

closed portion of the alley to permit access for utility vehicles.

Provided, A fence or other suitable barricade be placed across the northerly end of the closed portion of the alley perpendicular to the Barolo Playfield fence and intersecting the northeasterly property line of Lot 250, Oakwood Subdivision, and that the petitioner provide proper signing, as approved by the Department of Streets and Traffic, to advise motorists of the alley closing.

Provided, The petitioner protect the Department of Parks and Recreation fence from damages by installing a bumper rail, wheel stops, or other suitable guards along said fence.

Provided, That no building is constructed in said alley, that petitioner shall observe the rules and regulations of the Department of Public Works, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the Department of Public Works, by and at the permittee's expense, and further

Provided, This resolution is revocable at the will, whim or caprice of the Common Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

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

Nays — None.

Department of Public Works
March 6, 1974

Honorable Common Council:

Re: Petition No. 9318-9683-2209, Detroit Board of Education, Murray High School Site, Vacation of Streets and Alleys in the area bounded by Fourteenth, Twelfth, Forest, and Warren

The above petition requests the vacation of the streets and alleys in the above described area. The requested vacations were 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:

The petitioner has issued the following Purchase Orders, which have been credited to the departments named, for the purposes indicated:

Detroit Metro Water Department,

P.O. No. 61742, \$4,300.00, For the estimated cost of furnishing engineering and inspection services for the new water main construction.

Fire Department, P.O. No. 62023, \$3,700.00, For the estimated cost to abandon one hydrant and to relocate another hydrant. All other hydrant work will be done by private contract.

Public Lighting Commission, P.O. No. 51526, \$36,200.00, For the relocation of Public Lighting facilities from the area.

DPW Intersection Fund, P.O. No. 62024, \$4,260.00, For the original cost of paving the streets at the intersection of the streets and alleys to be vacated.

The petitioner has also requested that the paved returns at the entrance to the streets and alleys to be vacated be removed by private contract. The Department of Public Works has no objection as long as the work is done by City permit and according to DPW specification and inspection.

An easement is reserved in the vacating resolution for the Detroit Metro Water Department for the maintenance of its installations located in the public right of ways 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 Councilwoman Mahaffey:

Resolved, That all that part of Hancock, 70 feet wide, between and abutting the easterly line of Fourteenth Street, 80 feet wide, and the westerly line of Wabash Avenue, 65 feet wide; also

All that part of Hancock, 50 feet wide, between and abutting the easterly line of Wabash Avenue, 65 feet wide, and the westerly line of Twelfth Street, 54.84 feet wide; also

All that part of Celia Street, 50 feet wide, between and abutting the easterly line of Wabash Avenue, 65 feet wide, and the westerly line of Twelfth Street, 54.84 feet wide; also

All that part of Vermont Street, 70 feet wide, between and abutting the southerly line of Hancock Avenue, 50 feet wide, and the northerly line of Celia Avenue, 50 feet wide; also

All that part of Vermont Street, 70 feet wide, between and abutting the southerly line of Celia Street, 50 feet wide, and the northerly line of Forest Avenue, 70 feet wide; also

All that part of the north-south alley, 20 feet wide, in the block bounded by Fourteenth, Wabash, Hancock, and Warren Avenues; also

All that part of the north-south alleys 11.27 and 20 feet wide in the block bounded by Fourteenth, Wabash, Forest, and Hancock; also

All that part of the north-south alley, 20 feet wide, in the block bounded by Wabash, Vermont, Celia, and Hancock; also

All that part of the north-south alley, 20 feet wide, in the block bounded by Wabash, Vermont, Forest, and Celia; also

All that part of the east-west and north-south alleys 10, 15, and 20 feet wide, in the block bounded by Vermont, Twelfth, Celia, and Hancock; also

All that part of the north-south alleys 10 and 15 feet wide, in the block bounded by Vermont, Twelfth, Forest and Celia;

All of the above mentioned streets and alleys appear in the following subdivisions:

Plat of part of the Godfroy Farm P.C. 726 lying N. of Grand River Avenue Liber 7, Page 55

Candler's Subdivision of Block 3 to 11, inclusive of lot 3 of the Subdivision of the Lafferty Farm north of Grand River Road, Liber 1, Page 274

Resubdivision of Lots 8, 9 and 10 Block 4 of Lot 3 Lafferty Farm north of Grand River Avenue Liber 1 Page 303

Subdivision of Blocks 2, 3, 4, 5, and 6 Lot 2 Lafferty Farm N. of Grand River Road Liber 1 Page 255

Subdivision of Blocks 7, 8, 9, 10, 11, 12 Outlot 2 Lafferty Farm north of Grand River Street Liber 1 Page 281

Subdivision of Lot 1 of the Subdivision of the Lafferty Farm north of Grand River Road Liber 1 Page 230

William B. Wesson's Section of the Thompson Farm north of Grand River Road, Liber 1 Page 31

Wynne's Subdivision of lots 422 and 423 of the Subdivision of Private Claim 726, north of Grand River Avenue, known as Godfroy Farm, Detroit, Wayne County, Michigan Liber 13, Page 63 Wayne County Records

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the abutting property subject to the following easement provisions:

Easements of the full width of the following street and alleys are retained for the Detroit Metro Water Department:

