

Gentlemen — Returned herewith is Petition No. 3336, as amended, of the General Motors Corporation requesting the temporary closing of the above described street and alleys. The temporary closings are to allow the Corporation to fence the area while processing the original petition to vacate the street and alleys.

The temporary closings were recommended by the City Plan Commission.

The Department of Public Works concurs with the recommendation of the City Plan Commission.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Browne:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permit to the General Motors Corporation, 3044 West Grand Boulevard, owners of all of the property abutting Plumer Avenue between McKinstry and Clark and all of the property abutting the alleys in the block bounded by McKinstry, Clark, Brandon and Plumer Avenues to temporarily close said street and alleys in the Bartholomew Estate Subdivision of part of Private Claim 583, north of Toledo Avenue, as recorded in Liber 10, Plats, Page 12, Wayne County records; and in the Kate T. Hawkins Subdivision of part of Private Claims 47 and 583 recorded in Liber 23, Plats, Page 66, Wayne County records, on a temporary basis for a period not exceeding one (1) year from December 7, 1971,

Provided, That petitioner shall be subject to any tax which may be levied against it pursuant to law with regards to such use of public property, and further

Provided, Petitioner first furnishes an Agreement, in form approved by the Corporation Counsel, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the City Controller, and further

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

Provided, That no building or other structure is constructed in said alley; that petitioner shall observe the rules and regulations of the Department of Public Works, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Department of Public Works, by and at the permittee's expense, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, and President Ravitz — 6.

Nays — None.

Department of Public Works

November 26, 1971

Honorable Common Council:

Re: Petition No. 2490; Mrs. Myrtle Caldwell; Alley bounded by Liddesdale, Beatrice, Leonard and Pleasant; Conversion to Easement.

Gentlemen — The above petition requests the conversion of the north-south public alley, 16 feet wide, in the above mentioned block 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.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Browne:

Resolved, That all that part of the north-south public alley, 16 feet wide, in the block bounded by Liddesdale, Beatrice, Leonard, and Pleasant Avenues, the easterly eight feet of which was deeded to the City for alley purposes by the Detroit Board of Education in instrument number D 853831 as recorded in Liber 12126, Page 217 and in instrument number D 866834, Liber 12180, Page 667, Wayne

County records, said portions being in Private Claim 125; also as platted in Welch and O'Brien's Oakwood Park Subdivision of part of Private Claims 61 and 118, Village of Oakwood, Ecorse Township, Wayne County, Michigan, as recorded in Liber 32, Page 88, Plats, Wayne County records, abutting the easterly line of lots 6 to 21 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 Browne, Eberhard, Hood, Levin, Rogell, and President Ravitz — 6.

Nays — None.

Department of Public Works

November 26, 1971

Honorable Common Council:

Re: Petition Nos. 2991 and 1662; Southfield School, Seventh Day Adventists; Alley bounded by Southfield, Archdale, Fenkell and Keeler; Conversion to Easement.

Gentlemen — The above petitions request the conversion of a portion of the north-south public alley, 10 and 20 feet wide, in the above mentioned block into an easement for public utilities.

The requested conversion into easement for public utilities was recommended by the City Plan Commission. The petitions were then referred to us for investigation and report. Our report, accompanied by the original petitions is as follows:

The petitioner has also requested that the paved return at the entrance to the alley from Keeler 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.

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 consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

By Councilman Eberhard:

Resolved, That all that part of the north-south public alley, 10 and 20 feet wide, in the block bounded by Southfield, Archdale, Fenkell, and Keeler Avenues, as platted in the Miller Super Subdivision of Lots 87, 88, 89, 91, 93 and 95 to 101 inclusive of J. P. Miller Subdivision of part of Sections 13 and 24, T.1.S., R.10, E., City of Detroit, Wayne County, Michigan, as recorded in Liber 56, Page 58, Plats, abutting the easterly line of Lots 24 to 40 and abutting the westerly line of Lots 62 to 65 all 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,