

adopted by the City Council in the past, a contract or purchasing file may be held by any single council member.

Detroit City Code Sec. 18-5-5, requires the approval of the City Council for the purchase of goods and services over the value of \$5,000, all contracts for personal services and renewals or extension of contracts or the exercise of an option to renew or extend a contract. Council has adopted, in the past, a resolution to provide a procedure that enables the Purchasing Division to continue obtaining necessary goods and services for City Departments during the Council's scheduled recess.

Following are the procedures for the purchase of goods and services that require City Council approval during the period from August 5, 1991 through September 3, 1991.

Weekly lists of awards, which are distributed by the Office of the City Clerk to members of the City Council each Thursday, will be held until Thursday of the following week. In the event any Council Member objects to the contract or purchase, the contract or purchase will be held either until formal action by the City Council or withdrawal of the objection by the objecting Council Member.

The first list will be distributed by the City Clerk's office on Thursday, August 1, 1991, and the final list of awards submitted during the recess will be processed on Thursday, September 5, 1991.

Please contact this office if there are questions or concerns regarding the purchasing procedures or the attached resolution.

Respectfully submitted,
KATHIE DONES-CARSON

Director

By Council Member Kelley:

Resolved, That the Director of the Purchasing Division of the Finance Department is hereby authorized to utilize the procedure for the purchase of goods and services requiring City Council approval under Sec. 18-5-5 of the Detroit City Code, as written in the attached correspondence, dated July 29, 1991, which specifies the process to be used during the period of the City Council recess from Monday, August 5, 1991 through Tuesday, September 3, 1991 based upon the weekly distribution of lists of awards by the office of the City Clerk on Thursday with award items held until Thursday of the following week. No contract shall be processed if any Council Member requests that it be held.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz and President Mahaffey — 9.

Nays — None.

City Planning Commission

July 30, 1991

Honorable City Council:

Re: Community and Economic Development Department: Victoria Park Housing Development Phase I; Conversion of streets and alleys to vacation, easements, greenbelts, and dedications in the area bounded by Dickerson, Piper, Averhill and Freud. (Recommend Approval.)

Submitted herewith is the report and recommendation of the City Planning Commission staff relative to the petition of the Community and Economic Development Department (CEDD) to vacate, convert to easement, and dedicate streets and alleys in the area described above. These right-of-way adjustments are proposed in order to develop new housing, new streets, cul-de-sacs and widened streets within Jefferson-Chalmers Revitalization area in conjunction with Phase I of the Victoria Park Housing Development. Phase I involves the development of 86 parcels for single-family homes.

The Modified Development Plan, Jefferson-Chalmers (March 27, 1988) calls for total clearance of this area and includes a Right-of-Way Adjustment Plan that indicates streets and alleys to be vacated outright or vacated and converted or maintained as easements for underground or existing utilities. According to the plan, the cleared property will accommodate new residential uses and altered traffic patterns.

Recommendation

The City Planning Commission staff has evaluated the Community and Economic Development Department's request and finds it consistent with the *Modified Development Plan*, Jefferson-Chalmers (March 27, 1988) and within the approved plans for Victoria Park Phase I. The City Planning Commission staff, therefore, recommends that the vacations and conversions of streets and alleys and development of new streets and cul-de-sacs be approved as proposed.

The City Engineering Department has submitted for your consideration the appropriate resolution to effectuate the proposed actions.

Respectfully submitted,
MARSHA S. BRUHN
Director
MICHAEL O. ADEBAYO
Staff

City Engineering Department

July 25, 1991

Honorable City Council:

Re: Community and Economic Development Department, Victoria Park Housing Development Phase One, Streets and alleys to vacation, easements, greenbelts, and dedications

July 31

in the area bounded by Dickerson, Piper, Averhill, and Freud.

To develop properties within the Jefferson-Chalmers Revitalization Project area, specifically the "Victoria Park Housing Development" site, it is necessary to obtain Council approval for numerous adjustments in public rights-of-way (including vacations, conversions into easements for underground utilities, greenbelts, and dedications); all within the "Phase One" area generally bounded by Dickerson and Piper Avenues, Averhill Court, and Freud Avenue.

"Phase One" involves the development of 86 parcels for single-family homes. A Homearama is planned for 1992-93 and the site will become a new suburban-style subdivision in Detroit.

