

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 further

Provided, That if it becomes necessary to remove the paved alley return(s) at the entrance (into Heidelberg Street and/or McDougall Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; and further

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

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

#### Department of Public Works

October 21, 1994

Honorable City Council:

Re: Addendum to Public Alley Vacation Petition. Petition No. 2449 (from 1984), Fitzpatrick Associates, a/k/a Chem-Strip Co., Inc. Alleys to Easement, "L"-shaped public alleys first north of Fitzpatrick and east of Evergreen. Purpose of Addendum: To transfer city fee ownership of the east-west public alley (Lot 147 of "Fogles Plymouth Evergreen Park Subdivision," City of Detroit, Wayne County, Michigan as recorded in L. 57, P. 59, Plats, WCR;) to Edby Enterprises;

On March 28, 1984 (J.C.C. pages 545-46) a resolution was adopted by City Council converting the "L"-shaped public alleys, 20 feet wide, first north of Fitzpatrick Avenue and east of Evergreen Road into a private easement for public utilities. The alley vacation resolution did not effectuate the transfer of Lot 147 of "Fogles Plymouth Evergreen Park Subdivision", City of Detroit, Wayne County, Michigan as recorded in Liber 57, Page 59, Plats, Wayne County Records.

The city is owner in fee of said Lot 147; having been deeded to the city and dedicated as a public alley right-of-way on October 25, 1927 (J.C.C. page 3037).

Therefore, the Finance Director must execute a quit-claim deed to transfer the vacated and converted part of public right-of-way to "Chem-Strip Company, Inc./Edby Enterprises."

The adoption of the attached resolution is recommended.

Respectfully submitted,  
WILLIAM L. TALLEY,  
Head Engineer

By Council Member Cockrel:

Resolved, The Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (alley) right-of-way to "Edby Enterprises, 12430 Evergreen Road, Detroit, MI 48228" for the fair market value and/or other valuable considerations.

"Land in the City of Detroit, County of Wayne, Michigan being all of Lot 147 of 'Fogles Plymouth Evergreen Park of part of the West Half of the Southwest Quarter of Section 26, Town 1 South, Range 10 East,' as recorded in Liber 57, Page 59, Plats, Wayne County Records; said Lot 147 having been deeded to the city for public alley purposes on October 25, 1927 — J.C.C. page 3037, containing 2,000 square feet or 0.0459 acre more or less; subject to a private easement of public utility (within the City Council resolution adopted on March 28, 1984 — J.C.C. pages 545-46)."

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

#### Finance Department Purchasing Division

October 27, 1994

Honorable City Council:

The Purchasing Division of the Finance Department recommends Contracts with the following firms or persons.

71404—(Change Order No. 01) (100% Federal Funding) Resident Monitor — Provide additional compensation due to unscheduled overtime. Raymond Edwards, 2450 W. Grand Blvd., Detroit, MI. Increase of \$450.00. Not to exceed \$11,890.00. Housing.

71407—(Change Order No. 01) (100% Federal Funding) Resident Monitor — Provide additional compensation due to unscheduled overtime. James Evans, 4100 W. Warren, Detroit, MI. Increase of \$497.50. Not to exceed \$11,937.50. Housing.

71422—(Change Order No. 01) (100% Federal Funding) Resident Monitor — Provide additional compensation due to unscheduled overtime. Patricia Jones, 2450 W. Grand Blvd., G-4, Detroit, MI.