

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 — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.  
Nays — None.

Department of Public Works

June 13, 1974

Honorable City Council:

Re: Petitioner No. 341, Dorothy Goff, et al—Conversion to Easement of the north-south alley in the block bounded by Ashton, Southfield, Dover, Cathedral.

The above petition requests the conversion of the above described alley, 20 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved 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,

JAMES W. WATTS  
Commissioner

By Council Member Cleveland:

RESOLVED, That all of the north-south public alley, 20 feet wide, in the block bounded by Ashton, the Southfield Freeway, Dover, and Cathedral, having been plated in "Dana Park" a subdivision of the southeast ¼ of the southeast ¼ of Section 35, T. 1S., R.10E., City of Detroit, Wayne County, Michigan, as recorded in Liber 57, Page 91 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 over said vacated public alley hereinabove described for the purpose 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 — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.  
Nays — None.

Department of Public Works

June 12, 1974

Honorable City Council:

Re: Petition No. 7463, Paul Gold, et al, Conversion to Easement of the remaining portion of east-west alley in the block bounded by Burgess, Bentler, Bennett, and Thatcher.

The above petition requests the conversion of the above described alley, 16 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the City Plan Commission. The petition was



July 2

then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

All City department 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,  
JAMES W. WATTS  
Commissioner

By Council Member Cleveland:

Resolved, That all that part of the remaining portion of east-west public alley, 16 feet wide, in the block bounded by Burgess, Bentler, Bennett, and Thatcher abutting the rear line of lots 23 and 24 of the Elm Avenue Subdivision of part of Outlot 9 of Beulah Willmarth Estate Subdivision on the west 1/2 of the southwest 1/4 of Section 10, T.1S., R. 10E., Village of Redford, Wayne County, Michigan, as recorded in Liber 34, Page 21, Plats, Wayne County Records; and adjoining the easterly 62.35 feet of the southerly line of lot 87 of Brock's Lasher Avenue Subdivision of Lots 3, 4, 5, 6, 7 and 8 Circuit Court Chancery File No. 9738 in the Village of Redford, lying in the southwest 1/4 of Section 10, Redford, Township, T.1S., R. 10E.; Wayne County, Michigan, as recorded in Liber 41, Page 80, 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 over 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 — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Department of Public Works

June 18, 1974

Honorable City Council:

Re: Contract: PW-6529—For: Curb and Walk Replacement and Resurfacing—Virginia Park NDP MICH A-4-2—Adjusted Contract Price: \$75,227.40. Contractor: Domenico Macro.

This is to certify that all work required of the Contractor in the performance of this Contract has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated above as the Adjusted Contract Price.

The Contractor has submitted an affidavit that all payrolls, material bills, and all other indebtedness incurred by him in connection with the work have been paid.

It is therefore recommended that the total value of the work, as above stated, less the total amounts previously paid on all progress payments, be paid to the Contractor with the understanding that such payment is made by the City and accepted by the Contractor under the Contract provisions covering final payment.

Respectfully submitted,  
R. C. MONAHAN  
Engineer of Inspection  
LOUIS W. KLEI  
City Engineer  
JAMES W. WATTS  
Commissioner, Public Works

By Council Member Henderson:  
WHEREAS, From the foregoing communication, it appears that all work required to be performed by the