

spection 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 easements 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 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, 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 of the City Engineering Department,

Fourth, 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 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 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; and be it further

Resolved, that if it becomes necessary to remove the paved alley return at the alley entrance, 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, his heirs or assigns.

Adopted as follows:

Yeas — Council Members Cleveland,

Eberhard, Kelley, Peoples, Ravitz and President Pro Tem Hood — 6.
Nays — None.

City Engineering Department

July 11, 1985

Honorable City Council:

Re: Petition No. 3773. Chem-Strip, Inc. Temporary Street Closing Portion of Fitzpatrick at Evergreen to the dead end.

We are returning herewith Petition No. 3773 of Chem-Strip, Inc. requesting temporary closing of a portion of Fitzpatrick Avenue at Evergreen Avenue to the dead end at the Evergreen overpass.

The request was approved by the Community and Economic Development Department with certain restrictions. The City Engineering Department has made a field investigation of the petitioner's request.

All other City departments and privately owned utility companies have reported they have no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

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:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to Chem-Strip, Inc. to close all that part of Fitzpatrick Avenue, 60 feet wide, lying south of and abutting the west 52.6 feet of Lot 142 of Fogle's Plymouth Evergreen-Park Subdivision of part of the West ½ of the Southwest ¼ of Section 26, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan as recorded in Liber 57, Page 59, Plats, Wayne County Records; also all that part known as Evergreen Road, variable width, not needed for the Evergreen Overpass, lying west of and abutting the above mentioned portion of Fitzpatrick Avenue, the west line of Lots 142 to 146, an adjoining east-west vacated public alley (20 feet wide), Lots 148 and 149 and a adjoining east-west vacated public alley (18 feet wide), all inclusive, as platted in said Fogle's Plymouth Evergreen-Park Subdivision as recorded in Liber 57, Page 59 of Plats, Wayne County Records, on a temporary basis to expire on August 1, 1990,

Provided, Petitioner furnishes an agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses

that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the term hereof, and files same with the Finance Department, and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

Provided, The Grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That the property owned by petitioner and adjoining the temporary street closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of said street, and further

Provided, That no building or other structure is constructed in said street; that petitioner shall observe the rules of the City Engineering Department; and further 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 street, 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 City Engineering Department, by and at the permittee's expense, and further

Provided, That this grant may be revoked at the will, whim and caprice of the City Council without cause; and if this grant is continued for the five (5) year period, the City Council may, upon request and if the circumstances justify accordingly, grant an extension thereto.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Kelley, Peoples, Ravitz and President Pro Tem Hood — 6.

Nays — None.

Community & Economic Development Department

July 12, 1985

Honorable City Council:

The Community and Economic Development Department recommends acceptance of offers to purchase City-owned property in accordance with the following resolutions.

Respectfully submitted,
HERBERT L. WILLIAMS
 for THEODORE SPENCER
 Assistant Director

By Council Member Ravitz:

Re: Sale of Property — vacant lot, (W) Winfield, between Miller and Georgia, a/k/a 8638 Winfield.

Whereas, The Community & Economic Development Department (CEDD) has received, and recommends acceptance of, an Offer to Purchase in the amount of \$250.00 cash, from Abraham Shaw & Ethel Shaw, his wife, adjoining owners, for the purchase of property, described on the tax rolls as:

Lot 188, Wagners Field Avenue Subd'n of part of SE ¼ of Sec. 21, T.1S., R.12E. Rec'd L. 34, P. 75 Plats, W.C.R.

which is a vacant lot, measuring 30' x 93.92A' and zoned R-2.

Now, Therefore Be It Resolved, That, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:

HERBERT L. WILLIAMS
 for THEODORE SPENCER
 Assistant Director

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Kelley, Peoples, Ravitz and President Pro Tem Hood — 6.

Nays — None.

By Council Member Ravitz:

Re: Sale of Property — vacant lot, (E) McDougall, between Hendricks and Hunt, a/k/a 2608 McDougall.

Whereas, The Community & Economic Development Department (CEDD) has received, and recommends acceptance of, an Offer to Purchase in the amount of \$450.00 cash, from Ceola Northington, a single woman, adjoining owner, for the purchase of property, described on the tax rolls as:

North 24 ft. of Lot 4 and the South 22 ft. of Lot 3, Block 35, A.M. Campau's Re-sub of part of the McDougall Farm between Macomb St. and Gratiot Avenue. Rec'd L. 4, P. 96 Plats, W.C.R.

which is a vacant lot, measuring 46' x 125' and zoned R-1.

Now, Therefore Be It Resolved, That, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:

HERBERT L. WILLIAMS
 for THEODORE SPENCER
 Assistant Director

Adopted as follows:

Yeas — Council Members Cleveland,