

MAY 28

Department of Parks & Recreation  
May 16, 1968

Honorable Common Council:  
Subject: Notice of Renewal of Government lease covering an area in Gabriel Richard Park for berthing facilities.

Gentlemen—We are enclosing Notice of Renewal of Government Lease covering an area in Gabriel Richard Park for berthing facilities for use by a United States Naval and Marine Corps Reserve Training Center. This lease was approved by your honorable Body on June 28, 1960 (JCC pages 1295-1296).

Paragraph No. 3 of this lease provides for year to year renewal at the option of the United States Government. The original term ended June 30, 1960, and the Government elected to renew yearly since that date. The present renewal terminates June 30, 1968.

We recommend that your Honorable Body accept this Notice of Renewal and approve renewal of the lease for a period commencing July 1, 1968 and ending June 30, 1969.

Respectfully submitted,  
JOHN M. MAY  
General Superintendent

By Councilman Van Antwerp:

Resolved, That renewal of the lease with the United States of America covering an area in Gabriel Richard Park, at terms and conditions as outlined in the foregoing communication, be and the same is hereby approved.

Adopted as follows:

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

Nays—None.

Department of Public Works  
May 21, 1968

Honorable Common Council:  
Re: Petition No. 3416—Currier Lumber Company and General Hardwood Company, et al—Street Conversion to Easement—Cliff Avenue—Between McNichols & Brimson.

Gentlemen—The above petition requests the conversion of Cliff Avenue 25 feet wide into an easement for public utilities. The requested conversion into easement for public utilities was approved by 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 purposes and accounts named, for amount Fund 990-9406; Receipt No. A-45704; \$1,350.00 for the cost of purchasing three fire hydrants presently in Cliff Avenue at \$450.00 each. Public Lighting Commission Fund 990-9423; Receipt No. A-45702; \$85.00 for the estimated cost of removing one

F-45 street lighting fixture, overhead coil, and associated equipment, overhauled Bureau Fund 143-6241; Receipt No. A-45703; \$336.00 for the original cost of paving the north one-half of McNichols Road at the intersection of the Cliff Avenue to be vacated.

The petitioner has also requested that the paved return at the entrance to Cliff Avenue and the north side of McNichols Road remain in its present status as the petitioner plans to utilize same, and had 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 City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said street or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
ROBERT E. TOOHEY,  
Commissioner.

By Councilman Beck:

Resolved, that all that part of Cliff Avenue 25 feet wide, between Brimson and McNichols Road as platted in Harrah's North Detroit Subdivision of Lots 2, 3, 4, 29, 30, 31, 32, 38, 39, 40, 60, 61 & 62, and part of Lot 5, 28, 41 59 of P. W. Norris & W. A. Ennis Add'n. to the Village of Norris, Sec. 9, T.1S., R. 12E., Hamtramck Twp., Wayne County, Michigan as recorded in Liber 37 Page 48, Plats, Wayne County Records, lying west of and adjoining the west line of Lots 307 and 308, west of and adjoining the west line of the 15 foot wide vacated alley lying between Lots 307 and 308, lying west of and adjoining vacated Drake Avenue, lying west of and adjoining the west line of lots 330 and 331, lying west of and adjoining the west line of the 15 foot wide vacated alley lying between Lots 330 and 331, lying west of and adjoining vacated Covert Avenue, lying west of and adjoining the west line of the 15 foot wide vacated alley lying between Lots 341 and 342, all of the above mentioned subdivision.

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street 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 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 hereinabove 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 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 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 by the Department of Public Works.

THIRD, that if at any time in the future the owners of any lots abutting on said vacated street 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 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.

Adopted as follows:

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

Nays—None.

**Department of Public Works**

May 24, 1968

Honorable Common Council:

Re: Petition No. 5586—Boomer Company — Street & Alley Vacation — Garfield Place Between Forest and Garfield Avenues.

Gentlemen—The above petition requests the conversion of Garfield Place 25 feet wide, and the L-shaped alley 15 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by City Plan Commission. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right-of-way(s) to be vacated.

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said street or that they have reached

satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

ROBERT E. TOOHEY,  
Commissioner

By Councilman Hood:

Resolved that all that part of Garfield Place 25 feet wide, lying west of and adjoining the west line of Lots 3 and 4 and lying east of and adjoining the east line of Lots 2 and 5, all of the Potter's Subdivision of the south 250.43 feet of Outlot Lot 24, Witherell Farm, City of Detroit, as recorded in Liber 10 Page 67, Plats, Wayne County Records: also

All that part of the L-shaped alley 15 feet wide lying east of and adjoining the east line of Lots 3 and 4, south of and adjoining the south line of the easterly 43 feet of Lot 4 and lying north of and adjoining the north line of Lots 17 and 18, 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 street and 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 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 and 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 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 by the Department of Public Works.

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 incidental to such