

April 2

Department of Public Works
March 18, 1974

Honorable Common Council:
Re: Petition No. 6559, Detroit Board
of Education, Vacation of a
portion of Logan Avenue west of
Central Avenue.

The above petition requests the vacation of a portion of Logan Avenue west of Central Avenue. The requested vacation 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:

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

The petitioner has requested that the curb to be constructed across the vacated portion of Logan be done by private contract. The Department of Public Works has no objection as long as the work is done under City permit and according to DPW inspection and specification with the entire cost being borne by the petitioner.

The Fire Department has replied that they have no objection as long as they have free and easy access to the siamese water connection in the area 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,
JAMES W. WATTS,
Commissioner

By Councilman Hood:

Resolved, That all that part of Logan Avenue, 50 feet wide, not previously vacated west of Central Avenue, abutting the front line of lots 646 to 649 and lots 705 to 708, all inclusive of the Ferndale Avenue Subdivision of a part of Private Claim 718, also all of Private Claim 67, North of the Wabash Railroad, City of Detroit, Wayne County, Michigan, as recorded in Liber 30, Page 67, Plats, Wayne County records,

Be and the same is hereby vacated as a public street and is hereby converted into an easement of the full width of the street, 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 street and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the Michigan Consolidated Gas Company a n

easement or right of way over said vacated public street herein-above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as gas lines or mains or things usually placed or installed in a public street 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 street shall request the removal and-or relocation of any utilities in said easement, such owners, upon whose property the 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; and be it further

Resolved, That the siamese water connection on the south side of the vacated street shall have free and easy access to it for the Fire Department; and be it further

Resolved, That the construction of curb across the vacated portion of street and the installation of necessary drainage to prevent ponding shall be done by private contract under City permit, according to Department of Public Works inspection and specifications with the entire cost borne by the petitioner.

Adopted as follows:

Yeas — Councilmen Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Purchases and Supplies

April 1, 1974

Honorable Common Council:
Re: Purchase Recommendations.

The Department of Purchases and Supplies has advertised for bids in accord with specifications and recommends that contracts be entered