

PROVIDED, That the petitioner enter into an Occupancy Agreement on the basis of a rental fee of \$50.00 per year; and

PROVIDED, That the Community and Economic Development Department is hereby authorized and directed to negotiate said Agreement; and

PROVIDED, That the Law Department is hereby directed to prepare said Agreement; and

PROVIDED, That the Finance Director is hereby authorized and directed to sign said Agreement; and be it further

RESOLVED, That said Agreement be considered confirmed when signed and executed by the Finance Director and approved as to form and execution by the Law Department; and be it further

PROVIDED, That such use of said public property shall be made under the rules and regulations of the City Engineering Department and the Department of Transportation in accordance with plans approved by those departments and the Community and Economic Development Department; and

PROVIDED, That said permission may be rescinded at any time it is deemed necessary by the Department of Transportation, and further, that the issuance of the permits shall not in any way waive the rights of the City to utilize the area for street widening or other purposes as may become necessary in the future, and

PROVIDED, That all construction costs be borne by permittee, and

PROVIDED, That the parking spaces shall not in any way waive the requirements of the Zoning Ordinance regarding off-street parking, and

PROVIDED, That this resolution is revocable at the will, whim or caprice of the City Council and permittee hereby expressly waives any right to claim damages or compensation for removal of encroachment; and further that permittee acquires no implied or other privileges hereunder not expressly stated herein, and

PROVIDED, That these permits shall not be assigned or transferred without written approval of the City Council, and

PROVIDED, That the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee, and

PROVIDED, That a certified copy of the resolution be recorded with the Office of the Register of Deeds of Wayne County by and at permittee's expense, and

PROVIDED, That no rights in the public streets, alleys or other public places shall be considered waived by this permission, which is granted expressly on the condition that said encroachment and all obstruction in

connection therewith shall be removed at the expense of the permittee at any time when so directed by the City Council, and that the public property shall be restored to a condition satisfactory to said Departments by said permittee at its expense.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, and President Levin — 7.

Nays — None.

City Engineering Department

October 1, 1975

Honorable City Council:

Re: Petition No. 1132 — B. H. French, et al. Conversion to Easement of the north-south public alley in the block bounded by Chalmers, Hayes, Camden, and Wade.

The above petition requests 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 Community and Economic Development Department. 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,
HERMAN T. DUDLEY
Director

Approved:
JAMES WATTS
Director

Environmental Protection
& Maintenance Dept.

By Council Member Cleveland:

RESOLVED, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Chalmers, Hayes, Camden, and Wade Avenues abutting the rear line of lots 687 to 691 and the westerly line of lot 692 all inclusive of the Park Drive Subdivision No. 1 of part of Fractional Section 13, T-1-S, R-12-E; City of Detroit, Wayne County, Michigan, as recorded in Liber 51, Page 47, 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 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 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 City Engineering Department.

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 — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, and President Levin — 7.

Nays — None.

City Engineering Department

October 14, 1975

Honorable City Council:

Re: Petition No. 2189 — Standard Federal Savings and Loan Association. Conversion to Easement of the remaining alleys in the block bounded by Manor, Pinehurst, Oakman, and Joy Road.

The above petition requests the conversion of the above described alleys, 20 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

The petitioner has made the fol-

lowing deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

Street Maintenance Division — \$680.00. For the original cost of paving Joy Road and Pinehurst at the intersection of the alleys to be vacated.

The petitioner has requested that the removal of the paved alley return and the construction of new curb and sidewalk be done by private contract. The City Engineering Department has no objection provided the work is done under City permit and inspection and according to City Engineering Department specifications with the entire cost borne by the petitioner.

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 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,

HERMAN T. DUDLEY,

Director

Approved:

JAMES WATTS

Director

Environmental Protection & Maintenance Dept.

By Council Member Henderson:

RESOLVED, That all that part of the north-south public alley not previously vacated and the east-west public alley, both 20 feet wide, in the block bounded by Manor, Pinehurst, Oakman, and Joy Road, as platted in Robert Oakman Land Company's Aviation Field Subdivision No. 3, part of the northeast $\frac{1}{4}$, Section 5, T.2S, R.11E., City of Detroit, Wayne County, Michigan, as recorded in Liber 49, Page 56, 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