The public street and alley closings, cul-de-sacs, street widening(s), realignment(s), and new public street dedication(s) were approved by the Department of Transportation.

Provisions protecting the necessary utility installations (including a temporary aerial easement to service the existing dwellings on the west side of Piper) are part of the resolution.

Satisfactory arrangements have been made with all City Departments and privately-owned utility companies.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS,
Director

By Council Member Kelley:

Resolved, The following described City-owned properties are hereby dedicated for public street purposes:

(1) Land in the City of Detroit, Wayne County, Michigan being part of Lots 48 thru 69, "Block A, Jefferson Park Subdivision of the Jefferson Park Realty Company" as recorded in Liber 26, Page 93, Plats, Wayne County Records; (west side of Lenox Avenue widening between Freud and Dickerson) being more particularly described as follows:

Beginning at the northeasterly corner of said Lot 48; thence S. 28°56'00"E., along the westerly line of Lenox Avenue (50 feet wide), 639.24 feet to a point of intersection with a non-tangent curve; thence 49.58 feet along the arc of a curve concave to the northeast, with a radius of 245.00 feet, a delta of 11°35'43", and a long chord of 49.50 feet which bears N.34°43'52"W., to the point of intersection with a line 5.00 feet westerly of and parallel to said westerly line of Lenox; thence N.28°56'00"W., along said parallel line, 590.00 feet; thence N.61°04'00"E., along the north line of said Lot 48, 5.00 feet to the point of beginning, containing 3,115 square feet or 0.0715 acres, more or less; also

(2) Land in the City of Detroit, Wayne County, Michigan being part of Lots 51 thru 77, and part of Lots 106 thru 108, "Block B, Jefferson Park Subdivision of the Jefferson Park Realty Company", as recorded in Liber 26, Page 93, Plats, Wayne County Records; (east side of Lenox Avenue widening and realignment to Drexel) being more particularly described as follows:

Commencing at the northeasterly corner of said Lot 51; thence S.61°04'00"W. along the north line of said Lot 51, 8.00 feet to a point of intersection with a curve, said point also being the point of beginning; thence 136.66 feet along the arc of a curve concave to the southeast, with a radius of 87.00 feet, a delta of 90°00'00", and a long chord of 123.04 feet which bears S.16°04'00"W., to the point of intersection with a line of 5.00 feet easterly of and parallel to the easterly line of Lenox Avenue (50 feet wide); thence S.28°56'00"E., along said parallel line, 473.00 feet to a point of intersection with a curve; thence 290.60 feet along the arc of a curve concave to the northeast, with a radius of 185.00 feet, a delta of 90°00'00', and a long chord of 261.63 feet which bears S.73°56'00"E., to a point of intersection on a line; thence N.61°56'00"E., 28.00 feet; thence S.28°56'00"E., along the westerly line of Drexel Avenue (60 feet wide), 60.00 feet; thence S.61°04'00"W., 28.00 feet to a point of intersection with a curve; thence 217.44 feet along the arc of a concave to the northeast, with a radius of 245.00 feet, a delta of 50°51'05", and a long chord of 210.38 feet which bears S.86°29'32"W., to a point of intersection with a non-tangent line, said line being the easterly line of Lenox Avenue (50 feet wide); thence N.28°56'00"W., along said easterly line, 714.68 feet to the northwesterly corner of said Lot 51; thence N.61°04'00"E., along the north line of said Lot 51, 92.00 feet to the point of beginning, containing 20,555 square feet or 0.4719 acres, more or less; also

(3) Widening of Essex Avenue between Dickerson-Lenox and Drexel; being described as follows:

All that part of the southerly 15.00 feet of Lot 81 (except that part previously dedicated for the "as built" alignment of Dickerson Avenue as established in the City Council resolution adopted on March 13, 1991 — J.C.C. pgs. 531-32); also the southerly 15.00 feet of Lot 102; also the northerly 15.00 feet of Lot 82; also the northerly 15.00 feet of Lot 101 as platted in "Block B, Jefferson Park Subdivision;" also

(4) Land dedication for (unnamed) North Border Road; being described as follows:

All that part of the easterly 5.00 feet of Lot 47 as platted in "Block A, Jefferson Park Subdivision;" also

