

By Council Member Rogell:

RESOLVED, That all that part of the east-west public alley, 29 feet wide, in the block bounded by Woodward, John R., Chandler, and Marston abutting the rear line of the west five feet of the east 20 feet of lot 4 of 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; and abutting the rear line of the west five feet of 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,

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 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 ac-

cordance 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 Warranty Deed of the petitioner deeding land to the City of Detroit for alley purposes, described as:

The west five (5) feet of lot 94 and the east fifteen (15) feet of lot 95 of the Chandler Park 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,

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 Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

City Engineering Department

January 22, 1975

Honorable City Council:

Re: Petition No. 1454, McDonald's Corporation, Conversion to Easement of a portion of the east-west alley north of Fenkell and west of Wyoming.

The above petition requests the conversion of the above described portion of east-west 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 other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of public right of way into easement 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

By Council Member Rogell:

RESOLVED, That all that part of the east-west public alley, 20 feet wide, in the alley bounded by Washburn, Wyoming, Fenkell, and Keeler abutting the southerly line of lot 242 and abutting the rear line of lots 1 to 4 and the easterly 2 feet of lot 5 all inclusive of the Northwestern Highway Subdivision of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, T.1 S., R.11 E., City of Detroit and

Township of Greenfield, Wayne County, Michigan, as recorded in Liber 45, Page 44, 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 Environmental Protection and Maintenance 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, and be it further

RESOLVED, That the catch basin located approximately on the easterly line of the north-south alley extended be retained in order to maintain drainage in the portion of the east-west alley to remain open; if at any time in the future this is not possible, a new catch basin shall be constructed in the open portion of alley with the entire cost being borne

by the petitioner, his administrators, or his assigns.

Adopted as follows:

Yeas — Council Members Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

Environmental Protection & Maintenance Department

February 6, 1975

Honorable City Council:

Re: Petition No. 1626, Integral Yoga Institute, 16535 Livernois.

We return, herewith, Petition No. 1626, Integral Yoga Institute, located at 16535 Livernois, in which they request a waiver of fees for regular weekly refuse collection service.

As Integral Yoga Institute is a non-profit and tax-exempt organization whose purpose is to instruct students in practices which will create relaxation, health, and peacefulness physically, emotionally, and mentally, it is the recommendation of our Commercial Bureau that their request be granted.

It is further recommended that all outstanding Commercial Billings from August 1, 1974 in the amount of \$36.00 be cancelled as per attached resolution.

Respectfully submitted,

JAMES W. WATTS

Director

By Council Member Hood:

RESOLVED, that the petition of Integral Yoga Institute, located at 16535 Livernois, Detroit, Michigan for waiver of fees for refuse collections be and the same is hereby granted subject to compliance with the controls established by Environmental Protection and Maintenance Department.

It is further, RESOLVED, that all outstanding Commercial Billings from August 1, 1974 in the amount of \$36.00 be cancelled

PROVIDED, that no implied or other conditions not expressly stated herein are extended to petitioner, and further

PROVIDED, this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.

Nays — None.

Housing Department

February 10, 1975

Honorable City Council:

Re: Appointment of Mrs. Mildred Smith to Detroit Housing Commission.

Mr. John F. Boles served on the Detroit Housing Commission representing the Coordinating Council on Community Redevelopment until January 20, 1975, at which time he resigned.

We have been advised that, in accordance with Public Act 327 of Public Acts of 1969 of the State of