

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, retaining or partition walls, (except necessary parking lot pavement and appurtenances approved on permit plans submitted to the Buildings and Safety Engineering Department) shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division DPW,

Fourth, that if the owners of any lots abutting on said vacated street 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 further

Provided, That the abutting owner(s) shall construct a concrete public sidewalk within the remaining south berm area of said Glendale Avenue (12.23 feet wide, more or less, west of Dexter Avenue). The replacement public sidewalk shall be a minimum of 6.00 feet wide. Also, the new sidewalk line and grades must be approved by the City Engineering Division — DPW prior to any concrete pour in accord with Detroit Code Section 50, Article 4. The construction, placement, and maintenance of the replacement public sidewalk shall be subject to city permits, inspection, and specifications. Additionally, the abutting owner(s) shall pay all costs to construct and maintain the replacement public sidewalk; and further

Provided, That the abutting owner(s) shall obtain approval from the Recreation Department prior to planting trees or other plant materials within the remaining south berm area of said Glendale Avenue (12.23 feet wide, more or less, west of

Dexter Avenue) in accord with Detroit Code Section 57, Article 2; and be it 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 City Engineering Division

May 30, 1996

Re: Petition No. 1796 Wayne County Juvenile Detention Facility Alley to Vacation and Caisson Encroachments in the block bounded by St. Antoine, Chrysler Freeway, Macomb and Clinton

Petition No. 1796 of "Wayne County" requests the outright vacation of the east-west public alley, 20 feet wide, in the block bounded by St. Antoine Street, the Chrysler Freeway Southerly Service Drive, Macomb Street, and Clinton Avenue. Also, Wayne County requests permission to construct and maintain 4 proposed underground bell-caissons encroaching (partly) within St. Antoine Street (50 feet wide), and the limited access right-of-way of the Chrysler Freeway. The caissons will support a building load.

On December 6, 1995 (J.C.C. pages 3007-11; also November 9, 1995 — J.C.C. pages 2904-5), City Council approved the land sale and rezoning for the proposed Wayne County Juvenile Detention Facility.

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

The limited access right-of-way of the Chrysler Freeway is under the jurisdiction of the Michigan Department of Transportation (M-DOT). Permission to place one caisson encroaching within the Chrysler Freeway Southerly Service Drive must be obtained from MDOT. [NOTE: Ameritech/Michigan Bell Telephone Company (A/MBT Co.) will require a "pre-construction" meeting prior to any opening(s) to install the underground caisson within the service drive. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations.]

It is necessary to obtain city permits for any street opening(s), backfill, surface restoration, barricade, or occupancy of city rights-of-way to install the remaining three underground caissons.

City departments and privately owned utility companies have reported no objec-

tions to the outright vacation. All involved city departments and privately owned utility companies have requested the petitioner make use of "Miss Dig" facilities before any public street opening(s) or caisson construction. Where appropriate, provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI,
City Engineer

By Council Member Ravitz:

Whereas, The County of Wayne has purchased land from the City of Detroit to develop a new 201,260 square feet Juvenile Detention Center that will occupy 3.0557 acres more or less; and

Whereas, On December 6, 1995 (J.C.C. pages 3007-11; also November 9, 1995 — J.C.C. pages 2904-5), City Council approved the land sale and rezoning for the proposed Wayne County Juvenile Detention Facility; therefore be it

Resolved, All of the east-west public alley, 20 feet wide, in the block bounded by St. Antoine Street, the Chrysler Freeway Southerly Service Drive, Macomb Street, and Clinton Avenue; being parts of lots described as follows: The northerly 10.00 feet of Lots 1 thru 7, on the North side of said Macomb Street (50 feet wide), of the "Plat of the Front of Charles Moran Farm" (Private Claim 5), City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page(s) 3 and 5 of City Records; also the southerly 10.00 feet of Lots 1 thru 7, on the South side of said Clinton Avenue (40 feet wide), of the "Plat of the Front of Charles Moran Farm" (Private Claim 5), City of Detroit, Wayne County, Michigan as recorded in Liber 10, Page(s) 3 and 5 of City Records; also the northerly 10.00 feet of Lots 1 thru 4, on the North side of said Macomb Street (50 feet wide), of the "Plat of the Antoine Beaubien Farm" (Private Claim 2), City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; also the southerly 10.00 feet of Lots 1 thru 4, on the South side of said Clinton Avenue (40 feet wide), of the "Plat of the Antoine Beaubien Farm" (Private Claim 2), City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; said parts of lots having been opened as a public alley, confirmed by Recorder's Court file on November 15, 1867; also having been referred to City Council on November 26, 1867 — J.C.C. page 313;

Be and the same is hereby vacated (outright) as a public alley to become part and parcel of the abutting property; and be it further

