

Plats, Wayne County records, lying westerly of and abutting the westerly line of the east-west public alley, 20 feet wide, between lots 11 and 14 of the above mentioned subdivision; lying easterly of and abutting the easterly line of lots 15 and 41 of the above mentioned subdivision; lying easterly of and abutting the easterly line of the vacated east-west alley, 20 feet wide, between lots 15 and 41 of the above mentioned subdivision;

Be and the same are hereby vacated as public streets and are hereby converted into public easements for subsurface utilities of the full width of the streets, which easements 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 streets and by their heirs, executors, administrators and assigns forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or right-of-way under said vacated public streets 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 things usually placed or installed under 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 easements, 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 streets shall request the removal and-or relocation of any existing utilities in said easement, such owners, upon whose property the utilities are located shall pay all costs incident 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; and be it further

RESOLVED, that the 10 foot wide

private alley, running westerly and northerly from Leib Street, between Congress and Fort Streets, is hereby closed and shall be assigned as part and parcel of the project property, and be it further

RESOLVED, that upon proper application, the Department of Public Works shall issue to the Detroit Edison Company permits to relocate their above the surface lines and poles from the vacated streets to public streets most conveniently located in reference to the vacated streets and consistent with public health, safety, convenience, and general welfare; and Be It Further

RESOLVED, that the Detroit Edison Company is hereby directed to remove all their above surface lines and poles from the vacated streets without expense to the City within thirty (30) days after receipt of a copy of this resolution; and be it further

RESOLVED, that the City Clerk is hereby directed to mail to the Detroit Edison Company a certified copy of this resolution.

Adopted as follows:

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

Nays—None.

Department of Public Works

February 6, 1969.

Honorable Common Council:

Re: Petition No. 5891. Middle Atlantic Transportation Co., Inc. Alley bounded by Waterman Avenue and Vernor Highway. Conversion to Easement.

Gentlemen—The above petition requests the conversion of the north-south public alley, 10 feet wide, bounded by Waterman Avenue and Vernor Highway 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 deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

Department of Public Works — Intersection Fund 143-6241; Receipt No. A-32604, \$108.00; For the original cost of paving Waterman Avenue at the intersection of the alley to be vacated.

The petitioner has also requested that the paved return at the entrance to the alley to be vacated 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 other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of 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 Rogell:

Resolved, That all that part of the north-south public alley, 10 feet wide, between Vernor Highway and Waterman Avenue as platted in Mithskun Subdivision of part of Lots 6, 7, and 8, Crawford's Ford Tract being in Private Claim 270 and east part of Private Claim 267, and west part of Private Claim 268, Detroit, Wayne County, Michigan, as recorded in Liber 31, Page 70, Plats, Wayne County records, lying westerly of and abutting the westerly line of Lot 23, lying easterly of and abutting the easterly line of lots 24 to 28 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, Tindal, Van Antwerp, Wierzbicki and President Carey—9.

Nays—None.

Department of Public Works

February 6, 1969.

Honorable Common Council:

Re: Petition No. 6063, Petitioner: John Piotrowski. Alley bounded by Central, Florida, Radcliffe and Sarena Avenues. Conversion to Easement.

Gentlemen—The above petition requests the conversion of the north-south public alley, 8 feet wide, in the block bounded by Central, Florida, Radcliffe, and Sarena 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 Tindal:

Resolved, That all that part of the north-south public alley, 8 feet wide, in the block bounded by Central, Florida, Radcliffe, and Sarena Avenues, as platted in William L. Holmes and Frank A. Vernor's Subdivision of a part of lot 8 and lot 9 of the Richard McDonald Estate, Fractional Section 9, T.2S., R.11.E., Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 16, Page 73, Plats, Wayne County records, lying