All of Lots 49, 50, 133, and 134 as platted in "Block B, Jefferson Park Subdivision;" also

All of Lots 45, 46, 129, and 130 as platted in "Block C, Jefferson Park Subdivision;" also

All of Lots 43, and 44 as platted in "Block D, Jefferson Park Subdivision;" also

(5) Land dedication for Drexel Avenue cul-de-sacs between (unnamed) N. Border Road and Essex; being described as follows:

Northwest part, south of (unnamed) N. Border Road (about 17.00 feet by 112.00 feet): All that part of the westerly 17.00 feet of the southerly 20.00 feet of Lot 123; also the easterly 17.00 feet of the northerly 2.00 feet of Lot 119; also the easterly 17.00 feet of Lots 120 thru 122 as platted in "Block B, Jefferson Park Subdivision;" also

Northwest part, south of (unnamed) N. Border Road (about 17.00 feet by 112.00 feet): All that part of the easterly 17.00 feet of the southerly 20.00 feet of Lot 56; also the westerly 17.00 feet of the northerly 2.00 feet of Lot 60; also the westerly 17.00 feet of Lots 57 thru 59 as platted in "Block C, Jefferson Park Subdivision;" also

Southeast part, north of Essex (about 17.00 feet by 127.00 feet): All that part of the westerly 17.00 feet of the southerly 7.00 feet of Lot 62; also the westerly 17.00 feet of Lots 63 thru 66 as platted in "Block C, Jefferson Park Subdivision;" also

Southwest part, north of Essex (about 17.00 feet by 107.00 feet): All that part of the easterly 17.00 feet of the southerly 7.00 feet of Lot 117; also the easterly 17.00 feet of northerly 10.00 feet of Lot 113; also the easterly 17.00 feet of Lots 114 thru 116 as platted in "Block B, Jefferson Park Subdivision;" also

(6) Land dedication for Drexel Avenue cul-de-sac, south of Essex; being described as follows:

West part, south of Essex (about 17.00 feet by 104.00 feet): All that part of the easterly 17.00 feet of the southerly 10.00 feet of Lot 97; also the easterly 17.00 feet of the northerly 4.00 feet of Lot 93; also the easterly 17.00 feet of Lots 94 thru 96 as platted in "Block B, Jefferson Park Subdivision;" also

East part, south of Essex (about 17.00 feet by 104.00 feet): All that part of the westerly 17.00 feet of the southerly 10.00 feet of Lot 82; also the westerly 17.00 feet of the northerly 4.00 feet of Lot 86; also the westerly 17.00 feet of Lots 83 thru 85 as platted in "Block C, Jefferson Park Subdivision;" also

(7) Land dedication for Coplin Avenue cul-de-sac, south of Essex; being described as follows:

West part, south of Essex (about 17.00 feet by 104.00 feet): All that part of the easterly 17.00 feet of the southerly 10.00 feet of Lot 93; also the easterly 17.00 feet of the northerly 4.00 feet of Lot 89; also the easterly 17.00 feet of Lots 90 thru 92 as platted in "Block C, Jefferson Park Subdivision;" also

East part, south of Essex (about 17.00 feet by 104.00 feet): All that part of the westerly 17.00 feet of the southerly 10.00 feet of Lot 80; also the westerly 17.00 feet of the northerly 4.00 feet of Lot 84; also the easterly 17.00 feet of Lots 81 thru 83 as platted in "Block D, Jefferson Park Subdivision;" also

All of the above seven land dedications, being lots and/or parts of lots, appear as platted in "(Blocks A, B, C, or D) Jefferson Park Subdivision of the Jefferson Park Realty Company," City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records; and be it further

Resolved, That the following two center portions of Coplin Avenue, 60 feet wide, within the "Victoria Park Housing Development — Phase One" shall be closed to (both) general and vehicular traffic and pedestrian access:

(1) part of Coplin Avenue, 60 feet wide, south of Freud Avenue (about 50 feet by 90 feet); and

(2) part of Coplin Avenue, 60 feet wide, south of Essex Avenue (about 50 feet by 56 feet);

