

Ravitz, Rogell, Van Antwerp and
President Carey—6.
Nays — Councilman Hood—1.

Department of Public Works
September 6, 1968

Honorable Common Council:

Re: Street and Alley Vacations —
West Side Industrial Project, U.R.
Michigan 1-4, Detroit Housing
Commission—Petition No. 7307.

Gentlemen — We wish to advise that in carrying out the development plan for the area known as West Side Industrial Project, U.R. Michigan 1-4, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Detroit Housing Commission has requested the vacation of certain streets and a certain alley.

All City departments and privately owned utility companies report that they will be unaffected by the vacation and conversion to an easement of Brooklyn Avenue between Abbott and Howard Streets and the East-west public alley east of Brooklyn Avenue between Abbott and Howard Streets.

All City departments and privately owned utility companies report that they have no installations in the portion of Abbott Street to be vacated.

The adoption of the attached resolution is recommended.

Respectfully submitted,
ROBERT P. ROSELLE
Commissioner

By Councilman Miriani:

Resolved, That the southerly five feet of Abbott Street, 50 feet wide, between Brooklyn Avenue and Sixth Street as platted in the subdivision of the Labrosse Farm, south of Michigan Avenue, as recorded in Liber 13, Page 85, Deeds, Wayne County records, lying northerly of and abutting the northerly line of Lots 1 to 7 of Block 42 inclusive, of the above mentioned subdivision,

Be and the same is hereby vacated as a public street to become a part and parcel of the abutting property; and, be it further

Resolved, That all that part of Brooklyn Avenue, 50 feet wide, between Howard Street and Abbott Street lying easterly of and abutting the easterly line of Lot 17 inclusive of the West Side Industrial Subdivision No. 1 of part of Private Claims 22, 24, 27, 246 and 248, City of Detroit, Wayne County, Michigan, as recorded in Liber 83, Page 95, Plats, Wayne County records; also,

All that part of Brooklyn Avenue, 50 feet wide, between Howard Street and Abbott Street lying westerly of and abutting the westerly line of Lots 7 and 8; lying westerly of and abutting the westerly line of the east-west public alley, 20 feet wide,

between Lots 7 and 8; lying westerly of and abutting the westerly line of the southerly five feet of Abbott Street, 50 feet wide, abutting Lot 7 all inclusive of Block 42 of the subdivision of the Labrosse Farm, south of Michigan Avenue, as recorded in Liber 13, Page 85, Deeds, Wayne County records; also,

All that part of the east-west public alley, 20 feet wide, in the block bounded by Brooklyn Avenue, Sixth Street, Howard Street, and Abbott Street lying southerly of and abutting the southerly line of Lots 1 to 7 and lying northerly of and abutting the northerly line of Lots 8 to 14 inclusive, 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 in 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 fourth.

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 removal and/or relocation, unless such charges are waived by the utility owners.

FOURTH, 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 second requirement, 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

September 16, 1968

Honorable Common Council:

Gentlemen — On June 11, 1946, J.C.C. 1427, Your Honorable Body granted approval to the Ternstedt Division General Motors Corporation, to maintain one spur track across Livernois between Fort and West Jefferson, North of and connecting the Wabash C & O Joint Railroad.

This track has been removed from public property, and we, therefore, ask that this petition be rescinded, and further ask that you direct the City Controller's Office to release the bond on file, in accordance with established procedure.

Respectfully submitted,

ROBERT P. ROSELLE

Commissioner

By Councilman Miriani:

Resolved, That resolution adopted June 11, 1946 (JCC p. 1427), granting petition of Ternstedt Mfg. Div., General Motors Corp. (1885), to maintain a spur track across Livernois between Fort and W. Jefferson, north of and connecting the Wabash C & O Joint Railroad, be and the same is hereby amended for the purpose of only rescinding therefrom the aforesaid grant, and the City Controller is hereby directed to release the related bond on file in accordance with established procedure.

Adopted as follows:

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

Nays—None.

Department of Public Works

September 12, 1968

Honorable Common Council:

Re: Petition No. 6662, Olympia Stadium - Division of Norris Grain Vacation and Conversion to Easement of Hooker Avenue and Alleys in the area.

Gentlemen —The above petition requests the conversion of Hooker Avenue, 50 feet wide, and certain alleys in the area bounded by Hooker, Lawton and Wreford Avenues into easements for public utilities, and the vacation of the east-west alley in the same block.

The requested vacation and conversion into easement for public utilities were recommended by the City Plan Commission, with the recommendation that sufficient land be dedicated for a new alley outlet into Lawton 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:

Department of Water Supply Fund 600 (0000) (6232) 001 Receipt No. C-17601 \$20.

For the estimated cost of abandoning a water service to Lot 48 in the petitioner's area.

Fire Department Fund 990-9406 Receipt No. A-13297 \$1,800.00.

For the estimated cost of relocating a hydrant on Hooker near Lawton.

Department of Public Works-Fund 990-9443-001 Receipt No. A-13296 \$500.00.

For the estimated cost of paving a new alley return at the entrance to the newly dedicated alley.

Department of Public Works, Intersection Fund-143-6241 Receipt No. A-13295 \$359.00.

For the original cost of paving Lawton Avenue at the intersection of Hooker Avenue to be vacated.

The petitioner has also requested that the paved return at the entrance to Hooker Avenue at Lawton Avenue 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.

The petitioner has requested the paving of the alley return at the entrance to the alley to be dedicated be done under private contract, all costs of such to be borne by the petitioner. The petitioner has also deposited the monies necessary to have this work done by the City. He wishes said deposits to be refunded if he has the work performed privately. The Department of Public Works has no objection to the petitioner's request provided the work is done under City specifications and inspection. Upon completion of the work in a manner satisfactory to the City Engineer, the monies deposited will be refunded.

A warranty deed has been received from the petitioner, deeding to the City of Detroit, land for the new alley outlet into Lawton 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.