

of the Scotten, Dillon Company, deeding land to the City of Detroit for alley purposes being described as the northerly twenty (20) feet of Lot 31 of Bela Hubbard's Subdivision of Private Claim 77, City of Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 46, 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.

Adopted as follows:

Yeas — Councilmen Beck, Hood, Miriani, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

November 21, 1968

Honorable Common Council:

Re: Petition No. 6613, Leo P. Bartnik,

Conversion to Easement of Alley Bounded by Coplin, Lakeview, and Hern Avenues and the Edsel Ford Freeway.

Gentlemen—The above petition requests the conversion of the north-south public alley, 18 feet wide in the block bounded by Coplin, Lakeview, and Hern Avenues, and the Edsel Ford Freeway, into an easement for public utilities.

The requested conversion into easement for public utilities was recommended 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.

Respectfully submitted,

ROBERT P. ROSELLE,
Commissioner

By Councilman Miriani:

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Coplin, Lakeview, and Hern Avenues and the Edsel Ford Freeway as platted in the plat of Alfred F. Steiner's Park Subdivision of the West Half of the Back Concession of Private Claim 219, Detroit, Wayne County, Michigan as recorded in Liber 40, Page 61, Plats, Wayne County records, lying southerly of and abutting that part of said north-south alley taken for the Edsel Ford Freeway; lying easterly of and abutting the easterly line of lots 23 and 24; lying westerly of and abutting the westerly line of lots 145 and 146, 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 in 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 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, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

November 18, 1968

Honorable Common Council:

Re: Award of Contracts, Federal Aid Demolitions, Group FA 68-7.

Gentlemen—In response to pub-