The closed parts of public (street) rights-of-way (described below in this resolution) shall be developed and maintained as a "greenbelt" according to landscape plans approved by the Recreation Department, City Engineering Department, and the Department of Transportation. The landscape plans shall be designed to provide for unimpeded access to public emergency services. The City of Detroit retains all rights and interests in the closed portions of public (street) rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the closed portions of public (street) rights-of-way; said "greenbelts" being described as follows:

(1) All that part of the Easterly 25.00 feet of the Westerly 30.00 feet of Coplin Avenue, 60 feet wide, south of Freud Avenue lying easterly of and abutting the east line of Lots 131 thru 133 as platted in "Block C, Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records; also being

All that part of the Westerly 25.00 feet of the Easterly 30.00 feet of Coplin Avenue, 60 feet wide, south of Freud Avenue lying westerly of and abutting the west line of Lots 40 thru 42 as platted in "Block D, Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records; also

(2) All that part of the Easterly 25.00 feet of the Westerly 30.00 feet of Coplin Avenue, 60 feet wide, south of Essex Avenue lying easterly of and abutting the east line of southerly 26.00 feet of Lot 89, and Lot 88 as platted in "Block C, Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records; also being

All that part of the Westerly 25.00 feet of the Easterly 30.00 feet of Coplin Avenue, 60 feet wide, south of Essex Avenue lying westerly of and abutting the west line of the southerly 26.00 feet of Lot 84, and Lot 85 as platted in "Block D, Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records; and be it further

Resolved, That a portion (about 60 feet by 81 feet) of Drexel Avenue, 60 feet wide, between Essex Avenue and the (unnamed) North Border Road shall be closed to general vehicular traffic. Also, the closed part of public (street) right-of-way (described below in this resolution) shall be developed and maintained as a "greenbelt" according to landscape plans approved by the Recreation Department, City Engineering Department, and the Department of Transportation. The landscape plans shall be designed to provide for a paved pedestrian walkway, and unimpeded access to public emergency services. The City of Detroit retains all rights and interests in the closed portion of public (street) right-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the closed portion of public (street) right-of-way; said "greenbelt" being described as follows:

All that part of Drexel Avenue, 60 feet wide, between the (unnamed) North Border Road and Essex Avenue lying easterly of and abutting the east line of the northerly 23.00 feet of Lot 117, the southerly 28.00 feet of Lot 119, and Lot 118 (Block B); also lying westerly of and abutting the west line of the southerly 28.00 feet of Lot 60, the northerly 23.00 feet of Lot 62, and all of Lot 61 (Block C) as platted in "Blocks B and C, Jefferson Park Subdivision of the Jefferson Park

Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, page 93, Plats, Wayne County Records; and be it further

Resolved, (1) All that part of the Westerly 5.00 feet of Lenox Avenue, 50 feet wide, south of Freud Avenue lying easterly of and abutting the east line of Lots 44 thru 46 as platted in "Block A, Jefferson Park Subdivision"; also

(2) All that part of the Easterly 5.00 feet of Lenox Avenue, 50 feet wide, south of Freud Avenue lying westerly of and abutting the west line of Lots 46 thru 48 as platted in "Block B, Jefferson Park Subdivision"; also

(3) All that part of the Westerly 5.00 feet of Drexel Avenue, 60 feet wide, south of Freud Avenue lying easterly of and abutting the east line of Lots 135 thru 137 as platted in "Block B, Jefferson Park Subdivision"; also

(4) All that part of the Easterly 5.00 feet of Drexel Avenue, 60 feet wide, south of Freud Avenue lying westerly of and abutting the west line of Lots 42 thru 44 as platted in "Block C, Jefferson Park Subdivision"; also

(5) All that part of the remaining Westerly 5.00 feet of Coplin Avenue (not included in the "greenbelt", described above in this resolution), 60 feet wide, south of Freud Avenue lying easterly of and abutting the east line of Lots 131 thru 133 as platted in "Block C, Jefferson Park Subdivision"; also

(6) All that part of the remaining Easterly 5.00 feet of Coplin Avenue (not included in the "greenbelt", described above in this resolution), 60 feet wide, south of Freud Avenue lying westerly of and abutting the west line of Lots 40 thru 42 as platted in "Block D, Jefferson Park Subdivision"; also

