

September 10

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 street and alley return(s) at their entrance(s) (into E. Ferry, Harper and/or St. Aubin Avenues), 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 "Barrick Cold Storage" and/or "Schlafer Iron & Steel", 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, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 8.

Nays — None.

Department of Public Works City Engineering Division

September 4, 1997

Honorable City Council:

Re: Petition No. 2811, McDonald's Corporation Alley to Vacation part of the east-west public alley in the block bounded by Ashton, Southfield Freeway, Van Buren and Joy Road.

Petition No. 2811 of "McDonald's Corporation" requests the (outright) vacation of a westerly part of the east-west public alley, 20 feet wide, in the block bounded by Ashton Avenue, Southfield Freeway, Van Buren Avenue and Joy Road.

The request was approved by Solid Waste Division — DPW and Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division-DPW for investigation (utility review) and report. This is our report:

Michigan Department of Transportation (M-DOT) reported no objections to the public alley vacation near a M-DOT pump house at the Southfield Freeway.

Ameritech/Michigan Bell Telephone Company, Comcast Cablevision, Detroit Edison Company, and the Public Lighting Department reported overhead facilities in the public alley. Satisfactory arrangements (to relocate poles and overhead wires from the western part of public alley) are complete. Also, "McDonald's" must submit building plans to Water and Sewerage Department (DWSD) for review

and approval of DWSD facility adjustments.

"McDonald's" has paid the following city reimbursement costs:

Public Lighting Department [PLD]—
Accounting:
\$5,000.00 — Treasurer Deposit No. 403352;

The estimated cost to remove and reroute the PLD poles and guy wire(s) is \$5,000.00.

All other city departments and privately owned utility companies have reported no objections to the requested. (outright) vacation. Provisions to protect the remaining public sewer are part of the vacating resolution.

"McDonald's" development plans include the use of one paved public alley return into the Southfield Freeway service drive. "McDonald's" will pay all expenses to remove the paved public alley return (into Ashton Avenue) whenever discontinuance of use makes removal necessary; subject to city specifications, permits and inspection.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI,
City Engineer

By Council Member Ravitz:

Resolved, All that part of the east-west public alley, 20 feet wide, in the block bounded by Ashton Avenue, Southfield Freeway, Van Buren Avenue and Joy Road lying southerly of and abutting the south line of the western 12.00 feet of Lot 45, and Lots 40 thru 44; also lying northerly of and abutting the north line of Lot 145 of "Mondale Park a Subdivision of part of the East Half of the Northeast Quarter of Section 2, Town 2 South, Range 10 East, Dearborn Township," City of Detroit, Wayne County, Michigan as recorded in Liber 49, Page 15, Plats, Wayne County Records;

Be and the same is hereby (outright) vacated as (part of a) public alley to become part and parcel of the abutting property; subject to the following provision(s):

Provided, That before any construction shall be permitted within the vacated (outright) western part of public alley, mentioned above, the petitioner shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, the petitioner shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval. The building plans shall include the following engineering details as required by DWSD:

(1) "McDonald's Corporation" and/or their contractors shall bulkhead the existing 12-inches diameter sewer within said western part of the east-west public alley, 20 feet wide, in the block bounded by

Ashton Avenue, Southfield Freeway, Van Buren Avenue and Joy Road; also

(2) "McDonald's Corporation" and/or their contractors shall construct a manhole over the remaining 12-inches diameter public sewer just east of the portion of the public alley to be outright vacated; also

The construction of one new manhole and abandonment of part of the public sewer is to be done under DWSD permit and inspection in accordance with plans approved by the DWSD. All costs related to the manhole construction and sewer abandonment shall be borne by "McDonald's Corporation" at no cost to DWSD; and further

Provided, That if it becomes necessary to remove and/or adjust the paved alley return(s) at their entrance(s) (into Southfield Freeway and/or Ashton 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 (in conjunction with the Michigan-Department of Transportation, if necessary) with all costs borne by the abutting owner(s), their administrators, 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, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 8.

Nays — None.

Recreation Department

August 4, 1997

Honorable City Council:

The City's Department of Recreation has been invited to be a full partner in a regional Resource Conservation and Development Council for Southeast Michigan. The Council, sponsored by seven adjacent Michigan counties, would receive staff assistance from a full time coordinator provided by the United States Department of Agriculture's Natural Resources Conservation Service.

Currently, Detroit is not participating in a Resource Conservation and Development Council. This hampers our application for federal grants for soil erosion prevention, water management, shoreline improvement, fish and wildlife habitat protection and urban forest improvements. The Lenawee, Macomb, Monroe, Oakland, St. Clair, and Wayne County Boards of Commissioners have voted to apply to the Secretary of Agriculture for formation of this council. Approval of the Washtenaw County Board of Commissioners is pending and anticipated.

Honorable Council Members, we request your support of our partnership in this regional group, and approval of the attached resolution.

Respectfully submitted,
ERNEST W. BURKEEN, JR.
Director

Approved:

J. EDWARD HANNAN
Budget Director

ROGER SHORT
Deputy Finance Director

By Council Member Ravitz:

Resolved, The City of Detroit's Department of Recreation has been invited to be a charter member of a federally-sponsored Resource Conservation and Development Council, whose annual membership fees will not exceed \$1,000; and

Whereas, funds are available in account 56-0251-2850; be it

Resolved, That the Department of Recreation may accept such membership; and further be it

Resolved, That the Finance Director is hereby authorized to honor annual membership fees of up to \$1,000.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 8.

Nays — None.

Recreation Department

August 15, 1997

Honorable City Council:

re: Acceptance of State of Michigan Grant for Henderson Marina Study

The Michigan Department of Natural Resources has offered the City a grant agreement for design studies for future improvements to Henderson Marina. The State has offered a grant of \$24,350.00 (Twenty-Four Thousand, Three Hundred and Fifty Dollars), with a required City match of \$24,350.00. The City's match is available in Appropriation 0772, Cost Center 0526 (Riverfront Parks-Bond 90A). It is respectfully requested that your Honorable Body adopt the following resolution authorizing the acceptance of this grant.

Respectfully submitted,
ERNEST W. BURKEEN, JR.
Director

By Council Member Scott:

Whereas, the City of Detroit has been offered a grant from the Michigan Department of Natural Resources for design studies for future improvements to Henderson Marina, in the amount of \$24,350.00 (Twenty-Four Thousand, Three Hundred and Fifty Dollars), and

Whereas, the required matching funds of \$24,350.00 (Twenty-Four Thousand, Three Hundred and Fifty Dollars) are available in Appropriation 0772, Cost