

Tract, Hamtramck, Wayne County, Michigan," City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 30, Plats, Wayne County Records;

Be and the same is hereby vacated as a part of public street and is hereby converted into a private easement for public utilities of the full width of the street, 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 street 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 street 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 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 street 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 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 if it becomes necessary to remove the paved street and alley return(s) at their entrance(s) (into Holbrook Avenue and/or part of Greeley Street), 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 "American Axle and Manufacturing, Inc.", the abutting owner, 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 City Engineering

May 2, 1997

Honorable City Council:

Re: Petition No. 717 First Behula Baptist Church Alleys to Easement in the block bounded by Galster, Moran, Garfield, and E. Forest

Petition No. 717 of "First Behula Baptist Church" requests the conversion of an east-west public alley, 18 feet wide; also two north-south public alleys, (both) 18 feet wide in the block bounded by Galster Street, Moran, Garfield, and E. Forest Avenues into a private easement for public utilities.

The requested conversion 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:

The petitioner plans to use the paved alley return entrance (into Garfield Avenue) and requests such remain in its present status. "First Behula Baptist Church" shall pay all incidental removal

costs whenever discontinuance of use makes removal necessary.

City departments and privately owned utility companies have 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 City
Engineering Division-DPW

By Council Member Everett:

Resolved, All that part of an east-west public alley, 18 feet wide, in the block bounded by Galster Street, Moran, Garfield, and E. Forest Avenues lying southerly of and abutting the south line of Lot 8; also lying southerly of and abutting the south line of a north-south public alley (18 feet wide; in the block bounded by Galster Street, Moran, Garfield, and E. Forest Avenues); also lying southerly of and abutting the south line of the western 55.00 feet of Lot 5; also lying northerly of and abutting the north line of a north-south public alley (18 feet wide; in the block bounded by Galster Street, Moran, Garfield, and E. Forest Avenues); also lying northerly of and abutting the north line of Lots 9 thru 15 of "Potter's Subdivision of a part of Out Lot 31 Private Claim 182," City of Detroit, Wayne County, Michigan as recorded in Liber 19, Page 18, Plats, Wayne County Records; also

All that part of a north-south public alley, 18 feet wide, in the block bounded by Galster Street, Moran, Garfield, and E. Forest Avenues lying westerly of and abutting the west line of the southern 10.30 feet of Lot 4, and Lots 1 thru 3; also lying easterly of and abutting the east line of Lot 15 of "Potter's Subdivision of a part of Out Lot 31, Private Claim 182," City of Detroit, Wayne County, Michigan as recorded in Liber 19, Page 18, Plats, Wayne County Records; also

All that part of a north-south public alley, 18 feet wide, in the block bounded by Galster Street, Moran, Garfield, and E. Forest Avenues lying westerly of and abutting the west line of Lots 5 and 6; also lying easterly of and abutting the east line of Lots 7 and 8 of "Potter's Subdivision of a part of Out Lot 31, Private Claim 182," City of Detroit, Wayne County, Michigan as recorded in Liber 19, Page 18, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 14 and 15; also lying easterly of and abutting the east line of Lots 12 and 13 of "Albert Breitmeyer's Subdivision of Lot 6, Southerly 16.25 feet of Lot 7, Southerly 13.60 feet of Block 11 of Mary Dowling's Subdivision of part of Private Claim 182 and Northerly 2 acres of Lot 31 of Private Claim 182," City of Detroit, Wayne County,

Michigan as recorded in Liber 17, Page 18, Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into a private easement for public utilities of the full width of the 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 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 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 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 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; 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 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 further

Provided, That if it becomes necessary to remove the paved alley return at the entrance (into Garfield 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
Administrative Division
Director's Office**

April 29, 1997

Honorable City Council:

Re: Traffic Control Devices Installed and Discontinued

We are submitting a list of traffic control devices dated April 1997, to your Honorable Body for approval.

The list which is on file in the Office of the City Clerk, shows both traffic control devices which have been installed and those which have been discontinued in recent weeks.

Respectfully submitted
CLYDE D. DOWELL

Director

By Council Member Ravitz :

Resolved, That the traffic regulations, listed in communication from the Department of Public Works dated April 1997, and the discontinuance of restrictions as listed therein, be and the same are hereby approved and confirmed and further.

Resolved, That any regulations or restriction in conflict with the foregoing be and the same is hereby rescinded.

Provided, That the traffic regulations adopted pursuant to the ordinance provisions of section 38-1-4 and 38-1-5 of Chapter 38, Article 1, of the Code of

Detroit and properly indicated by signs, signals, markings or other devices as authorized by the ordinance provisions of Section 2-7-33 of Chapter 2, Article 7, of the code of Detroit, and further,

Provided, The traffic regulations listed in the communication above referred to shall be kept on file by the City Clerk in her office for reference and for inspection.

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 13, 1997

Honorable City Council:

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

75400—Change Order No. 01 — Increase contract amount to provide employability skills, a job search, and unsubsidized employment placements for Work First participants who are residents of the City of Detroit. October 1, 1996 through September 30, 1997 — Hunt & Associates I., Inc., 8255 Second Avenue, Detroit, MI. Increase of \$108,304.00. Not to exceed \$388,304.00. Employment & Training.

75332—Federal Funding — Provide Fiscal Management Services for the Pregnant Adolescent Substance Abuse Treatment Program (PAST). September 1, 1996 through August 31, 1997 — Southeastern Michigan Health Association, 222 Fisher Bldg., 3011 W. Grand Blvd., Detroit, MI. Not to exceed \$316,256.00 with an advance payment of \$52,700.00. Health.

75643—Federal Funding — Provide Fiscal Management Services for the Housing Opportunities for persons with AIDS (HOPWA). July 1, 1996 through June 30, 1997 — Southeastern Michigan Health Association, 222 Fisher Bldg., 3011 W. Grand Blvd., Detroit, MI. Not to exceed \$1,180,000.00 with an advance payment of \$196,000.00. Health.

75644—Federal Funding — Provide Fiscal Management Services for the HIV Emergency Relief Formula and Supplemental Programs. December 4, 1996 through February 28, 1998 — Southeastern Michigan Health Association, 222 Fisher Bldg., 3011 W. Grand Blvd., Detroit, MI. Not to exceed \$2,939,384.00 with an advance payment of \$489,900.00. Health.

75786—100% City Funding — Provide legal advice and representation to the Detroit City Clerk concerning the interpretation and implementation of the provisions of the 1997 City of Detroit Charter relative to the Election Commission and