

July 2

Archdale, and Longacre Avenues as platted in Pearson's Southfield Road Subdivision of part of the south 12 acres of the west 20 acres of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 36, T. 1. S., R. 10. E., Detroit, Wayne County, Michigan as recorded in Liber 55, Page 56, Plats, Wayne County records, lying easterly of and abutting the easterly line of lots 50 to 60 and lying westerly of and abutting the westerly line of lots 61 to 71, inclusive, 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, reservation 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 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 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 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 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

June 18, 1968

Honorable Common Council:

Re: Petition No. 3826, Harold D.

March, et al, alley bounded by

Acacia, Lyndon, Lamphere,

Dacosta, conversion to easement.

Gentlemen — The above petition requests the conversion of the north-south public alley, 16 feet wide, in the block bounded by Acacia, Lyndon, Lamphere, and Dacosta 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:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alley or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

ROBERT E. TOOHEY

Commissioner

By Councilman Hood:

Resolved, That all that part of the north-south public alley, 16 feet wide, in the block bounded by Acacia, Lyndon, Lamphere, and Dacosta Avenues as platted in B. E. Taylor's Brigh tmoor-Canfield Subdivision lying south of Grand River Avenue being a part of the East  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Section 21, T.1.S.; R.10E., Redford Township, Wayne County, Michigan as recorded in Liber 47, Page 63, Plats, Wayne County records lying easterly of and abutting the easterly line of lots 279 to 298, and lying westerly of and abutting the westerly line of lots 395 to 414 inclusive, 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



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 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 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 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**  
June 26, 1968

Honorable Common Council:  
Re: Petition 6419, Suggested Pedestrian Bridge Between Greenfield and Southfield.

Gentlemen—In accordance with the request of your Honorable Body made on June 20, 1968, to Mr. Berarducci, City Engineer, concerning Petition 6419 of the Schoolcraft Improvement Association, for the construction of a pedestrian bridge crossing the Jeffries Freeway between Greenfield Road and Southfield Freeway, we have prepared the following resolution for your consideration.

Respectfully submitted,  
**ROBERT E. TOOHEY**  
Commissioner.

By Councilman Hood:

WHEREAS, The Michigan Department of State Highways, the Wayne County Road Commission, and the City of Detroit are presently engaged

in the construction of Interstate Route 96 (Jeffries Freeway) in the City of Detroit with the cooperation of the United States Department of Transportation, Bureau of Public Roads; and

WHEREAS, vehicular and pedestrian access in the heavily urbanized area of northwest Detroit through which I-96 will pass is generally limited for a distance of five and one-half miles to section-line arterials because of the existing street pattern and the Chesapeake and Ohio Railroad; and

WHEREAS, the access problem in this area will be aggravated by the construction of I-96 making pedestrian access more difficult; and

WHEREAS, at numerous times during the planning stages of I-96, the inclusion of a pedestrian overpass crossing approximately mid-way between Greenfield Road and the Southfield Freeway (M-39), both section-line arterials, was suggested by the City of Detroit representatives to provide access and continuity to and from the areas north and south of the proposed freeway; and

WHEREAS, a large park on the south side of the proposed freeway and an elementary school and related facilities located to the north of the freeway have given rise to a high incidence of pedestrian movement between the two centers of activity, which movement includes many small children; and

WHEREAS, the construction of the highly complex I-96 interchange with the Southfield Freeway (M-39) will make pedestrian movements between the two areas both hazardous and complicated, and the Greenfield Road interchange with I-96 will present certain hazards to pedestrians because of the high volume of freeway oriented vehicular movements in the area; and

WHEREAS, the City of Detroit has requested that the Michigan Department of State Highways reconsider decisions made during the planning process not to include such a pedestrian overpass crossing the I-96 projects; and

WHEREAS, The Schoolcraft Improvement Association, a neighborhood subdivision organization, has petitioned the Detroit Common Council for the construction of such a pedestrian overpass crossing as part of the I-96 construction, which request was referred to the Michigan Department of State Highways; and

WHEREAS, The Michigan Department of State Highways and the United States Bureau of Public Roads have indicated that such a pedestrian overpass crossing is needed in this area but that they will not participate in the cost of such a structure; and

WHEREAS, such a determination is contrary to the Bureau of Public Roads' oft-expressed desire that full consideration should be given to the overall interests of the public in both the Federal-aid highway programs and