

scribed for the purpose of installing, maintaining, repairing, removing, or replacing any sewer conduit, telephone, telegraph, electric light or other 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 (except necessary line fence) shall be built or placed upon said easement;

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 incident to such removal and/or relocation, unless such charges are waived by the utility owners; and further,

Resolved, That the Warranty Deed of the Mt. Hope Methodist Church deeding land to the City of Detroit for an alley turn-around being in fact the north 25.00 feet of Lot 745, and the north 25.00 feet of the west 8.50 feet of Lot 746, of Obenauer, Barber and Laing's Dunord Park Subdivision No. 2 of part of the Third Concession of P.C. 231, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 41 of Plats Wayne County Records.

Be and the same is hereby accepted and the City Controller is hereby directed to record said deed in the Office of the Register of Deeds for Wayne County; and further,

Resolved, That the petitioner make all necessary physical improvements to the newly dedicated alley turn-around by private contract under City specifications and inspection and that all costs for such improvements be borne by the petitioner, its successors or assigns.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

September 20, 1965.

Honorable Common Council:

Gentlemen—Petition No. 10168 of the Department of Water Supply requests the conversion of a portion of Riopelle Street south of Eliot Street, and a portion of the north-south public alley first westerly thereof into an easement for public utilities. The requested conversion into easements was approved by the City Plan Commission and then referred to this department for investigation and report. This has been

completed and the petition is returned herewith.

All City departments and privately owned utility companies reported that they have no objections to the conversion of said street and alley into easements, provided that proper provisions are incorporated into the vacating resolution protecting their interests in the installations located in said street and alley.

The adoption of the attached resolution is recommended.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Van Antwerp:

Resolved, That all that part of Riopelle Street, 43.61 feet wide, south of Eliot Street, lying east of and adjoining the easterly line of Lots 25 to 39, both inclusive, of the Subdivision of Lots 55, 56, 59, 60, 63, and part of 52, Riopelle Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 20 of Plats Wayne County Records, and lying west of and adjoining the westerly line of Lots 9 to 17, both inclusive, west of and adjoining the westerly line of the southerly 17.00 feet of Lot 8, west of and adjoining the westerly line of vacated Scott and Pierce Streets, all of F. J. B. Cranes Subdivision of Outlots 53, 54, 57, and 58, Riopelle Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 53, Page 346 of Deeds, Wayne County Records.

Also, All that part of the north-south public alley, 15 feet wide, west of Riopelle Street, south of Eliot Street, as platted in the Subdivision of Lots 55, 56, 59, 60, 63, and part of 52, Riopelle Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 20 of Plats, Wayne County Records, lying west of and adjoining the westerly line of Lots 25 to 39, both inclusive, all of the above mentioned subdivision;

Be and the same is hereby vacated as a public street and 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 street and 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 street and alley hereinabove described for the purpose of installing, maintaining, repairing, removing, or replacing any sewer conduit, telephone, telegraph, electric light or other 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 (except necessary line fence) shall be built or placed upon said easement;

Third, that if at any time in the future the owners of any lots abutting on said vacated street and 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 incident to such removal and/or relocation, unless such charges are waived by the utility owners.

Adopted as follows:

Yeas—Councilmen Beck, Brickley, Connor, Poindexter, Ravitz, Rogell, Van Antwerp, Wlerzbicki and President Carey—9.

Nays—None.

Department of Public Works

August 27, 1965.

Honorable Common Council:

Gentlemen—On a number of occasions within recent years, we have reported to your Honorable Body regarding the possibility of constructing a railroad grade separation at the crossing of Mt. Elliott—Lynch Road with the New York Central Railroad and Grand Trunk Western Railroad on the east side of the City. This location continues to head the list of railroad grade crossings in the City at which there is an urgent need for the separation of grades.

The Department of Public Works, together with the Department of Streets and Traffic and the City Plan Commission, has completed a study, documenting the need for relief at this location from hazards and congestion, costly delays due to vehicular traffic and frequent train movements, and the anticipated increases in these traffic volumes due to current expansion of abutting industries, principally the Chrysler Corporation. To eliminate this dangerous crossing, we have proposed a solution which provides for the construction of a grade separation at the Mt. Elliott—Lynch Road crossing of the railroads, and which includes the improvement of an east-west connection for Caniff and Lynch Road and a north-south connection between Mt. Elliott and Mound Road.

The cost of the proposed construction, based on current prices, is estimated at \$3,750,000. This includes the structure, street paving and widening, publicly-owned utilities, certain railroad work, traffic maintenance, necessary land for right-of-way, and engineering costs.

The Wayne County Road Commission has recommended to their Board that they join with the City in the construction of a grade separation structure at this location. This was

announced to your Honorable Body last month, at which time a copy of an engineering report prepared by the Wayne County Road Commission was handed to each Council member for consideration. We are attaching, for your information, a drawing from the report showing the General Plan for this proposed construction.

The Wayne County Road Commission has indicated they will join with the City in the construction of this project on the following financial basis:

1) The City of Detroit to assume the cost of necessary lands and demolition of buildings, certain necessary street paving and widening, certain publicly-owned utility relocations, and related engineering and contingency costs. These costs are presently estimated at \$1,100,000.

2) The Wayne County Road Commission to assume the remaining costs, including allowance for statutory participation by the Railroads. This will include the cost of the bridge structure and approaches, certain street paving and widening, traffic detours, certain railroad work, and related engineering and contingencies. These costs are presently estimated at \$2,650,000.

In order to accomplish this improvement, it will be necessary to enter into an agreement with the Wayne County Road Commission which will set forth the financial participation of the parties, the limits of the work, the engineering assignments, and a tentative construction program. At a subsequent date, a second agreement must be entered into between the public authorities and the Railroads. This second agreement will establish, in greater detail, the type of construction, financial and engineering participation by the Railroads, a construction program, easement agreements for crossing Railroad property, and maintenance responsibilities and costs.

In view of the above, and subject to your final approval, we respectfully request approval of this proposed project and of the tentative arrangements described herein, and authority to enter into an agreement with the Wayne County Road Commission. This action is desirable at this time, in order that we may proceed with subsequent steps.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

Approved:

RICHARD STRICHARTZ,
City Controller.

By Councilman Ravitz:

Whereas, the foregoing communication, the preliminary engineering report dated June, 1965 prepared by the City for the Mt. Elliott—Lynch Road Grade Separation, and a report dated July, 1965 prepared by the Board of Wayne County Road Com-