

2534), your Honorable Body authorized the sale of 422 Adeline on a land contract basis to Judith Ott.

Since then Ms. Ott has reassigned the property to Sharron Pepsin. Rather than go through a summary court proceeding, Ms. Pepsin gave the City of Detroit a quit claim deed returning all interest in the captioned property back to the City of Detroit.

We, therefore request that your Honorable Body rescind the authority to sell the property to Sharron Pepsin, authorize the Planning and Development Department to declare monies paid of \$3,172.50 to be forfeited and further, authorize the cancellation of the outstanding balance on the land contract of \$27,174.12.

Respectfully submitted,
PAUL A. BERNARD
 Director

By Council Member K. Cockrel, Jr.:

Resolved, That in conjunction with the foregoing communication, the authority to sell property described on the tax rolls as:

Lot 629, State Fair Subdivision of part of S 1/2 of Section 2, T. 1 S., R. 11 E., Greenfield Twp., Wayne County, MI. Rec'd L. 28, P. 26 Plats, W.C.R.

to Sharron Pepsin is hereby rescinded and that the Planning & Development Department is authorized to declare the land contract payments of \$3,172.50 to be forfeited.

Resolved, That the Finance Director is hereby authorized to cancel the outstanding balance on the land contract for the property of \$27,174.12.

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 Police

June 19, 2001

Honorable City Council:

Re: Settlement for Vehicle Damaged in the Line of Duty

On April 6, 2001, a personal vehicle belonging to Mr. Steven Duncan was struck by a Detroit Police Department marked car driven by Officer Sheila Hornic while parked in his assigned space at the Detroit Police Department headquarters garage. As a result of this accident, Mr. Duncan incurred total out of pocket costs of \$581.58 which is supported by invoices.

The Detroit Police Department is requesting that the Honorable City Council approve reimbursement to Mr. Duncan in the amount of \$581.58.

Respectfully submitted,
BENNY N. NAPOLEON, J.D.
 Chief of Police

Approved:

PAMELA SCALES
 Deputy Budget Director
J. EDWARD HANNAN
 Finance Director

By Council Member Cleveland:

Resolved, That the Police Department 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 is hereby authorized to honor vouchers when presented in accordance with the foregoing communication.

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**

June 25, 2001

Honorable City Council:

Re: Petition No. 2270 — Fairlane Uniform and Mat Rental et. al., requesting for conversion of alley to easement in the area of West Jefferson, Medina, Cary and West End.

Petition No. 2270 of "Fairlane Uniform and Mat Rental et. al.," request conversion to easement the East-West public alley in the block bounded by West Jefferson Avenue, 66 feet wide, Medina Avenue, 50 feet wide, South Cary Avenue, 50 feet wide, and West End Avenue, 25 feet wide into a private easement for utilities.

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

If the petitioner at any time plans to discontinue use of the paved alley entrance (into South Cary and West End Avenue), the petitioner shall pay all incidental removal cost.

All other city departments and private utility companies have reported no objection to the conversion of public rights-of-way into private easement for utilities.

Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
 City Engineer

City Engineering Division — DPW
 By Council Member K. Cockrel, Jr.:

Resolved, All that part of the East-West public alley, 20 feet wide, lying Northerly of and abutting the North line of lots 49 to 54, both inclusive, also lying Southerly of and abutting the South line of 43 to 48, both inclusive, in the "Delray Subdivision of part of lot 7 on Private Claim No. 45" as

recorded in Liber 1 Page 80, 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 task, 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,

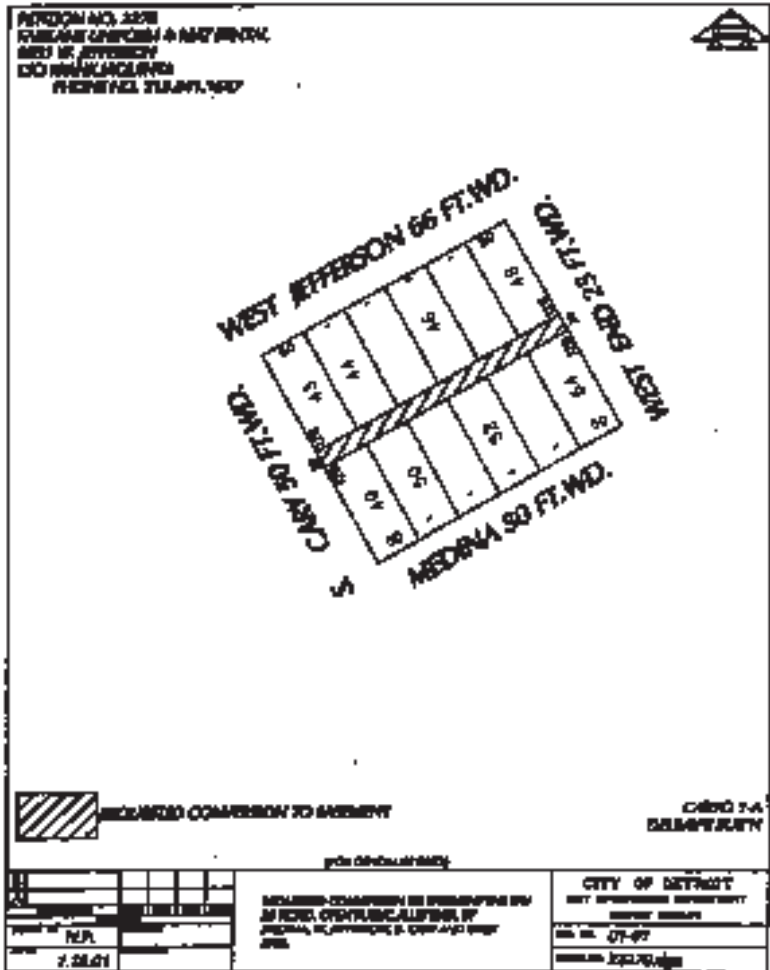
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change or surface grade made, without prior approval of the City Engineering 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 return at the entrance (into South Cary and West End 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 heir or assigns; 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, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.
 Nays — None.

**Department of Public Works
 City Engineering Division**

June 22, 2001

Honorable City Council:
 Re: Petition No. 3390 — Aghata Younan, et al, requesting partial easement of alley in the area of W. Eight Mile, Norwood and Revere.
 Petition No. 3390 of "Aghata Younan et. al," request conversion to easement the remaining open public alley in the block bounded by East Eight Mile, 204 feet wide, Revere Avenue, 60 feet wide, Norwood Avenue, 60 feet wide, and Winchester Avenue, 50 feet wide into a private easement for utilities.

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

If the petitioner at any time plans to discontinue use of the pave alley entrances (into Revere and Norwood Avenue), the petitioner shall pay all incidental removal cost.

All other city departments and private utility companies have reported no objection to the conversion of public rights-of-way into private easement for utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
 SUNDAY JAIYESIMI
 City Engineer
 City Engineering Division — DPW