

Adopted as follows:  
 Yeas — Council Members Butler, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz and President Mahaffey — 9.  
 Nays — None.

**City Engineering Department**  
 July 19, 1991

Honorable City Council:  
 Re: Amendment to Sales Resolution Medical Center Rehabilitation Project No. 4 Land Disposition Parcels 2-B, 2-C, and 2-D in the Area Bounded by Brush, St. Antoine, E. Warren, and Frederick.

On July 18, 1990, JCC pages 1669-71, your Honorable Body authorized the sale of the above captioned site for Barclay Limited Dividend Housing Association Limited Partnership in the amount of \$148,000.00.

On July 3, 1991, your Honorable Body authorized the dedication of a public walk right-of-way within the boundaries of the above referenced project.

We are hereby requesting City Council's approval to allow the City to enter into an agreement granting Barclay Limited Dividend Housing Association Limited Partnership perpetual easements to construct improvements within the public walk right-of-way, including but not limited to lighting, and further to repair and maintain said walk right-of-way.

Accordingly, we respectfully request your Honorable Body to approve the attached resolution.

Respectfully submitted,  
 CLYDE R. HOPKINS  
 Director

By Council Member Butler:

Resolved, That in conjunction with the foregoing communication, the City of Detroit's Director of Engineering be and is hereby authorized to execute an agreement whereby the City grants to Barclay Limited Dividend Housing Association Limited Partnership perpetual easements to construct public improvements within the public walk right-of-way, and

Be It Further Resolved, That the Barclay Limited Dividend Housing Association Limited Partnership be required to repair and maintain said public right-of-way.

Approved as to form:  
 DONALD PAILEN  
 Corporation Counsel

Adopted as follows:  
 Yeas — Council Members Butler, Cleveland, Eberhard, Everett, Hill, Hood, Kelley, Ravitz and President Mahaffey—9.  
 Nays — None.

**City Engineering Department**  
 July 18, 1991

Honorable City Council:  
 Re: Petition No. 1099 Life-Line Christian Center, et al. Alleys to Easement all of the east-west, and part of the north-south public alleys in the block bounded by Cameron, Chrysler Service Drive, Alger, and Holbrook; also land dedication for new public alley outlet into the Chrysler Service Drive.

Petition No. 1099 of "Life-Line Christian Center, et al" requests the conversion of the east-west public alley, 16 feet wide, and a portion of the north-south public alley, 20 feet wide, in the block bounded by Cameron Avenue, the Chrysler Service Drive, Alger and Holbrook Avenues into an easement for public utilities.

The requested conversion to easement was approved by the Community and Economic Development Department with the recommendation that land be dedicated for a new alley outlet into the Chrysler Service Drive. The petition was referred to the City Engineering Department for investigation and report. This is our report:

A warranty deed has been received from the petitioner, deeding to the City the necessary land for a new alley outlet into the Chrysler Service Drive. The deed was approved as to form and execution by the Law Department and as to description by the City Engineering Department.

The petitioner has submitted an approved surety company bond (Law Department No. B-73808) for the expense (\$2,500.00) to improve the deeded property by private contract.

City departments and privately-owned utility companies have reported no objection 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,  
 CLYDE R. HOPKINS,  
 Director

By Council Member Butler:

Resolved, All that part of the north-south public alley, 20 feet wide, in the block bounded by Cameron Avenue, the Chrysler Service Drive, Alger and Holbrook Avenues lying westerly of and abutting the west line of the north 10.00 feet of Lot 16, and Lots 10 to 15; also lying easterly of and abutting the east line of the north 10.00 feet of Lot 35, and Lots 36 to 40 as platted in "Moeller and Cardoni's Subdivision of Lots 7 and 8 of the Subdivision of the West Half of Quarter Section 43, Ten Thousand Acre Tract, Hamtramck (Township)", City of Detroit,

Wayne County, Michigan as recorded in Liber 8, Page 74, Plats, Wayne County Records; also

All of the east-west public alley, 16 feet wide, in the block bounded by Cameron Avenue, the Chrysler Service Drive, Alger and Holbrook Avenues lying southerly of and abutting the south line of Lots 1 to 9; also lying northerly of and abutting the north line of Lot 40; also lying northerly of and abutting the north line of the above mentioned north-south public alley (20 feet wide); also lying northerly of and abutting the north line of Lot 10 as platted in "Moeller and Cardoni's Subdivision of Lots 7 and 8 of the Subdivision of the West Half of Quarter Section 43, Ten Thousand Acre Tract, Hamtramck (Township)", City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 74, Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into a public easement of the full width of the 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 lots abutting on said 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 easement or right-of-way over said vacated public 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 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 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, 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 com-

panies, 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 (except necessary line fence; also except the concrete sidewalks and landscaping shown on the approved plan for "Life-Line Christian Center, 8721 Chrysler Drive, Detroit, MI 48211" drawn by "Architronics", Architects — Michigan registration no. 18357 — Jackson, MI, site plan #A-1, issued: May 25, 1990, revised: August 6, 1990) shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Department,

