

easterly line of the Fisher Freeway, lying easterly of and abutting lot 20 of the Subdivision of the southerly part of Outlot 39, Porter Farm, Detroit, Wayne County, Michigan as recorded in Liber 3, Page 65, Plats, Wayne County records; lying easterly of and abutting the easterly line of lots 56 to 58 of Catherine B. Hubbard's subdivision of lots 40, 41, and 44 and part of lots 37, 29, and 42, G. B. Porter Farm being part of Private Claims 20 and 21, Detroit, Wayne County, Michigan, T. 2. S., R. 11. E., as recorded in Liber 4, Page 16, Plats, Wayne County records; lying westerly of and abutting the westerly line of lots 16 to 18 of the plat of the subdivision of the easterly part of private claim 20, Detroit, as recorded in Liber 48, Page 569, Deeds, Wayne County records;

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement 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 in said vacated public alley hereinabove 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 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) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works;

THIRD, That if at any time in the future 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, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners;

FOURTH, That if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such

as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays — None.

Department of Public Works

October 30, 1966

Honorable Common Council:

Re: Petition No. 6656, General Wood Products Co., 14200 Meyers Road, Dedication of Property for Widening of Intervale Avenue at Pinehurst Avenue.

Gentlemen—Your Committee of the Whole referred the above petition to this office to obtain the deeds, approve as to description, and have them approved by Corporation Counsel.

These deeds have been approved by the City Engineer and the Corporation Counsel. An appropriate resolution is attached for your Honorable Body's consideration.

Respectfully submitted,

ROBERT P. ROSELLE,

Commissioner

By Councilman Miriani:

Resolved, That the warranty deed of the Jefferson Waste Material Company to the City of Detroit covering property described as the east half of lot 339 as shown in Assessor's Detroit Plat No. 21, beginning at a point 857.34 feet from the east property line of Meyers Road to a point 1001.02 feet from the east property line of Meyers Road and Plat recorded in Liber 74, Page 29, Plats, Wayne County records; for the opening of Intervale Avenue to 60 feet wide, easterly of Meyers Road;

Also, That the warranty deed of the General Wood Products Company to the City of Detroit covering property described as the west half of lot 339 as shown in Assessor's Detroit Plat No. 21, beginning at a point 742.12 feet from the east property line of Meyers Road to a point 857.34 feet from the east property line of Meyers Road, said plat recorded in Liber 74, Page 29, Plats, Wayne County records; for the opening of Intervale Avenue to 60 feet wide, easterly of Meyers Road;

Be and the same are hereby accepted, and the City Controller is hereby directed to record said deeds in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays — None.