

All that part of the east-west public alley, 29 feet wide, in the block bounded by Woodward, John R. Chandler, and Marston between the easterly line of the north-south public alley, 20 feet wide and a point 80 feet easterly thereof

The above alleys appear in the following subdivisions:

"Chandler Avenue Subdivision" of Part Lot 5, of the Subdivision of Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 13, Page 96, Plats, Wayne County records; and

"Atkinson's Subdivision of Park Lot 6 of the Subdivision of Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 8, Page 21, Plats, Wayne County records,

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements 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 alleys and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or rights of way over said vacated public alleys 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 easements 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 easements, nor any change of surface grade made, without prior approval by the City Engineering Department,

THIRD, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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; and be it further

RESOLVED, That the petitioner shall, within 60 days of receipt of a copy of this resolution, deed to the City of Detroit the following property to be used for alley purposes:

The easterly 20 feet of Lot 95 of the Chandler Avenue Subdivision of Park Lot 5, of the Subdivision of Section 57, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan, as recorded in Liber 13, Page 96, Plats, Wayne County records,

and be it further
RESOLVED, That said deed shall be accompanied by proof of ownership and proof of payment of all taxes; and be it further

RESOLVED, That the installation of drainage and the construction of a concrete alley and alley return will be done by private contract under City permit and inspection and according to City Engineering Department specifications with the entire cost borne by the petitioner; and be it further

RESOLVED, That if at any time in the future it becomes necessary to remove the paved alley returns at the entrance to the alley to be vacated, the cost of such removal and construction of new curb and sidewalk and backfilling will be borne by the petitioner or his assigns; and be it further

RESOLVED, That the reimbursement costs of \$228.81 for the original paving of Chandler and Marston and the intersection with the north-south alley to be vacated is hereby waived.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, and President Levin — 7.
Nays — None.

City Engineering Department

September 27, 1974

Honorable City Council:

Re: Petition No. 6853, Commercial Steel Treating Corporation Acceptance of Deed for new alley outlet.

On August 14, 1974 (J.C.C. Pages 1852 to 1854) your Honorable Body granted the petition (6853) of the Commercial Steel Treating Corporation to vacate the east-west alley in the block bounded by Carbondale, Military, Tireman, and Vancouver. As a part of the arrangements to complete the petition it was necessary for the petitioner to deed land to the City for a new alley outlet into Carbondale.

We are in receipt of the deed. This deed was approved as to form and execution by the Law Department and as to description by the City

Engineering Department, and is attached for you Honorable Body's acceptance.

Respectfully submitted,
H. T. DUDLEY
 Director

By Council Member Hood:

RESOLVED, That the Warranty Deed of the Commercial Steel Treating Corporation deeding land to the City of Detroit for alley purposes described as:

The south 20 feet of the north 25 feet of Lot 186, Scripps' Holden Avenue Subdivision of Lot 2, as recorded in Liber 19, Page 67, Plats, Wayne County records,

Be and the same is hereby accepted and the Finance Department is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, and President Levin — 7.
 Nays — None.

City Engineering Dept.

September 17, 1974

Honorable City Council:

RE: Alley Paving Petition No. 4831

Protest Petition No. 6939

Alley Bounded by Mitchell, McDougall, Nevada, and Grixdale

The paving of the alley bounded by Mitchell, McDougall, Nevada, and Grixdale, was requested by majority petition to the Common Council and was ordered paved by your Honorable Body on July 18, 1972.

Prior to taking action on advertising the paving of this alley, and in order to avoid future protests due to the paving cost, a letter dated June 7, 1973, was sent to each property owner whose property abuts this alley, informing him of his estimated assessed cost. The owners were also informed that they had 30 days to protest the paving to the Common Council.

A Protest Petition, No. 6939, dated June 19, 1973, was received by the City Clerk's Office prior to advertising. This was signed by some of the owners who signed the original paving petition, causing the original to become a minority petition. No action was taken on the latter petition, however, since it was inadvertently sent to the City Plan Commission, and was not received by the City Engineering Department until September 10, 1974, when the sponsor brought it to the City Engineering Department office.

Inasmuch as the Protest Petition represents a majority of the property owners, we recommend that the Protest Petition be accepted, and the order to pave be rescinded.

Respectfully submitted,
JAMES W. WATTS
 Director
 Environmental Protection and
 Maintenance Department

Recommended:

H. T. DUDLEY
 Director, City Engineering
 Department

By Council Member Cleveland:

Resolved, That the majority Protest Petition, No. 6939, be accepted, and that the order to pave the following alley be and the same is hereby rescinded:

Petition No. 4831 — NS & EW — Mitchell — McDougall — Nevada — Grixdale, July 18, 1972, J.C.C. Page 1789.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, and President Levin — 7.
 Nays — None.

City Engineering Department

October 7, 1974

Honorable City Council:

RE: Petition No. 746

Eastern Market Beef Company
Request to Construct Loading
Area Encroaching on Alfred Street
at 1545 Alfred

Your Committee of the Whole referred the above petition to this office for investigation and report. The City Engineering Department has made a field investigation of the petitioner's request. Our findings are as follows:

The encroachment onto Alfred Street consists of the following facility:

A movable wall approximately twelve and one-half (12-½) feet long will be built along the curb line parallel to the building and the street. The end columns which support this wall will be the only permanent encroachment of the new facility. Parallel movable doors that are perpendicular to both the street and the building will run at either end of the 12-½ ft. wall. A canopy will stretch from the building to the top of the movable wall to complete the enclosure. Trucks will pull up on the sidewalk that is adjacent to the building and the street. One of the movable end doors will be left open and the truck will back into the facility approximately 6 to 8 inches. An air bag will then be used to complete the facility. The air bag will circle the back of the truck and seal the facility from the outside air. The facility will be refrigerated from the rest of the building. When the facility is not in use, the two doors and the movable wall will be left open which will allow pedestrian traffic to flow freely on the sidewalk without being screened from view.

We find that the above request to encroach into the street right of way complies with policy adopted by your Honorable Body. An appropriate resolution is attached for consideration and adoption by your Honorable Body.

Respectfully submitted,
HERMAN T. DUDLEY
 Director