1. Celia Street, 50 feet wide, lying between and abutting the westerly line extended northerly of the north-south alley, 20 feet wide, between Wabash and Vermont and abutting the westerly line of Twelfth Street, 54.84 feet wide;

2. The north-south alley, 20 feet wide, in the block bounded by Wabash, Vermont, Forest, and Celia

3. The north-south alley, 15 feet wide, first west of Twelfth Street, between Forest and Celia

4. The north-south alleys, 20 feet

wide in the blocks bounded by Fourteenth, Wabash, Forest, and Warren, and in Hancock Avenue, 70 feet wide, between the alley lines extended for the purpose of installing, maintaining, operating, repairing, removing or replacing any water mains, sewers, fire hydrants and appurtenances, with the right of ingress or egress at any time to, and over said easement for the purpose above set forth.

Free and easy access to the water mains, sewers, fire hydrants and appurtenances within the easement, is required for Detroit Metro Water Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks and other heavy construction equipment as necessary for alteration of repair of the main and facilities.

The Detroit Metro Water Department retains the right to install suitable permanent main location guide posts over its water mains at reasonable intervals and at points of deflection.

Said owners of the adjoining property for their heirs and assigns agree that no building or structure of any nature whatsoever, including porches, patios, balconies, et cetera shall be built upon said easement or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Metro Water Department.

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 the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owners, or assigns, then in such event the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged mains and shall also be liable for all claims for damages resulting from his action; and further

Resolved, That the additional fire hydrant relocations other than covered in Purchase Order 62023 shall be done by private contract under City permit and according to Detroit Metro Water Department specifications and inspection, with the entire cost being borne by the petitioner, and further

Resolved, That the installation of catch basins to prevent ponding at the intersection with the streets to be vacated be done by City permit and according to Detroit Metro Water Department specifications and inspection. The locations of these seven (7) catch basins are:

- 1) Southwest Corner Celia and Twelfth

- 2) Northwest Corner Cella and Twelfth
- 3) Northwest Corner Hancock and Twelfth
- 4) Northeast Corner Wabash and Hancock
- 5) Northwest Corner Wabash and Hancock
- 6) Southeast Corner Fourteenth and Hancock
- 7) Northeast Corner Fourteenth and Hancock

and be it further Resolved, That the removal of the paved street and alley returns, construction of new curbs and walks and the adjustment of the asphalt pavement be done by private contract under City permit and according to Department of Public Works specification and inspection with the entire cost being borne by the petitioner.

Adopted as follows:
Yeas — Councilmen Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.
Nays — None.

Department of Public Works

March 1, 1974

Honorable Common Council:
Re: Petition No. 5182; Board of Education; Conversion to Easement of the street and alleys in the blocks bounded by Baldwin, Van Dyke, Medbury, and Conger Avenues.

The above petition requests the conversion of the street and alleys in the above area into an easement for subsurface public utilities. The requested conversion into easement for subsurface 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:

The petitioner has issued the following Purchase Orders which have been credited to the departments named for the purposes indicated:

Detroit Metro Water Department. P.O. No. 50372. For the estimated cost of removing connections to the houses in the area.

Fire Department, P.O. No. 50373 - \$500.00. For the estimated cost to relocate one (1) fire hydrant.

Public Lighting Commission. P.O. No. 50374 - \$1,600.00. For the estimated cost to remove the overhead facilities from the area.

DPW - Intersection Fund. P.O. No. 50375 - \$972.00. For the original cost of paving the streets at the intersection of the street and alleys to be vacated.

The petitioner has also requested that the paved returns at the entrance to the street and alleys to be vacated be removed and new curb and walk constructed all to be done by private contract. The DPW has no objection provided the work is

done by City permit and according to DPW specification and inspection.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right of ways into subsurface easements provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
JAMES W. WATTS
Commissioner

By Councilwoman Mahaffey:

Resolved, That all that part of Phelps Avenue, 50 feet wide, between and abutting the easterly line of Baldwin Avenue and the westerly line extended of the north-south alley, 15 feet wide, first west of Van Dyke; also

All that part of the north-south alley, 14 feet wide, first east of Baldwin Avenue between Phelps and Conger Avenues; also

All that part of the east-west alley, 16 feet wide, in the block bounded by Baldwin, Van Dyke, Phelps, and Conger Avenues; also

All that part of the east-west and north-south alleys, 14, 15 and 16 feet wide, in the block bounded by Baldwin, Van Dyke, Medbury, and Phelps;

All of the above appear in the following subdivisions:

Potter's Subdivision of the East part of Private Claim 390, north of Gratiot Avenue, Hamtramck, Wayne County, Michigan, as recorded in Liber 13, Page 92, Plats, Wayne County records; and

George H. Martz's Subdivision of the west part of Private Claim 390, north of Gratiot Avenue, Hamtramck, Wayne County, Michigan, as recorded in Liber 14, Page 5, Plats, Wayne County records;

~~Be and the same~~ are hereby vacated as a public street and alleys and are hereby converted into a subsurface public easement of the full width of the street and alleys, 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 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 a subsurface easement or right of way under said vacated public street and 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 things usually placed or installed in a public street and alley in the City of Detroit, with the right to ingress and egress at any time to and over said