Resolved, The City Engineering Division — DPW is hereby authorized to

issue permits to the "County of Wayne, Michigan" to construct and maintain 3 (of 4) proposed underground bellcaissons encroaching with the easterly side of St. Antoine Street (50 feet wide) between Macomb Street and Clinton Avenue; adjoining property described as follows:

Lot 4, on the South side of said Clinton Avenue (40 feet wide), of the "Plat of the Antoine Beaubien Farm" (Private Claim 2), City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; also Lot 4, on the North side of said Macomb Street (50 feet wide), of the "Plat of the Antoine Beaubien Farm" (Private Claim 2), City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; said lots being part of the proposed Wayne County Juvenile Detention Facility site;

Encroachments to consist of 4 (three within city rights-of-way; and one within the Chrysler Freeway Southerly Service Drive under the jurisdiction of the Michigan Department of Transportation) proposed underground bell-caissons designed to support the proposed building foundation; being more particularly described as follows:

(Plan Grid: 1 . B; E. side of St. Antoine, S. of Clinton) Commencing at the southeast corner of St. Antoine Street (50 feet wide) and Clinton Avenue (40 feet wide); thence S.26°11'00"E., along the easterly line of St. Antoine, 30.07 feet, to the point of beginning; thence S.26°11'00"E., along the easterly line of St. Antoine, 9.00 feet; thence S.59°52'09"W., 4.01 feet; thence N.26°11'00"W., 9.00 feet; thence N.59°52'00"E., 4.01 feet to the point of beginning, extending from the proposed finish floor elevation of 120.00 feet (city datum) more or less, to elevation 102.00 feet (city datum) more or less; also

(Plan Grid: 1 — C.1; E. side of St. Antoine, S. of Clinton) Commencing at the southeast corner of St. Antoine Street (50 feet wide) and Clinton Avenue (40 feet wide); thence S.26°11'00"E., along the easterly line of St. Antoine, 50.39 feet, to the point of beginning; thence S.26°11'00"E., along the easterly line of St. Antoine, 9.00 feet; thence S.59°52'00"W., 4.01 feet; thence N.26°11'00"W., 9.00 feet; thence N.59°52'09"E., 4.01 feet to the point of beginning, extending from the proposed finish floor elevation of 120.00 feet (city datum) more or less, to elevation 102.00 feet (city datum) more or less; also

(Plan Grid: 0.8 — G.5; E. side of St. Antoine, N. of Macomb) Commencing at the southeast corner of St. Antoine Street (50 feet wide) and Clinton Avenue (40 feet wide); thence S.26°11'00"E., along the easterly line of St. Antoine, 131.71 feet, to the point of beginning; thence S.26°11'00"E., along the easterly line of

June 5

St. Antoine, 10.00 feet; thence S.59°52'00"W., 4.01 feet; thence N.26°11'00"W., 10.00 feet; thence N.59°52'09"E., 4.01 feet to the point of beginning, extending from the proposed finish floor elevation of 120.00 feet (city datum) more or less, to elevation 102.00 feet (city datum) more or less; and further

Provided, That any permits necessary to construct and/or maintain one proposed underground bell-caisson encroaching within the Chrysler Freeway Southerly Service Drive shall be obtained from the Michigan Department of Transportation, if necessary; abutting the eastern line of Lot 1, on the North side of said Macomb Street (50 feet wide), of the "Plat of the Antoine Beaubien Farm" (Private Claim 2), City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; [NOTE: Ameritech/Michigan Bell Telephone Company (A/MBT Co.) will require a "pre-construction" meeting prior to any opening(s) to install the underground bell-caisson within the service drive.]; being more particularly described as follows:

(Plan Grid: 23 — K; Chrysler Freeway Southerly Service Drive, N. of Macomb) Commencing at the southeast corner of said Lot 1, on the North side of said Macomb Street (50 feet wide), of the "Plat of the Antoine Beaubien Farm" (Private Claim 2), City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 127, Deeds, Wayne County Records; thence N.26°06'13"W., along the easterly line of said Lot 1, 37.25 feet, to the point of beginning; thence N.26°06'13"W., along the easterly line of said Lot 1, 10.00 feet; thence N.59°52'09"E., 4.01 feet; thence S.26°06'13"E., 10.00 feet; thence S.59°52'00"W., 4.01 feet to the point of beginning, extending from the proposed finish floor elevation of 120.00 feet (city datum) more or less, to elevation 102.00 feet (city datum) more or less; and further

Provided, That the County of Wayne shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, whenever it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for construction or underground bell-caisson placement; such work shall be according to detailed permit application drawings (submitted by the petitioner, subject to city department review and stamp approvals) prior to any public right-of-way construction; and further

