORTHROP, COOLEY, GRAND RIVER and WILLMARTH AVENUES, abutting Lots 9 to 12, both inclusive, on the South of said alley and Lot 8 on the West of said alley, in the REDFORD IMPROVEMENT COMPANY'S SUBDIVISION on the East ½ of Section 9, in Redford Village, Town 1 South, Range 10 East, Wayne County, Michigan as recorded in Liber 27, Page 4 of Plats, Wayne County Records; Also a twenty (20) foot wide public alley running in a North/South direction abutting Lots 1 to 8, both inclusive, on the West of said alley and Lots 16 to 23, both inclusive, on the East of said alley in the HART BROTHERS SUBDIVISION, of the Southeast ¼ of Section 9, in Redford, Town 1 South, Range 10 East, Wayne County, Michigan as recorded in Liber 22, Page 56 of Plats, Wayne County Records;

PETITION NO. 1365

CONVERSION TO EASEMENTS OF THE NORTH/SOUTH ALLEY AND THE NORTH/WEST ALLEY IN THE BLOCK BOUNDED BY WESTERN, DIX, FENWICK and DEARBORN AVENUES;

That all that part of a twenty (20) foot wide section of public alley running in a North/South direction, in the block bounded by WESTERN, DIX, FENWICK and DEARBORN AVENUES, abutting Lots 80 to 85, both inclusive, on the South of said alley in the DIX PARK SUBDIVISION #1, being a subdivision of part of Private Claim 40, City of Detroit, Wayne County, Michigan as recorded in Liber 57, Page 77 of Plats, Wayne County Records, and abutting Lot 79 on the North of said alley in the DIX PARK SUBDIVISION; Also, an eighteen foot wide public alley running in a North/West direction, abutting Lots 1 to 17, on the East of said alley in the DIX PARK SUBDIVISION, being a Subdivision of part of Private Claim 40, City of Detroit, Wayne County, Michigan as recorded in Liber 52, Page 60 of Plats, Wayne County Records; Also abutting Lots 73 to 79, both inclusive, on the East of said alley in the DIX PARK SUBDIVISION #1;

PETITION NO. 1390

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY TRACEY, SCHAEFER, SEVEN MILE and CLARITA AVENUES;

That all that part of a twenty (20) foot wide section of public alley running in a North/South direction, in the block bounded by TRACEY, SCHAEFER, SEVEN MILE and CLARITA AVENUES, abutting Lots 28 to 38, both inclusive, on the East of said alley and Lots 51 to 61, both inclusive, on the West of said alley, in the AMENDED PLAT OF RAMM

COMPANY'S NORTHWESTERN HIGHWAY SUBDIVISION #1, of part of the North ¾ of the East ½ of the Northeast ¼ of Section 7, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 49, Page 37 of Plats, Wayne County Records;

PETITION NO. 1410

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY BUENA VISTA, DAVISON, TULLER and TURNER AVENUES;

That all that part of a eighteen (18) foot wide section of public alley running in a North/South direction, in the block bounded by BUENA VISTA, DAVISON, TULLER and TURNER AVENUES, abutting Lots 963 to 968, both inclusive, on the East of said alley and Lots 1037 to 1040, both inclusive, on the West of said alley, in the ROBERT OAKMAN'S FORD HIGHWAY AND GLENDALE SUBDIVISION, of part of ¼ Sections 10 and 11, 10,000 Acre Tract, and Section 28, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 35, Page 82 of Plats, Wayne County Records;

PETITION NO. 1436

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY MINOCK, WESTWOOD, CONSTANCE and BELTON AVENUES;

That all that part of an eighteen (18) foot wide section of public alley running in a North/South direction, in the block bounded by MINOCK, WESTWOOD, CONSTANCE and BELTON AVENUES, abutting Lots 63 to 77, both inclusive, on the East of said alley and Lots 119 to 135, both inclusive, on the West of said alley, in the SLOANS PARK DRIVE SUBDIVISION, of the East 50 acres of the West ½ of the Northwest ¼ of Section 2, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan as recorded in Liber 48, Page 52 of Plats, Wayne County Records;

PETITION NO. 1477

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY LIVERNOIS, STOEPEL, SANTA MARIA and SANTA CLARA AVENUES;

That all that part of an eighteen (18) foot wide section of public alley running in a North/South direction, in the block bounded by LIVERNOIS, STOEPEL, SANTA MARIA and SANTA CLARA AVENUES, abutting Lots 1 to 30, both inclusive, on the East of said alley and Lots 31 to 46, both inclusive, on the West of said alley, in the J. LEE BAKER COMPANY'S LIVERNOIS SUBDIVISION, of Lots D, E, F & G of J.M. Dwyers Acres, being a subdivision of the South ½ of the Northeast ¼ of of the Southeast

¼ and the Southeast ¼ of the Southeast ¼ of Section 9, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan as recorded in Liber 44, Page 53 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 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 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 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

By: ABIGAIL ELIAS

Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

April 1, 1988

Honorable City Council:
Re: Outer Drive Terraces v Hampton, et. al, Civil Action No. 88-800-050-CH.

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 settlement in the amount of Three Thousand Seven Hun-