

July 2

1974

Contractor under the Contract there-in named has been fully completed; and

WHEREAS, The completed work has been found acceptable under the terms and conditions of said Contract by the department for whom the work was performed; therefore be it

RESOLVED, That the said Contract be and is hereby accepted.

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 20, 1974

Honorable City Council:

Re: Petition No. 7838, Currier Lumber Company, Vacation of a portion of the east-west alley east of Cliff Avenue between Brimson and Edgeton.

The above petition requests the vacation of the above described alley. 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 Bell Telephone Company for the maintenance of its installation located in the public right of way 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 Council Member Henderson:

Resolved, That the east-west alley, 15 feet wide, east of Cliff Avenue between Brimson and Edgeton Avenues abutting the rear line of lots 254 to 258 and lots 287 to 291 inclusive of "Harrah's North Detroit Subdivision" of lots 2, 3, 4, 29, 30, 31, 32, 38, 39, 40, 60, 61 and 62 and part of lots 5, 28, 41 and 59 of P. W. Norris and W. A. Ennis Addition to the Village of Norris, Section 9, T. 1S., R. 12E., Hamtramck Township, Wayne County, Michigan as recorded in Liber 37, Page 48, Plats, Wayne County records

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property subject to the following:

FIRST, said owners hereby grant to and for the use of the Michigan Bell Telephone Company an easement or right of way over said vacated public alley hereinabove described for

the purposes of maintaining, installing, repairing, removing, or replacing utilities such as telephone 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 purposes 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 of the Michigan Bell Telephone Company,

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 Michigan Bell Telephone Company,

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 25, 1974

Honorable City Council:

Re: Petition No. 6856, Howard D. Wardlaw, etal, Conversion to Easement of an alley - Correction of Property Description.

On May 14, 1974, J.C.C. Pages 1141 and 1142, your Honorable Body granted the petition of Mr. Howard D. Wardlaw, etal, to convert the remaining portion of alley in the block bounded by Greenfield, Prest, Chippewa, and James Couzens into an easement for public utilities. The vacating resolution contained an error in the property description.

We respectfully request your Honorable Body to approve the attached resolution correcting the error.

Respectfully submitted,

JAMES W. WATTS

Commissioner