

Contract, PW-5760, in accordance with the Contract provisions for changes in the work.

Respectfully submitted,  
ROBERT P. ROSELLE  
Commissioner

Approved:  
B. W. KLEIN,  
Controller

By Councilman Wierzbicki:  
Resolved, That the work described above be added to the existing Contract, PW-5760, for the reasons stated in the foregoing communication; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to honor vouchers when presented covering the additional cost in the amount of \$2,761 and charge them to Account 195-9240-914.

Adopted as follows:  
Yeas—Councilmen Hood, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem. Miriani—7.  
Nays—None.

Department of Public Works

August 27, 1969

Honorable Common Council:  
Re: Petition No. 6395, John E. Murray, Etal, 17818 Annott, Detroit, Michigan. Alley bounded by Annott, Bradford, Geitzen and Greiner. Conversion to Easement.

Gentlemen—The above petition requests the conversion of the north-south public alley 18 feet wide in the block bounded by Annott, Bradford, Geitzen, and Greiner 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 Wierzbicki:  
Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Annott, Bradford, Geitzen and Greiner Avenues as platted in Drennan and Seldon's LaSalle College Park Subdivision No. 7, of Lots 1 and 2 of Trombley's Subdivision of part of the South 1/2 of Fractional Section 11, T.1.S., R.12.E., Detroit, Wayne County, Michigan as recorded in Liber 60, Page 30, Plats, Wayne County Records,

lying easterly of and abutting the easterly line of Lots 2208 to 2212, lying westerly of and abutting the westerly line of Lots 2166 to 2171 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 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 Hood, Ravitz, Rogell, Tindal, Van Antwerp, Wierzbicki and President Pro Tem. Miriani—7.  
Nays—None.