

Meadowbrook free of charge in accordance with the foregoing communication.

Adopted as follows:
Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.
Nays — None.

Department of Public Works

March 14, 1972.

Honorable Common Council:
Re: Petition No. 3269; Agnes Salhaney, etal, Conversion to Easement of the North-South Alley in the Block bounded by West Parkway, Beaverland, Elmira and Plymouth.

Gentlemen — The above petition requests the conversion of the 20 foot wide, north-south alley in the above described 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 Hood:

RESOLVED, That all that part of the north-south public alley, 20 feet wide, in the block bounded by West Parkway, Beaverland, Elmira, and Plymouth, abutting the rear line of lots 25 to 57, and lots 96 to 114, inclusive of "Frischkorn's City Park Subdivision", being a part of the northeast ¼ of Section 33, T.1.S., R.10.E., Redford Township, Wayne County, Michigan, as recorded in Liber 54, Page 9, Plats, Wayne County Records;

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, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Department of Public Works

March 7, 1972

Re: Agreement No. 72-0018. Jeffries Freeway, Mansfield Pedestrian Bridge. PO7 of 82123 B.

Honorable Common Council:

Gentlemen — We submit, for your consideration, a proposed agreement between the Michigan State Highway Commission, the Board of Wayne County Road Commissioners, the City of Detroit, and the Chesapeake and Ohio Railway Company which provides for the construction and maintenance of a pedestrian overpass structure over the Jeffries Freeway (I-96) and the C & O Railroad in the vicinity of O'Shea Playfield at Mansfield Street.

This is part of the construction involved in building the Jeffries Free-