

Department of Public Works
September 2, 1969

Honorable Common Council:
Re: Petition No. 8827, Snyder Corporation, 3400 E. Lafayette Avenue, Vacation of Fort Street and the Easement formerly known as Fort Street between Ellery and Leib.

Gentlemen — The above petition requests the vacation of Fort Street, 50 feet wide, and the public utility easement, 50 feet wide, between Ellery and Leib Avenues

The requested vacations were 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:

An easement is reserved in the vacating resolution for the Michigan Bell Telephone Company for the maintenance of its installations located in the public right-of-way to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
ROBERT P. ROSELLE
Commissioner

By Councilman Hood:

Resolved, That all that part of Fort Street, 50 feet wide, between Elmwood and the east line of Ellery Avenue lying south of and abutting the southerly line of Ellery Avenue, 50 feet wide, lying southerly of and abutting the southerly line of the westerly 13.57 feet of lot 26, lying southerly of and abutting the southerly line of the easterly 3.49 feet of lot 25 inclusive of Hallock's Subdivision of part of lots 10 and 11, George Hunt Farm, Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 16, Plats, Wayne County records; lying northerly of and abutting the northerly line of lot 6, northerly of and abutting the northerly line of the vacated north-south alley, 20 feet wide, between lots 6 and 7; lying northerly of and abutting the northerly line of the westerly 17.06 feet of lot 5 inclusive of Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, George Hunt Farm, Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 22, Plats, Wayne County records; also

All that part of the public utility easement, (formerly Fort Street), 50 feet wide, between Ellery Avenue and Leib Street, lying easterly of the easterly line of Ellery Avenue, lying

southerly of and abutting the southerly line of Lots 28 to 32 inclusive of Hallock's Subdivision of part of lots 10 and 11, George Hunt Farm, Detroit, Wayne County, Michigan, as recorded in Liber 2, Page 16, Plats, Wayne County records; lying southerly of and abutting the southerly line of lots 8 and 9 of James Dewey's Subdivision of the west part of lot 4, Leib Farm as recorded in Liber 1, Page 283, Plats, Wayne County records; lying southerly of and abutting the southerly line of the easterly 170.21 feet of the westerly 231.96 feet of lot 4 of the subdivision of the Leib Farm as recorded in Liber 45, Pages 664, 665, 666, and 667, Deeds, Wayne County records; lying northerly of and abutting the northerly line of lots 1 to 4 and the easterly 12.94 feet of lot 5, all inclusive of Miller and Hallock's subdivision of lot 9 and part of lot 10, George Hunt Farm, as recorded in Liber 5, Page 22, Plats, Wayne County records, lying northerly of and abutting the northerly line of lots 6 and 7 of James Dewey's Subdivision of the west part of lot 4, Leib Farm, as recorded in Liber 1, Page 283, Plats, Wayne County records; lying northerly of and abutting the northerly line of the north-south public alley, 16 feet wide, first west of Leib Street; lying northerly of and abutting the northerly line of lot 4 lying southerly of Fort Street of the subdivision of the Leib Farm as recorded in Liber 45, Pages 664, 665, 666, and 667, Deeds, Wayne County records.

Be and the same are hereby vacated to become a part and parcel of the abutting property subject to the following:

An easement of the full width of the above described street is retained for the Michigan Bell Telephone Company for the maintenance of its facilities. Construction plans will be submitted to the Michigan Bell Telephone Company for their approval.

Adopted as follows:

Yeas — Councilmen Hood, Ravitz, Tindal, Van Antwerp, Wierzbiicki and President Pro Tem Miriani—6.
Nays—None.

Department of Public Works
August 28, 1969

Re: Petition No. 7554 and 7791
Joseph T. Ryerson and Son, Inc.
Alley Vacations
Correction of Error in
Description

Honorable Common Council:
Gentlemen — The resolution adopted by your Honorable Body on June 24, 1969, J.C.C. Pages 1511-1513, granting Petition Nos. 7554 and 7791 of Joseph T. Ryerson and Son, Inc., contained an error in the description of the property.

