

family members of Miss Thomas. This matter has been investigated by an inspector of our Commercial Bureau. It was found that Miss Thomas is an invalid, depends entirely on her Social Security for support, has been handicapped since birth, and unable to pay for the cost of the removal of this lumber and debris.

We therefore, request authority from your Honorable Body to remove this debris free of charge.

Respectfully submitted,
ALFRED BERARDUCCI
Commissioner

Recommend:
R. P. ROSELLE
Controller

By Councilman Eberhard:
Resolved, That the Department of Public Works be and is hereby authorized and directed to remove debris from 19211 Archdale, Detroit, Michigan, free of charge in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Tindal, Wierzbicki, and President Ravitz—8.

Nays—None.

Department of Public Works
September 1, 1970

Honorable Common Council:

Re: Petition No. 8271, Walter King, Jr., et al, Alley Bounded by Lansing, McKinstry, McMillan and Toledo Avenues, Conversion to Easement.

Gentlemen — The above petition requests the conversion of a portion of the north-south public alley 10 feet wide in the block bounded by Lansing, McKinstry, McMillan and Toledo Avenues 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.

An appropriate resolution is attached for your Honorable Body's consideration.

Respectfully submitted,
ALFRED BERARDUCCI
Commissioner

By Councilman Eberhard:

Resolved, That all that part of the north-south public alley, 10 feet wide, in the block bounded by Lansing, McKinstry, McMillan and Toledo Avenues, lying westerly of and abutting the westerly line of Lots 36 to 38 inclusive of the Plat of the

subdivision of Outlot No. 33, Private Claim 30, City of Detroit, Wayne County, Michigan, as recorded in Liber 10, Page 12, Plats, Wayne County Records; and as shown on Department of Public Works Drawing No. X-8271, dated May 12, 1970.

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 Browne, Eberhard, Hood, Levin, Rogell, Tindal, Wierzbicki, and President Ravitz—8.

Nays—None.