

Department of Public Works
May 1, 1974

Honorable Common Council:
Re: Petition No. 7168, Abraham
Weintraub, et al, Conversion to
Easement of a portion of the
east-west alley north of
Pembroke, between Faust and
Glastonbury.

The above petition requests the conversion of the above described public 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 Councilwoman Henderson:

Resolved, That all that part of the east-west public alley, 20 feet wide, north of Pembroke, between Faust and Glastonbury abutting the rear line of lots 248 to 253 and the westerly 10 feet of lot 247, and abutting the southerly line of lot 254 and the westerly 9 feet of the vacated north-south alley adjoining the rear line of said lot 254 all inclusive of "George W. Renchard's Collegedale Subdivision" of the south $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 2, T.1.S., R.10.E., Redford Township, Wayne County, Michigan, as recorded in Liber 53, Page 3, 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 — Councilmen Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Department of Public Works

May 1, 1974

Honorable Common Council:
Re: Petition No. 6856, Howard D.
Wardlaw, et al, Conversion to
Easement of the remaining
portion of north-south alley in
the block bounded by Greenfield,
Prest, Chippewa, and James
Couzens Drive.

The above petition request 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.