

Total \$697.75

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

Public Lighting Department

August 3, 1999

Honorable City Council:

Re: Reimbursement to Mr. Tyrone Martin — Underground Conduit Construction Helper — Public Lighting Department — for the damage of personal tools.

On April 22, 1999, the Security and Inspection & Safety Divisions were notified that a Public Lighting Department vehicle code number #886201 caught fire in the garage at 9449 Grinnell, due to an electrical problem. Mr. Martin left several items in this vehicle that were damaged due to the fire.

Although the Public Lighting Department has a written policy in place regarding stolen/lost personal tools and equipment that states the city will not be held responsible, the Department Director has thoroughly investigated this claim and has concluded that reimbursement is proper.

This claim arises directly out of the performance of the employees' duties and is in no way attributable to the carelessness of the employee. If this claim is approved for reimbursement it is recommended that it be charged to Apprn. No. 00128-380190.

A copy of the employees damaged equipment and vehicle accident report is on file in the City Clerk's Office.

We are requesting reimbursement for the following employee:

Tyrone Martin — \$156.60

Respectfully submitted,

MARK PETTY

Director

Approved:

PAMELA SCALES

Deputy Budget Director

ANDREA MORROW

Deputy Finance Director

By Council Member K. Cockrel, Jr.:

Resolved, That the Finance Director honor the \$156.60 payment of the employee claim for damages incurred to personal property, and be it further

Resolved, That all damage claims honored must have arisen directly out of the performance of the employee's duties and be in no way attributable to the carelessness of the employee; and be it further

Resolved, That any damage claim paid in accordance with the above specified restriction is paid without recognition of any legal obligation on the part of the City of Detroit to do so; and be it further

Resolved, That the Finance Director be and is hereby authorized and directed to

honor payrolls when presented in accordance with the resolution and the above communication and standard City practices; to be charged against the Public Lighting Department Appropriation No. 00128-380190.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

Department of Public Works

September 10, 1999

Honorable City Council:

Re: Cancellation of Special Assessments for Weedcutting on Vacant Lots on Various Listed Assessment Rolls

The Department of Public Works recommends the cancellation of the Special Assessments for weedcutting charges on the vacant lot as shown on the attached list.

Assessed total amount: \$42.00.

Respectfully submitted,

STEPHANIE GREEN

Interim Director

By Council Member Scott:

Resolved, That in accordance with the above communication, the Finance Director is authorized to cancel the listed special assessments for weedcutting charges on vacant lots.

Be It further Resolved, That The Finance Director is hereby authorized to remove the above from the various listed tax rolls in the total amount of \$42.00.

Special Assessments Awaiting

Council Letter

As Of August 31, 1999

Name, Virginia G. Karvelis; Service Address, 5672 St. Hedwig; Roll, RUC 380; Type, 107; Legal Description — Year, 99SA; Ward, 16; Item, 1432; SADT, 199801; Principal Total, \$42.00.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

Department of Public Works

City Engineering Division

September 21, 1999

Honorable City Council:

Re: Petition No. 1331 "Henry R. Kozak" requesting vacation of commercial alley at the rear of 11500 Conant.

Petition No. 1331 of Henry R. Kozak request the conversion of a portion of the north-south public alley, 18 feet wide, in the block bounded by Harold Ave., 50 feet wide, Casmere Ave., 50 feet wide, Conant Ave., 66 feet wide and Fenelon Ave., 60 feet wide, into a private easement for public utilities.

The requested conversion was approved by the Planning and Development Department, 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.

All 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.

The adoption of the attached resolution is recommended.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

By Council Member S. Cockrel:

Resolved, All that part of the north-south public alley, 18 feet wide, (deeded to the City of Detroit; confirmed by Circuit Court October 19, 1925; referred to c.c. October 20, 1925) lying westerly of and abutting the west line of the north 74.65 feet of lot 204 and lying easterly of and abutting the east line of the south 65.29 feet of the north 74.29 feet of lot 203 as platted in "Shipman's Subdivision of the Carpenter Farm" Fr'l Sec's 17 and 20, T.1S., R.12E., Hamtramck, Wayne Co., Michigan as recorded in Liber 25, Page 43 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 fences; 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 cost incidental to the repair of such broken or damaged utility; and further,

PROVIDED, An easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth, and further,

PROVIDED, Free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment including the use of backhoes, bulldozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and further,

PROVIDED, The Detroit Water and Sewerage Department retains the right to install suitable permanent main location

guide posts over its water mains at reasonable intervals and at points of deflection; 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, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

September 21, 1999

Honorable City Council:

Re: Petition No. 2342 — "Lutheran Brothers, Inc.," requesting conversion to easement(s) of Wabash Street and a public alley in the area bounded by 14th St., Lafferty Pl., Howard and Porter.

Petition No. 2342 of "Lutheran Brothers, Inc." requests the conversion of Wabash Street (variable width) and the north-south public alley, 20 feet wide, in the area bounded by 14th Street, Lafferty Place, Howard Street and Porter Street into easement(s) for public utilities.

The requested conversion(s) was approved by the Planning and Development Department. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

Lutheran Brothers, Incorporated intends to expand its existing business by increasing its loading docks, as well as, providing a landscaped secured parking environment.

This project is within the "Empowerment Zone" and the "West Side Industrial Park."

City departments and privately-owned utility companies have reported no objections to the conversion of public rights-of-way into a utility easement. Provisions protecting utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

By Council Member S. Cockrel:

Resolved, All that part of Wabash Street, variable width, between Howard Street and New York Central Railroad lying easterly of and abutting the east line of lots 136-147, both inclusive, as platted in "The Subdivision of Part of Godfroy Farm P.C. 726 between Howard & Marquette Sts." as recorded in Liber 4, Page 17 Plats, Wayne County Records; Also lying westerly of and abutting the west line of lots 6-10, both inclusive, as

platted, in "Plat of Subn of Lot 10 of the Subn of the Estate of P. Trudell on the Lafferty Farm being part of Lot 3 N. of Fort St. of the Subn of the Lafferty Farm" as recorded in Liber 1, Page 135, Plats, Wayne County Records; Also lying westerly of that part of Wabash vacated July 16, 1946 (Wabash Avenue confirmed October 4, 1869);

Also, All that part of the north-south public alley, 20 feet wide, in the block bounded by 14th Street, Porter Street, Howard Street and Wabash Avenue, lying easterly of and abutting the east line of lots 148-161, both inclusive, as platted in "The Subdivision of Part of Godfroy Farm P.C. 726 between Howard & Marquette Sts." as recorded in Liber 4, Page 17, Plats, Wayne County Records;

Be and the same are hereby vacated as a public street and alley and are hereby converted into a public easement of the full width of the street and alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of said street and 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 street and 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 street or 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