We respectfully request your Honorable Body to adopt the attached resolution correcting the paragraph which was in error.

Respectfully submitted,

ROBERT P. ROSELLE
Commissioner

By Councilman Hood:

RESOLVED, That for the purpose of correction, the first paragraph of the resolution adopted on June 24, 1969, J.C.C. 1511-1513 granting the petition of Joseph T. Ryerson and Son, Inc., vacating the north-south public alley first east of Riopelle, between Clay and Euclid Avenues is hereby rescinded and replaced by the following paragraph:

RESOLVED, That All that part of the north-south public alley, 16 feet wide, first easterly of Riopelle, between Clay and Euclid Avenues as opened by Circuit Court on March 16, 1916 being the westerly 16.0 feet of the southerly 160.0 feet of the northerly 448.52 feet of lot 33 of Julius Stroh, Bernard Stroh, Jr., and Edward E. Hartwick's Milwaukee Junction Manufacturer's Subdivision of part of lot 9 and lots 10 and 11, Quarter Section 58, 10,000 Acre Tract, Detroit, Wayne County, Michigan as recorded in Liber 31, Page 74, Plats, Wayne County records; also lying easterly and abutting the easterly line of lots 59, 60 and 61, easterly of and abutting the easterly line of the east-west alley, 20 feet wide, between lots 59 and 60; easterly of and abutting the easterly line of the east west alley, 20 feet wide, between lots 61 and 62, all inclusive of Giulloz and Whitaker's Subdivision of lot 12, ¼ Section 58, and part of ¼ Section 43, 10,000 Acre Tract, Hamtramck, Wayne County Michigan, as recorded in Liber 8, Page 31, Plats, Wayne County records; also

Adopted as follows:

Yeas — Councilmen Hood, Ravitz, Tindal, Van Antwerp, Wierzbicki and President Pro Tem Miriani—6.

Nays—None.

Department of Public Works

August 7, 1969

Honorable Common Council:

RE: Petition No. 8619 — Henry White, 19926 Greenlawn Encroach on easement with Concrete Slab

Gentlemen — Your Committee of the Whole referred to this office for investigation and report the above petition. The Department of Public Works has made a field investigation of this, and a summary of our findings is as follows:

Henry White's lot is 47 feet wide including a nine foot public easement at the side. The petitioner wishes to place a concrete slab for off street parking which will encroach the full nine feet of the easement. The garage immediately to the side is 11.0 feet away from the easement.

We find that the above request for permission to encroach into the easement complies with the policy adopted by your Honorable Body on February 23, 1965, J.C.C. Pages 348 and 349, and an appropriate resolution granting the same is attached for your Honorable Body's acceptance.

Respectfully submitted,

ROBERT P. ROSELLE
Commissioner

By Councilman Ravitz:

RESOLVED, That the Department of Public Works is hereby authorized and directed to issue a permit to:

Henry White, Petition No. 8619 to construct a concrete slab which will encroach nine feet into the nine foot easement at the side of lot 62 of the Askew Park Subdivision located on the east side of Greenlawn Avenue, north of Pembroke Avenue, commonly known as 19926 Greenlawn.

PROVIDED, That said permit shall be issued only after a certified copy of this resolution has been duly recorded by and at the permittee's expense in the Office of the Register of Deeds for Wayne County; and further

PROVIDED, That no right in the public easement shall be considered waived by this permission which is granted expressly on the condition that the garage, driveway, building and all obstruction in connection therewith shall be removed at the expense of the grantee at any time when so directed by the Common Council; and further

PROVIDED, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement, by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owners' expense; and further

PROVIDED, That this resolution is revocable at the will, whim or caprice of the Common Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges not expressly stated herein.

PROVIDED, That said concrete shall have no footings and shall not have any structure placed on said slab.

Adopted as follows:

Yeas — Councilmen Hood, Ravitz,