Fourth, That if the owners of any lots abutting on said vacated alleys 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

Provided, That if it becomes necessary to remove the paved alley returns at the entrances (into Cameron Avenue or the Chrysler Service Drive), such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns; 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; and be it further

Resolved, That the warranty deed of "Life-Line Christian Center, a Michigan ecclesiastical corporation, 8751 Chrysler Drive, Detroit, MI 48211", deeding land to the City of Detroit for a new public alley outlet into the Chrysler Service Drive, being described as follows:

Land in the City of Detroit, Wayne County, Michigan, being the south 20.00 feet of Lot 16 as platted in "Moeller and Cardoni's Subdivision of Lots 7 and 8 of the Subdivision of the West Half of Quarter Section 43, Ten Thousand Acre Tract, Hamtramck (Township)", as recorded in Liber 8, Page 74, Plats, Wayne County

Records, containing 2,482 square feet, or 0.0570 acres more or less;

Be and the same is hereby accepted, and the Finance Director is hereby authorized and directed to record the deed with the Wayne County Register of Deeds; subject to the following provisions:

Provided, The petitioner, "Life-Line Christian Center", shall construct and improve the deeded property by private contract (meaning make suitable for public use, i.e., stone and grade; also a concrete alley approach into the Chrysler Service Drive). Such public alley construction shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns; and

Provided Further, The petitioner, "Life-Line Christian Center", shall maintain in perpetuity (without an expiration date) an approved surety company bond in the amount of \$2,500.00. This bond assures the City of Detroit will have funds to pay its construction and labor costs in the event of petitioner's default. Also, the petitioner cannot obtain a release from the bond (Law Department No. B-73808) until the new replacement (deeded) public alley is completed by private contract, inspected (under permits), and approved by the City Engineering Department.

Adopted as follows:

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

Nays — None.

**City Engineering Department**

July 17, 1991

Honorable City Council:

Re: Petition No. 947, Young Men's Christian Association of Metropolitan Detroit (YMCA), Temporary Alley Closings Extended, Remaining public alleys in the block bounded by Witherell, John R., Adams, and Elizabeth.

Petition No. 947 of the "Young Men's Christian Association of Metropolitan Detroit (YMCA)" requests an extension of the temporary closing of the remaining east-west and north-south public alleys, (both) 20 feet wide, in the block bounded by Witherell and John R. Streets, Adams Avenue, and Elizabeth Street.

The first petition (#4603) to temporarily close the referenced public alleys was granted by Council on November 28, 1967 (J.C.C. page 2779). Other extensions were approved by Council in 1971, 1974, and 1985. The last renewal (Petition No. 4490) expired on December 13, 1990.

The petition was forwarded to the City

Engineering Department (on June 28, 1991 by the Community and Economic Development Department) for preparation of a renewal temporary alley closing(s) resolution, extending 5 more years; subject to the customary provisions governing temporary public alley closing(s).

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Ravitz:

Whereas, The following petitions to temporarily close the remaining public alleys in the block bounded by Witherell, John R., Adams, and Elizabeth have been previously granted by City Council for the "Young Men's Christian Association of Metropolitan Detroit (YMCA)":

- (1) Petition No. 4603 on November 28, 1967 — J.C.C. pg. 2779; and
- (2) Petition No. 1937 on February 2, 1971 — J.C.C. pg. 212; and
- (3) Petition No. 165 on April 10, 1974 — J.C.C. pp. 819-20; and

- (4) Petition No. 4490 on December 13, 1985 — J.C.C. pp. 2819-20; and

Whereas, The last (temporary alley closing) renewal expired on December 13, 1990, and the petitioner has requested a further extension (Petition No. 947 as referred to the Community and Economic Development Department on January 23, 1991 — J.C.C. pg. 164); and

Whereas, The petitioner has complied with the terms, conditions, and restrictions of other previously granted Council resolutions; therefore be it

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to the "Young Men's Christian Association of Metropolitan Detroit (YMCA)" to close the remaining east-west and north-south public alleys, (both) 20 feet wide, in the block bounded by Witherell and John R. Streets, Adams Avenue and Elizabeth Street being the easterly 20.00 feet of Lot 2 of "F.J.B. Crane's Subdivision of Lots 32, 33 and 34 William's Subdivision of Park Lots", City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 348, Deeds, Wayne County Records (said part of lot having been deeded to the City of Detroit for public alley purposes on December 18, 1906 — J.C.C. pg. 1430); also lying southerly of and abutting the south line of the easterly 20.00 feet of Lot 2, and Lots 3 and 4 of "F.J.B. Crane's Subdivision of Lots 32, 33 and 34 William's Subdivision of Park Lots", City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 348, Deeds, Wayne County Records;