(7) All that part of the remaining Westerly 5.00 feet of Coplin Avenue (not included in the "greenbelt", described above in this resolution), 60 feet wide, south of Essex Avenue lying easterly of and abutting the east line of the southerly 26.00 feet of Lot 89, and Lot 88 as platted in "Block C, Jefferson Park Subdivision"; also

(8) All that part of the remaining Easterly 5.00 feet of Coplin Avenue (not included in the "greenbelt", described above in this resolution), 60 feet wide, south of Essex Avenue lying easterly of and abutting the west line of the southerly 26.00 feet of Lot 84, and Lot 85 as platted in "Block D, Jefferson Park Subdivision"; also

(9) All that part of the Westerly 5.00 feet of Drexel Avenue, 60 feet wide, south of Essex Avenue lying easterly of and abutting the east line of the southerly 26.00 feet of Lot 93, and Lot 92 as plat-

ted in "Block B, Jefferson Park Subdivision"; also

(10) All that part of the Easterly 5.00 feet of Drexel Avenue, 60 feet wide, south of Essex Avenue lying westerly of and abutting the west line of the southerly 26.00 feet of Lot 86, and Lot 87 as platted in "Block C, Jefferson Park Subdivision";

All the above ten portions of public streets, abutting lots and/or parts of lots, appear as platted in "(Blocks A, B, C, or D) Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, page 93, Plats, Wayne County records;

Be and the same are hereby vacated as public (street) rights-of-way to become part and parcel of the abutting property; and be it further

Resolved, All of the northerly part of the north-south public alley, 18 feet wide, in the block bounded by Dickerson, Lenox, Essex, and Freud Avenues; said part of public alley also lying between and abutting the easterly line of Dickerson Avenue (as established in the City Council resolution adopted on March 13, 1991 — J.C.C. pgs. 531-32), and the southerly line of Freud Avenue (66 feet wide); said part of public alley also lying westerly of and abutting the west line of the northerly 17.46 feet of Lot 66, and Lots 44 thru 65 as platted in "(Block A) Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records; also lying easterly of and abutting the east line of the northerly 25.55 feet of Lot 767, and Lots 768 thru 788 as platted in the "St. Clair Park Subdivision of part of Private Claims 315 and 322, South of Jefferson Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 27, page 90, Plats, Wayne County Records;

Be and the same is hereby vacated as public (alley) right-of-way to become part and parcel of the abutting property; and be it further

Resolved, (1) All that part of the Easterly 20.00 feet of the Westerly 25.00 feet of Lenox Avenue, 50 feet wide, south of Freud Avenue lying easterly of and abutting the east line of Lots 44 thru 46 as platted in "Block A, Jefferson Park Subdivision"; also

(2) All that part of the Westerly 20.00 feet of the Easterly 25.00 feet of Lenox Avenue, 50 feet wide, south of Freud Avenue lying westerly of and abutting the west line of Lots 46 thru 48 as platted in "Block B, Jefferson Park Subdivision"; also

(3) All of the remaining part of Lenox Avenue, 50 feet wide, lying between and

abutting the easterly line of Dickerson Avenue (as established in the City Council resolution adopted on March 13, 1991 — J.C.C. pgs. 531-32), and the south-westerly line of Lenox Avenue (60 feet wide; as realigned above in this resolution); also lying westerly of and abutting the west line of the (remaining) parts of Lots 74 thru 78 of "Block B, Jefferson Park Subdivision"; also lying easterly of and abutting the east line of the (remaining) parts of Lots 69 thru 71 of "Block A, Jefferson Park Subdivision"; being more particularly described as follows:

Commencing at the northeasterly corner of Lot 48, said "Block A, Jefferson Park Subdivision", thence S.28°56'00"E., along the westerly line Lenox Avenue (50 feet wide), 639.24 feet to the point of beginning; thence continuing along said westerly line, S.28°56'00"E., 66.18 feet to a point of intersection with a non-tangent curve; thence 161.08 feet along the arc of a curve concave to the southwest, with a radius of 551.00 feet, a delta of 16°45'00", and a long chord of 160.51 feet which bears S.47°05'01"E., to the point of intersection with the easterly line of said Lenox Avenue (50 feet wide); thence N.28°56'00"W., along said easterly line, 113.27 feet to a point of intersection with a non-tangent curve; thence 117.82 feet along the arc of a curve concave to the northeast with a radius of 245.00 feet, a delta of 27°33'12", and a long chord 116.69 feet which bears N.54°18'19"W., to the point of beginning, containing 3,307 square feet or 0.0759 acres, more or less; also

