

mined with certainty where any portion of the "encroachment" has been built. Copies of the certified "as built" map(s) and survey(s) shall be an "appendix" to this City Council resolution. One copy of said "appendix" shall be recorded by the City Engineering Division — DPW in the Wayne County Register of Deeds.

Adopted as follows:

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

Nays — None.

**Department Of Public Works  
City Engineering Division**

June 19, 1997

Honorable City Council:

Re: Petition No. 2938 Imported Auto Parts Alley to Easement westerly part of the east-west public alley in the block bounded by Rutland, Memorial, Plymouth, and Wadsworth  
Petition No. 2938 of "Imported Auto Parts" requests the conversion of a westerly part of the east-west public alley, 20 feet wide, in the block bounded by Rutland and Memorial Avenues, Plymouth Road, and Wadsworth Avenue into a private easement for public utilities.

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

The petitioner plans to use the paved alley return entrance (into Rutland Avenue) and requests such remain in its present status. The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately owned utility companies reported no objections to the conversion of public rights-of-way into a private easement for public utilities. 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 Scott:

Resolved, All that part of a westerly portion of the east-west public alley, 20 feet wide, in the block bounded by Rutland and Memorial Avenues, Plymouth Road, and Wadsworth Avenue lying southerly of and abutting the south line of Lot 533; also lying northerly of and abutting the north line of Lots 534 thru 539 of "Frischkorn's Grand View Subdivision of part of the West Half of the Southwest Quarter of Section 25, Town 1 South, Range 10 East, Redford

Township," City of Detroit, Wayne County, Michigan as recorded in Liber 48, Page 72, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, 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 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 an easement or right-of-way over said vacated public alley 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 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 alley 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; said fence and gate installations shall be subject to the review and approval of the Fire Marshal and Buildings and Safety Engineering Department, if necessary) 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 alley 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 if it becomes necessary to remove the paved alley return at the entrance (into Rutland 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, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 8.

Nays — None.

**Department Of Transportation**

June 9, 1997

Honorable City Council:

Re: Claim for Reimbursement to

Transportation Equipment Operator.

In accordance with the rules adopted by your Honorable City Council regarding reimbursement to employees, we are requesting your approval to pay one of our employees, TEO Kevin Mitchell, Badge 3741, the amount of \$111.18 for replacement of a Colibri pocket watch with silver case and watch holder.

On December 22, 1996, Mr. Mitchell was involved in an accident while he prepped his coach for departure. He was conveyed to Receiving Hospital by EMS. During the incident the TEO's property was stolen.

A copy of the Transit Accident and Crime Report, Transportation Service Inspector Accident Report, Road Supervisor's Report, TEO's Statement and Vendor's Receipt are submitted herewith. Accordingly, it is respectfully requested that your Honorable Body authorize the Department of Transportation to compensate Mr. Kevin Mitchell in accordance with the attached resolution.

Respectfully submitted

ALBERT A. MARTIN

Director

Approved:

J EDWARD HANNAN

Budget Director

ROGER SHORT

Deputy Finance Director

By Council Member Tinsley-Williams:

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 he is hereby authorized to honor vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

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

Nays — None.

**Youth Department**

May 13, 1997

Honorable City Council:

The Youth Department has been informed by the Youth Sports and Recreation Commission that it will receive a \$3,000 grant.

The grant will be used to support the 8th grade girls club at Burroughs Middle School.

Therefore, the Youth Department is respectfully requesting City Council approval to accept this grant.

A resolution is attached for your review.

Respectfully submitted

ARLENE M. ROBINSON

Director

Approved:

J EARL HANNAN

Budget Director

ROGER SHORT

Deputy Finance Director

By Council Member Tinsley-Williams:

Resolved, That the Detroit Youth Department be and is authorized to accept a \$3,000 grant from the Youth Sports and Recreation Commission; and be it further

Resolved, That the \$3,000 contribution be used for a Sister-to-Sister program for 8th grade girls club at Burroughs Middle School by the Youth Department; and be it further

Resolved, That the Finance Director be and is hereby authorized to establish accounts, transfer funds and honor vouchers and payrolls when submitted in accordance with the foregoing communication.

Adopted as follows:

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

Nays — None.