Provided, That the necessary permits shall be obtained from the City Engineering Division DPW and the Buildings and Safety Engineering Department. The underground bell-caisson encroachments shall be constructed and maintained under their rules and reg-

ulations; also in accord with plans submitted to and approved by these departments; including the Public Lighting Department (if necessary), the Water and Sewerage Department (if necessary), and the Traffic Engineering Division — DPW (if necessary); and further

Provided, That all costs for the construction, maintenance, permits and use of the underground bell-caisson encroachments shall be borne by the County of Wayne; and further

Provided, That all costs incurred by privately owned utilities and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the proposed underground bell-caisson encroachments (unless such charges are waived by the utility owners), shall be borne by the County of Wayne [including, if necessary, agreements between the Ameritech/Michigan Bell Telephone Company (A/MBT Co.) and the County of Wayne; designed to protect A/MBT Co. facilities that may exist within the Chrysler Freeway Southerly Service Drive]. Should damages to utilities occur the County of Wayne shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

Provided, If it becomes necessary to repair or replace the utilities located or to be located within the public rights-of-way, by acceptance of this permission, the County of Wayne (owners) for themselves, or their assigns, (by acceptance of permits for construction near underground utility lines, conduits, or mains) waives all claims for damages to the encroaching installations and agree to pay the costs incurred in their removal (or alteration), if removal (or alteration) becomes necessary; and further

Provided, That the County of Wayne shall apply to and become a participating member of the "Miss Dig" organization (if necessary); and further

Provided, That the County of Wayne shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the County of Wayne of the terms thereof. Further, the County of Wayne shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the proposed bell-caisson encroachments; and further

Provided, The property owned by the County of Wayne and the building encroachments shall be subject to proper zoning or regulated use (Board of Zoning Appeals Grant); and further

Provided, That no rights in the public

streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division — DPW; and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and the County of Wayne acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; 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 Transportation

May 15, 1996

Honorable City Council:

Re: Claim for Reimbursement of Stolen Personal Property for Isaiah Brown

In accordance with the rules adopted by your Honorable Body regarding reimbursement to employees for the value of damaged or stolen personal property, we are requesting your approval to pay one of our employees, \$1,751.25 as compensation for the loss of personal property.

Mr. Isaiah Brown stated in his police report that his tool box was broken into on or about September 21, and September 24, 1993. A list of the missing tools is on file in the City Clerk's office.

The police report and the incident is substantiated by the Department of Transportation (DOT) Assistant Superintendent of Vehicle Maintenance. Accordingly it is respectfully requested that your Honorable Body authorize the Department of Transportation to compensate Mr. Isaiah Brown in accordance with the attached resolution.

Respectfully submitted,
ALBERT A. MARTIN
Director

Approved:

JON MESSNER
Deputy Budget Director
VALERIE L. JOHNSON
Finance Director

By Council Member Ravitz:

Resolved, That the Department of Transportation be and it is hereby authorized to pay the claim outlined in the

above communication; and be it further Resolved, That the Finance Director be and she is hereby authorized to honor vouchers when presented in accordance with the foregoing communication.

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**

May 30, 1996

Honorable City Council:

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

74480—Provide public service activities for a career development and placement program for young adults. November 1, 1995 through May 31, 1997. Young Adults Asserting Themselves, 19300 W. Seven Mile, Detroit, MI. Not to exceed \$127,646.47, with an advance payment of \$10,000.00. P & DD

1151—(CCR: 3/30/94, 3/29/95, 4/3/96). All Open P.O.'s. Furnish extension of contract and purchase orders for Fuel Oil No. 1 and 2 on a month-to-month basis beginning June 1, 1996 thru July 31, 1996, to allow for award for File 8072. Atlas Oil Co., 24501 Ecorse, Taylor, MI. \$128,791.66. City-Wide

7785—Oil, Engine/Lubricating from June 15, 1996 to May 31, 1997 with option to renew for 1 add'l year. Shrader Tire and Oil, 650 Fordson St., Detroit, MI. 5 items, unit prices range from \$2.51/gal. to \$2.65/gal. Lowest equalized bid, estimated cost \$214,000.00/yr. City-Wide

8225—Rental and Maintenance of Golf Carts from April 16, 1996 to October 16, 1996 with option to renew for 1 add'l year. Pifer, Inc., 8341 E. Holly, Holly, MI. @ \$120.00/unit/month. Lowest bid, estimated cost \$9,600.00. City-Wide/Zoological Institute-Maint. Div.

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

Respectfully submitted,
AUDREY P. JACKSON
Director Purchasing Division

By Council Member Ravitz:

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 communications, designated as Contract or File Nos. 74480, 7785, and 8225 and further

Resolved, That renewals, extensions of, additions to, and changes in commodi-