

Whereas, the completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

Resolved, That the said Contract be and is hereby accepted.

Adopted as follows:

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

Nays—None.

Department of Public Works

October 16, 1968

Honorable Common Council:

Re: Petition No. 5734, Promenade Construction Company, Vacation of the Westerly 16 feet of the 71.36 foot Public Utility Easement (Formerly St. Aubin) between vacated Macomb Street and Madison Avenue.

Gentlemen — The above petition requests the vacation of the westerly 16 feet of the 71.36 foot wide public utility easement (formerly St. Aubin Avenue) between vacated Macomb Street and vacated Madison Avenue.

The requested vacation was recommended 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:

All City departments and privately-owned utility companies reported that they will be unaffected by the vacation of said easement 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 P. ROSELLE,

Commissioner.

By Councilman Rogell:

Resolved, That all that part of the westerly 16 feet of the north-south public utility easement, (formerly St. Aubin Avenue), 71.36 feet wide, between the northerly line of vacated Macomb Street, 50 feet wide, and the southerly line of vacated Mullett Street, 50 feet wide, as platted in Lot 10 of the Elmwood Park Urban Renewal Plat No. 1 of part of Private Claims 14, 90, and 91, City of Detroit, Wayne County, Michigan, as recorded in Liber 89, Pages 47, 43, and 49, Plats Wayne County records,

Also, all that part of the westerly 16 feet of the north-south public utility easement (formerly St. Aubin Avenue), 71.36 feet wide, between the northerly line of vacated Mullett Street, 50 feet wide, and the southerly line of vacated Madison Avenue, as platted in Lot 10, of the above mentioned subdivision,

Be and the same are hereby vacated as public utility easements to become a part and parcel of the abutting property.

Adopted as follows:

Yeas — Councilmen Beck, Hood,

Miriani, Ravitz, Rogell, Van Antwerp and President Carey—7.  
Nays—None.

Department of Public Works

October 11, 1968

Honorable Common Council

RE: Petition No. 6564

Margaret J. Murphy, et al

Conversion to Easement of north-south alley in block bounded by Fenkell, Keeler, Birwood and Griggs Avenues.

Gentlemen — The above petition requests the conversion of the north-south public alley, 18 feet wide, in the block bounded by Fenkell, Keeler, Birwood, and Griggs Avenues into an easement for public utilities.

The requested conversion into easement for public utilities was recommended 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:

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.

Respectfully submitted,

ROBERT P. ROSELLE

Commissioner

By Councilman Rogell:

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Fenkell, Keeler, Birwood, and Griggs Avenues as platted in the Northwestern Highway Subdivision of the Southeast ¼ of the Southeast ¼ of Section 17, T.1.S., R.11.E., City of Detroit and Township of Greenfield, Wayne County, Michigan as recorded in Liber 45, Page 44, lying easterly of and abutting the easterly line of Lots 95 to 106 and lying westerly of and abutting the westerly line of Lots 107 to 118 all 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, 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**

October 14, 1968

Honorable Common Council:

Re: Petition No. 5854, St. Boniface-St. Vincent Church, Conversion To Easement of Vermont Avenue.

Gentlemen — The above petition requests the conversion of Vermont Avenue, 50 feet wide, between Vernor Highway and Michigan Avenue into an easement for public utilities.

The requested conversion into easement for public utilities was recommended 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:

Public Lighting Commission Fund 990-9423:

Receipt No. A-17391, \$550.00.

For the estimated cost of removing one underground fed street lighting standard.

Department of Public Works, Street Maintenance Division:

Receipt No. GR-16148, \$800.00.

For the construction of curb across the portion of Vermont Avenue to be vacated and adjusting the pavement accordingly.

Department of Public Works, Intersection Fund 143-6241:

Receipt No. A-17390, \$395.00.

For the original cost of paving Vernor Highway at the intersection of Vermont Avenue. The petitioner has also requested that the paved return at the entrance to Vermont Avenue at Vernor Highway remain in its 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 objections to the conversion of the public right-of-way into an easement 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 P. ROSELLE

Commissioner

By Councilman Van Antwerp:

Resolved, That all that part of Vermont Avenue, 50 feet wide, lying southerly of Vernor Highway and northerly of the northerly line extended of the east-west public alley first northerly of Michigan Avenue as platted in the Plat of the Larned Subdivision on the Lafferty Farm, Detroit, Wayne County, Michigan as recorded in Liber 60, Pages 2 and 3, Deeds, Wayne County records, lying easterly of and abutting the easterly line of Lots 12, 14, 17, and 20; lying westerly of and abutting the westerly line of Lots 10, 11, 15, 16, and 21 inclusive, 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 in said vacated public street hereinafter described for the purposes of maintaining, installing, repairing,