

ment, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley and alley turnaround; and further

PROVIDED, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Environmental Protection and Maintenance Department, by and at the permittee's expense, and further

PROVIDED, This resolution is revocable at the will, whim or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein, and be it further

RESOLVED, That the Finance Director is hereby authorized and directed to issue to Mr. Theodore Gelemy, a Quit Claim Deed, and the Law Department is directed to prepare the deed to the following described property:

Land in the City of Detroit, Wayne County, Michigan, being the easterly 27 feet of lot 51, the easterly 27 feet of the vacated 18 foot wide east-west alley abutting the southerly line of lot 51 and a portion of Coventry Park as platted in the Lindale Gardens Subdivision of the west ½ of the southwest ¼ of Section 1, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 33, Page 87, Plats, Wayne County records, more properly described as: Beginning at a point, said point being in the southerly line extended westerly of Lot 202 and being 18 feet westerly of the south-westerly corner of said Lot 202; thence westerly along said southerly line extended of Lot 202, 27 feet; thence northerly along a line 27 feet west of and parallel to the westerly line of a north-south public alley, 18 feet wide, south of Emery and between John R and Coventry, 55 feet to the southerly line of lot 52; thence easterly along said southerly line of lot 52, 27 feet to the westerly line of the aforementioned 18 foot wide north-south alley; thence southerly along said westerly line of the public alley, 55 feet to the point of beginning; all of the above description having been platted in the above mentioned subdivision. and be it further

RESOLVED, That the Warranty Deed of Theodore Gelemy deeding land to the City of Detroit for the new alley turnaround being described as:

Land in the City of Detroit, Wayne County, Michigan, being the westerly 27 feet of lots 201 and 202 inclusive of

the Lindale Gardens Subdivision of the west ½ of the southwest ¼ of Section 1, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 33, Page 87, Plats, Wayne County records, be and the same is hereby accepted, and the Finance Director is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Council Members Eberhard, Henderson, Hood, Keiley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

#### City Engineering Department

January 20, 1975

Honorable City Council:

Re: Petition No. 6891, Metropolitan Methodist Church Alley Vacation and Dedication.

On October 9, 1974 (J.C.C. Pages 2190 and 2191) your Honorable Body granted the petition of the Metropolitan Methodist Church to vacate a portion of the alleys at the rear of the church in the block bounded by Woodward, John R., Chandler, and Marston, provided the petitioner deed to the City land for a new alley outlet into Chandler.

Subsequent to your Honorable Body's action the petitioner has requested that the five foot strip between the new alley and the adjacent property be eliminated and the new alley be placed abutting this property. The Community and Economic Development Department has received a letter from Mr. Ernest Chapman, recorded owner of the property known as 67 Chandler, agreeing to the placement of the new alley outlet abutting his property.

Because of this an additional five feet of the east-west alley may be vacated, which will facilitate a more efficient parking lot layout for the church. The Community and Economic Development Department has given their approval.

We are in receipt of a Warranty Deed from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Chandler.

This deed was approved as to form and execution by the Law Department and as to description by the City Engineering Department, and is attached for your Honorable Body's acceptance.

An appropriate resolution vacating the additional portion of alley and accepting the deed is attached for consideration by your Honorable Body.

Respectfully submitted,  
HERMAN T. DUDLEY  
Director

Approved:

JAMES WATTS

Director  
Environmental Protection  
and Maintenance Dept.

By Council Member Rogell:

**RESOLVED**, That all that part of the east-west public alley, 29 feet wide, in the block bounded by Woodward, John R., Chandler, and Marston abutting the rear line of the west five feet of the east 20 feet of lot 4 of Atkinson's Subdivision of Park Lot 6 of the Subdivision of Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 8, Page 21, Plats, Wayne County records; and abutting the rear line of the west five feet of the easterly 20 feet of lot 95 of the Chandler Avenue Subdivision of Park Lot 5, of the Subdivision of Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 13, Page 96, Plats, 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 over 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 City Engineering Department,

**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,

**PROVIDED FURTHER**, 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 ac-

cordance 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, and be it further

**RESOLVED**, That the Warranty Deed of the petitioner deeding land to the City of Detroit for alley purposes, described as:

The west five (5) feet of lot 94 and the east fifteen (15) feet of lot 95 of the Chandler Park Subdivision of Park Lot 5 of the Subdivision of Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 13, Page 96, Plats, Wayne County records,

Be and the same is hereby accepted, and the Finance Department is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Council Members Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

City Engineering Department

January 22, 1975

Honorable City Council:

Re: Petition No. 1454, McDonald's Corporation, Conversion to Easement of a portion of the east-west alley north of Fenkell and west of Wyoming.

The above petition requests the conversion of the above described portion of east-west alley, 20 feet wide, into an easement for public utilities.

The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of public right of way into easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

HERMAN T. DUDLEY

Director

By Council Member Rogell:

**RESOLVED**, That all that part of the east-west public alley, 20 feet wide, in the alley bounded by Washburn, Wyoming, Fenkell, and Keeler abutting the southerly line of lot 242 and abutting the rear line of lots 1 to 4 and the easterly 2 feet of lot 5 all inclusive of the Northwestern Highway Subdivision of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 17, T.1 S., R.11 E., City of Detroit and