

lished by the City Council on May 14, 1986.

Therefore, Be It Resolved, That the Detroit City Council recognizes the League of Catholic Women of Detroit as a nonprofit organization for the sole purpose of obtaining a bingo license from the Bureau of State Lottery.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 7.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 9) per motions before Adjournment.

City Engineering Department

February 11, 1991

Honorable City Council:

Re: Petition No. 96, Community and Economic Development Department, Porterfield's Marina Village, Streets and Alleys to Easement, in the area bounded by Meadowbrook, St. Jean, U.S. Harbor Line and Freud.

To develop properties in Porterfield's Marina Village it is necessary for a conversion of Montclair Avenue, 50 feet wide, south of Freud Avenue and the north-south public alley, 18 feet wide, between Meadowbrook Avenue and Montclair Avenue, south of Freud Avenue to easement for Detroit Water and Sewerage Department; also the conversion of the north-south public alley, 9 feet wide, between Montclair Avenue and Fairview Drive (New) to easement for the Detroit Edison Company, the Michigan Bell Telephone Company and Detroit Water and Sewerage Department; also the conversion of Fairview Drive (New), 50 feet wide, south of Freud Avenue and Fairview Avenue (Old), 66 feet wide, to easement for Detroit Water and Sewerage Department.

The Community and Economic Development Department (C&EDD) held an administrative public hearing on March 7, 1990. The C&EDD has submitted a report (dated April 11, 1990) to Council.

The conversions were approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation (utility clearances) and report. This is our report:

City departments and privately-owned utility companies reported no objections to the conversion of public rights-of-way into utility easements. Provisions protecting utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS
 Director

By Council Member Ravitz:

Resolved, All that part of Montclair Avenue, 50 feet wide, and public alleys, 9 feet wide, all southerly of the South line of Freud Avenue, 60 feet wide; and of "Addition to Sloman's Detroit River Subdivision of a part of the easterly 1/3 of the East 1/2 of that part of P.C. 387 lying southerly of Jefferson Avenue, Detroit, Michigan", as recorded in Liber 32, Page 51 of Plats, Wayne County Records; also

All that part of the public alley, 9 feet wide, southerly of the South line of Freud Avenue, 60 feet wide, and easterly of and adjoining Lots 35 thru 44, both inclusive, of "Walter C. Mack's Subdivision of a part of the westerly 1/3 of the East 1/2 of that part of P.C. 387 lying southerly of Jefferson Avenue, Detroit, Michigan", as recorded in Liber 28, Page 11 of Plats, Wayne County Records; also

All that part of Fairview Drive, 50 feet wide, being that part of Out Lot 26 of "Subdivision of Private Claim 724, The Delorme Farm, in the Township of Grosse Pointe, Wayne County, Michigan", as recorded in Chancery File 611, on November 1855, and being more particularly described in the Journal of Common Council on May 1, 1962, pages 916 and 917, and amended on May 22, 1962, Journal of Common Council, page 1098; also

All that part of Fairview Avenue, 33 feet wide, being part of Out Lot 26 of "Subdivision of Private Claim 724, The Delorme Farm, in the Township of Grosse Pointe, Wayne County, Michigan", as recorded in Chancery File 611, on November 1855, and being more particularly described as lying southerly of the South line of Freud Avenue, 60 feet wide, and northerly of the U.S. Harbor Line; also

All that part of Fairview Avenue, 33 feet wide, being part of "O'Flynn's Subdivision of P.C. No. 688, Grosse Pointe", as recorded in Liber 1, Page 119 of Plats, Wayne County Records, and being more particularly described as lying southerly of the South line of Freud Avenue, 60 feet wide, and northerly of the U.S. Harbor Line (Except that the 82.5 feet of Fairview Avenue extending from the Detroit River shall not be deemed vacated until a final order of vacation is issued by the Third Circuit Court of Wayne County;)

Be and the same are hereby vacated as a public streets and alleys and are hereby converted into a public easement of the full width of the streets and alleys, 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 streets and

alleys 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 easement or right-of-way over said vacated public streets and alleys herein above 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 or 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 streets and alleys herein above 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 easement 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 fence) shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Department,

FOURTH, that if the owners of any lots abutting on said vacated streets and alleys shall request the removal and/or relocation of any existing poles, or other utilities in said easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

FIFTH, that if any utility located in said property shall break or be damaged as a result of any action on the part of said owners 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

said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and be it further

PROVIDED, That if it becomes necessary to remove the paved street or alley returns (into Freud) at the entrances, such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns; and

Provided Further, That the City Clerk shall with 30 days, record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Hill, Hood, Kelley, Ravitz and President Mahaffey — 7.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 10) per motions before Adjournment.

Personnel Department

January 22, 1991

Honorable City Council:

Re: Implementation of Wage Adjustments for the International Union of Operating Engineers — Local 547 — EMT Charter.

The Labor Relations Division has recently reached agreement with the International Union of Operating Engineers — Local 547 — EMT Charter. The agreement will provide for a 4% general wage increase on July 1st of 1989, 1990 and 1991, plus a special adjustment in the first and second year of the agreement. However, due to the extensive time required to compile, type, proofread, and process the entire contract before submission for formal approval by your Honorable Body, a very long delay would occur before normal wage increase implementation steps could proceed.

In accordance with the City's longstanding custom, we are, therefore, recommending that your Honorable Body authorize the immediate action to pay to the affected City employees these eagerly awaited wage increases by amending the 1989-90 and 1990-91 Official Compensation Schedules on file in the office of the City Clerk. The first year's cost of these wage adjustments is approximately \$290,000. We are also requesting that this action be taken with a waiver of reconsideration.

Respectfully submitted,
ROGER N. CHEEK
Director

Approved:

W. I. STECHER
Budget Director
EDWARD G. RAGO
Deputy Finance Director