(4) All that part of the easterly 25.00 feet of the Westerly 30.00 feet of Drexel Avenue, 60 feet wide, south of Freud Avenue lying easterly of and abutting the east line of Lots 135 thru 137 as platted in "Block B, Jefferson Park Subdivision"; also

(5) All that part of the Westerly 25.00 feet of the Easterly 30.00 feet of Drexel Avenue, 60 feet wide, south of Freud Avenue lying westerly of and abutting the west line of Lots 42 thru 44 as platted in "Block C, Jefferson Park Subdivision"; also

(6) All that part of the Easterly 25.00 feet of the Westerly 30.00 feet of Drexel Avenue, 60 feet wide, south of Essex Avenue lying easterly of and abutting the east line of the southerly 26.00 feet of Lot 93, and Lot 92 as platted in "Block B, Jefferson Park Subdivision"; also

(7) All that part of the Westerly 25.00 feet of the Easterly 30.00 feet of Drexel Avenue, 60 feet wide, south of Essex Avenue lying westerly of and abutting the west line of the southerly 26.00 feet of Lot 86, and Lot 87 as platted in "Block C,

Jefferson Park Subdivision"; also

(8) All that part of the north-south public alley, 18 feet wide, in the block bounded by Lenox and Drexel Avenues, (unnamed) N. Border Road, and Freud Avenue lying westerly of and abutting the west line of Lots 135 thru 137; also lying easterly of and abutting the east line of Lots 46 thru 48 as platted in "Block B, Jefferson Park Subdivision"; also

(9) All that part of the north-south public alley, 18 feet wide, in the block bounded by Lenox (as widened and realigned above in this resolution) and Drexel Avenues, and (unnamed) N. Border Road lying westerly of and abutting the west line of the northerly 10.41 feet of Lot 108, and Lots 109 thru 132; also lying easterly of and abutting the east line of the northerly 1.63 feet of Lot 75, and Lots 51 thru 74 as platted in "Block B, Jefferson Park Subdivision"; also

(10) All that part of the north-south public alley, 18 feet wide, in the block bounded by Dickerson (as established in the City Council resolution adopted on March 13, 1991 — J.C.C. pgs. 531-32), Drexel, Essex (90 feet wide; as established above in this resolution), and Lenox Avenues (60 feet wide; as realigned above in this resolution) lying westerly of and abutting the west line of the southerly 15.82 feet of Lot 106, the northerly 11.50 feet of Lot 102, and Lots 103 thru 105; also lying easterly of and abutting the east line of the southerly 22.13 feet of Lot 77, the northerly 11.50 feet of Lot 81, and Lots 78 thru 80 as platted in "Block B, Jefferson Park Subdivision"; also

(11) All that part of the north-south public alley, 18 feet wide, in the block bounded by Lenox and Drexel Avenues, Averhill Court, and Essex Avenue (90 feet wide; as widened above in this resolution) lying westerly of and abutting the west line of the southerly 18.50 feet of Lot 101, and Lots 92 thru 100; also lying easterly of and abutting the east line of the southerly 18.50 feet of Lot 82, and Lots 83 thru 91 as platted in "Block B, Jefferson Park Subdivision"; also

(12) All that part of the north-south public alley, 18 feet wide, in the block bounded by Drexel and Coplin Avenues, (unnamed) N. Border Road, and Freud Avenue lying westerly of and abutting the west line of Lots 131 thru 133; also lying easterly of and abutting the east line of Lots 42 thru 44 as platted in "Block C, Jefferson Park Subdivision"; also

(13) All that part of the north-south public alley, 18 feet wide, in the block bounded by Drexel, Coplin and Essex Avenues, and (unnamed) N. Border Road lying westerly of and abutting the west line of Lots 98 thru 128; also lying easterly of and abutting the east line of

