

By Councilman Rogell:

The Common Council of the City of Detroit deems it necessary to construct or reconstruct cement or concrete sidewalks, crosswalks or driveways upon the descriptions of the property heretofore described in the aforesaid communication, therefore;

Resolved: That the Department of Public Works be and is hereby instructed to serve notices upon the owners or agents of the property heretofore described, to construct or reconstruct cement or concrete sidewalks, crosswalks, or driveways, and in default thereof by them The Department of Public Works proceed to construct or reconstruct such sidewalks, crosswalks or driveways.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.

Nays—None.

#### Department of Public Works

May 29, 1967

Honorable Common Council:

Re: Petition No. 1717

St. Bernard Parish et. al. Alley Conversion to Easement and Dedication

Gentlemen—The above petition requests the conversion of portions of the North-South and East—West public alleys 15 feet wide North of Mack Avenue Between Fairview and Lillibridge Avenues into easements for public utilities.

The requested conversion into easements for public utilities was approved by City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Fairview Avenue. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has made the following deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

Public Lighting Commission Fund 990-9423. Receipt No. B-37202.

For estimated cost to remove and relocate P.L.C. Street lighting facilities from the alleys to be converted into easements, \$1,050.00.

The petitioner has also requested that the installation of drainage and the paving of the new alley be done by private contract with all costs being borne by the Petitioner. This department has no objection to the Petitioner's request, provided the work is done under City Permit and Inspection and in accordance with City specifications.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Fairview Avenue. This deed was approved as to form and execution by the Corporation Counsel

and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

All other involved City departments and privately-owned utility companies reported that they have no objection to the conversions of public rights-of-way into easements 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,

ROBERT E. TOOHEY,  
Commissioner.

By Councilman Rogell:

RESOLVED, That all that part of the east-west public alley, 15 feet wide, north of Mack Avenue east of Fairview Avenue as platted in Maitland's Subdivision of Lots 17, 18, 19, 20, and 21 of Subdivision of Private Claim 688, Grosse Pointe (now City of Detroit), Wayne County, Michigan as recorded in Liber 10, Page 1 of Plats Wayne County Records lying north of and adjoining the northerly line of Lots 9 and 10, north of and adjoining the northerly line of the westerly 27.00 feet of Lot 8, south of and adjoining the southerly line of the easterly 72.00 feet of Lot 12 and lying south of and adjoining the southerly line of the public alley 15 feet wide adjoining Lot 12 all of the above mentioned subdivision.

Also all that part of the north-south public alley, 15 feet wide, north of Mack Avenue between Fairview Avenue and Lillibridge Avenue as platted in Maitland's Subdivision as recorded in Liber 10, Page 1 of Plats Wayne County Records lying east of and adjoining the easterly line of Lots 12 to 18, both inclusive, and lying west of and adjoining the westerly line of Lots 115 to 121, both inclusive, all of the above mentioned subdivision.

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 installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, telephone, 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, including but not limited to driveways, and retaining walls (except necessary line fence) shall be built or placed upon said easement, without prior approval by the Department of Public Works.

**THIRD,** That if at any time in the future 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 easements, 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 John F. Dearden, Archbishop of the Archdiocese of Detroit, deeding land to the City of Detroit for an alley outlet into Fairview Avenue being described as the south 20.00 feet of Lot 19 of Maitland's Subdivision of lots 17, 18, 19, 20, and 21 of the Subdivision of Private Claim 688, Grosse Pointe (now City of Detroit), Wayne County, Michigan as recorded in Liber 10, Page 1 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 shall install the necessary drainage and pave the newly dedicated alley and alley return by private contract under permit of the Department of Public Works and Department of Water Supply in accordance with City specifications and inspection and that all costs for said work shall be paid by the petitioner, its successors or assigns.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.  
Nays—None.

#### Department of Public Works

June 1, 1967.

Honorable Common Council:

Re: Petition No. 2886

General Motors Corporation, Alley Vacation.

Gentlemen — The above petition requests the vacation of the north-south and east-west public alleys north of Piquette, west of Hastings. The requested vacation was approved by the City Plan Commission. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

The petitioner has made the following deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated.  
Department of Public Works, Street Maintenance Division Fund 143-6241,

Receipt No. A-46511, at \$64.50.

For the original cost of paving the west one-half of Hastings Avenue at the intersection of the alley to be vacated north of Piquette Avenue.

The petitioner has also requested that the paved returns at the entrances to the alleys to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

ROBERT E. TOOHEY,  
Commissioner.

By Councilman Rogell:

Resolved, That all of the east-west public alley, 18 feet wide, north of Piquette Avenue west of Hastings Street, as platted in Jerome and Daly's Subdivision of Lots 7 and 8 of Emile Campau's Subdivision of the east part of Fractional Section No. 31, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 6, Page 82 of Plats, Wayne County Records, lying south of and adjoining the southerly line of Lot 10, south of and adjoining the southerly line of the public alley, 20 feet wide, adjoining Lot 10, north of and adjoining the northerly line of Lots 11, 12, 13, and 14, and lying north of and adjoining the northerly line of the easterly 25.00 feet of Lot 15, all of the above mentioned subdivision.

Also, all of the north-south public alley, 20 feet wide, north of Piquette Avenue, west of Hastings Street, as platted in Jerome and Daly's Subdivision, as recorded in Liber 6, Page 82 of Plats, Wayne County Records, lying east of and adjoining the easterly line of Lots 20 to 25, both inclusive, east of and adjoining the easterly line of the southerly 20.00 feet of Lot 26, west of and adjoining the westerly line of Lots 5 to 10, both inclusive, and lying west of and adjoining the westerly line of the southerly 20.00 feet of Lot 4, all of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property; and further

Resolved, That all of the north-south public alley, 20 feet wide, north of Piquette Avenue, west of Hastings Street, which was deeded to the City of Detroit on August 12, 1941, JCC Page 2362, being in fact the easterly