Lots 47 thru 77 as platted in "Block C, Jefferson Park Subdivision"; also

(14) All of the north-south public alley, 18 feet wide, in the block bounded by Drexel and Coplin Avenues, Averhill Court, and Essex Avenue lying westerly of and abutting the west line of Lots 88 thru 97; also lying easterly of and abutting the east line of Lots 78 thru 87 as platted in "Block C, Jefferson Park Subdivision"; also

(15) All that part of the north-south public alley, 18 feet wide, in the block bounded by Coplin and Piper Avenues, (unnamed) N. Border Road, and Freud Avenue lying westerly of and abutting the west line of Lots 129 thru 131 also lying easterly of and abutting the east line of Lots 40 thru 42 as platted in "Block D, Jefferson Park Subdivision"; also

(16) All that part of the north-south public alley, 18 feet wide, in the block bounded by Coplin, Piper and Essex Avenues, and (unnamed) N. Border Road lying westerly of and abutting the west line of Lots 96 thru 126; also lying easterly of and abutting the east line of Lots 45 thru 75 as platted in "Block D, Jefferson Park Subdivision" (subject to a "temporary aerial easement," said provisions being enunciated later in this resolution); also

(17) All of the north-south public alley, 18 feet wide, in the block bounded by Coplin and Piper Avenues, Averhill Court, and Essex Avenue lying westerly of and abutting the west line of Lots 86 thru 95; also lying easterly of and abutting the east line of Lots 76 thru 85 as platted in "Block D, Jefferson Park Subdivision";

All of the above seventeen portions of public streets and alleys abutting lots and/or parts of lots appear as platted in "(Blocks A, B, C or D) Jefferson Park Subdivision of the Jefferson Park Realty Company", City of Detroit, Wayne County, Michigan as recorded in Liber 26, Page 93, Plats, Wayne County Records;

Be and the same are hereby vacated as public streets and alleys and are hereby converted into a public underground easement of the full width of the streets and 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 said streets and 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 underground easement or right-of-way over said vacated public streets and 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 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 underground utility easement or right-of-way in and over said vacated streets and 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, or any utility facility placed or installed in the underground 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 underground 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 specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, said owners for their heirs 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 underground easement, nor any change of surface grade made, without prior approval of the City Engineering Department,

Fourth, that if the owners of said vacated streets and alleys shall request the removal and/or relocation of any utilities in said underground 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, A temporary aerial easement allowing for the continuance of existing residential area overhead utility wire(s) services shall remain over the full width of the above described (#16) vacated public alley, 18 feet wide, until

all existing dwellings on the westerly side of Piper Avenue between Essex and Freud Avenues have been demolished. Whenever said existing residential dwellings have been demolished, said vacated public alley shall revert into an easement for underground utilities; subject to Provisions 1 to 5 above; and be it further

Resolved, It is the intent of the City of Detroit, a Michigan municipal corporation to establish by a legal description, suitable for recording, an additional "as built" easement for underground utilities that will service so-called Parcels 1 thru 9 within the "Victoria Park Housing Development — Phase One", Said "utility easement" shall be no less than 9.00 feet wide, and no greater than 18.00 feet wide. Also, said "utility easement" shall allow for the construction and maintenance of underground utilities as shown on the "joint utility trench" drawing prepared by the Detroit Edison Company — Service Planning (work order no. 367B1J813; distribution circuit DC-2048-Waybn-4.8; dept. order no. A-24419; sheet 1; dated July 1, 1991; job title: "Victoria Park — Phase 1"); and further

Provided, The Community and Economic Development Department (C&EDD) is hereby authorized and directed to prepare (or cause to be prepared) said "utility easement" description over City-owned land. The City Engineering Department shall review and approve said "underground utility easement" as to legal description; and further

Provided, The C&EDD shall obtain the resolution approval of City Council and the Mayor to create said "underground utility easement" within City-owned properties; and further

Provided, The C&EDD shall record a certified copy of said "underground utility easement" resolution in the Wayne County Register of Deeds; and be it further

Provided, The City Clerk shall within 30 days, record a certified copy of this "Victoria Park Housing Development — Phase One" resolution with the Wayne County Register of Deeds, and send a certified copy to the State Treasurer.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz and President Mahaffey — 9.

Nays — None.

City Engineering Department
July 26, 1991

Honorable City Council:
Re: Petition No. 3230, Eastland Imports, et al, Temporary Alley Closing east-west public alley in the block