

communication, subject to acceptance of the above mentioned grant.

Adopted as follows:

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

Nays — None.

City Engineering Department

February 11, 1975

Honorable City Council:

Re: Petition No. 2622

Detroit Board of Education
Conversion to easement of alleys
at Livernois and West Chicago
Correction of Description

On January 30, 1973 (J.C.C. Pages 215 and 216) your Honorable Body granted the petition (2622) of the Detroit Board of Education converting certain alleys to easements and dedicating a new alley outlet in the block bounded by Stoepel, Livernois, Westfield, and West Chicago.

The property description contained an error in the lot numbers listed. It will be necessary to adopt a resolution rescinding the original action and correcting the error.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

HERMAN T. DUDLEY

Director

Approved:

JAMES WATTS

Director Environmental

Protection & Maintenance Dept.

By Council Member Mahaffey:

RESOLVED, That the resolution adopted granting Petition No. 2622 on January 30, 1973 (J.C.C. Pages 215 and 216) of the Detroit Board of Education to vacate certain alleys at Livernois and West Chicago,

Be and the same is hereby rescinded and replaced by the following:

RESOLVED, That all that part of the north-south public alley, 15 and 18 feet wide, in the block bounded by Stoepel, Livernois, Westfield and West Chicago Avenues abutting the rear line of lots 953 to 960 and the northerly 10 feet of lot 961; and abutting the rear line of lots 1075 to 1079 and the northerly 10 feet of lot 1074 all inclusive of Stoepel's Greenfield Highlands Subdivision, being a part of the southeast $\frac{1}{4}$ of Section 33, Greenfield Township, Wayne County, Michigan, as recorded in Liber 31, Page 1, Plats, Wayne County records, also

All that part of the east-west public alley, 18 feet wide, in the block bounded by Stoepel, Livernois, Westfield, and West Chicago Avenues, abutting the rear line of lots 1 to 4 and abutting the north line of 1953 and the 15 foot wide alley at the rear of said lot 953;

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

THIRD, that if at any time in the future the owners of any lots abutting on said vacated alleys shall request the removal and/or relocation of any existing utilities in said easement, such owners, upon whose property the 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 further

RESOLVED, That the Warranty Deed of the Detroit Board of Education deeding land to the City of Detroit for alley purposes, described as:

The north 20 feet of the south 25 feet of Lot 961, Stoepel's Greenfield Highlands Subdivision, being a part of the southeast $\frac{1}{4}$ of Section 33, Greenfield Township, Wayne County, Michigan, as recorded in Liber 31, Page 1, Plats, Wayne County records,

Be and the same is hereby accepted and the Finance Director is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:
 Yeas — Council Members Browne, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
 Nays — None.

Environmental Protection & Maintenance Department

February 14, 1975

Honorable City Council:
 On October 30, 1974, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 18-S. The City Treasurer has accepted payment on February 7, 1975, for one of the items applied to that roll.

To remove this item from said roll, we offer the following resolution.
 Respectfully submitted;
JAMES W. WATTS
 Director

By Council Member Hood:
 Resolved: That the City Treasurer be and he is hereby authorized to make the following deletion:

Roll 18-S-8, Lot 178 & W. 9 Ft. vac. alley adj.; also N. 10 ft. vac. alley S. & adj.; E.S. Archdale between Pembroke and Fargo, delete \$162.40, Receipt No. 16598, Item No. 71498, Treas. Receipt No. 37757.

Adopted as follows:
 Yeas — Council Members Browne, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
 Nays — None.

Environmental Protection & Maintenance Department

February 14, 1975

Honorable City Council:
 On November 27, 1974, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 20-S. The City Treasurer has accepted payment on February 7, 1975, for one of the items applied to that roll.

To remove this item from said roll, we offer the following resolution.
 Respectfully submitted,
JAMES W. WATTS
 Director

By Council Member Hood:
 Resolved: That the City Treasurer be and he is hereby authorized to make the following deletion:

Roll 20-S-14, Lot 251; S. S. Patricia between Leonard and Pleasant, delete \$108.40, Receipt No. 16971, Item No. 14395, Treas. Receipt No. 55174.

Adopted as follows:
 Yeas — Council Members Browne, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
 Nays — None.

Environmental Protection & Maintenance Department

February 6, 1975

Honorable City Council:
 Re: Minority Petition No. 963 Requesting the Paving of Residential Alleys.

Returned herewith is Petition No. 963 of Mr. Luther Shannon, et al., requesting the paving of the four north-south alleys bounded by Flem-

ing, Mackay, Grixdale, and Seven Mile. Inasmuch as the petition does not represent a majority of the abutting properties, we recommend that Minority Petition No. 963 be denied. Respectfully submitted,

JAMES W. WATTS
 Director

Recommended by:
HERMAN T. DUDLEY
 Director

City Engineering Department
 By Council Member Hood:
 Resolved, That Minority Petition No. 963 be and the same is hereby denied.

Adopted as follows:
 Yeas — Council Members Browne, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
 Nays — None.

Environmental Protection & Maintenance Department

February 18, 1975

Honorable City Council:
 Re: Cancellation of Assessments for cost of cleaning private lots.

On January 16, 1975, JCC pages 82-83 your Honorable Body approved the request for cancellation of assessments for the cost of cleaning private lots. Request is made that the resolution be amended to read as follows:

RESOLVED, That the City Treasurer be and he is hereby ordered to cancel the assessment for weed cutting on all properties listed in the attached communication, because said lots were not cleaned.

Respectfully submitted,
JAMES W. WATTS
 Director

By Council Member Kelley:
 Resolved, That Resolution adopted January 16, 1975 (JCC p. 82-83), be and the same is hereby amended in accordance with the foregoing communication.

Adopted as follows:
 Yeas — Council Members Browne, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 7.
 Nays — None.

Environmental Protection and Maintenance Department

February 18, 1975

Honorable City Council:
 Re: Petition No. 1826 — Catherine Messina. Revision of Sidewalk Bill at 611 E. Margaret.

Returning herewith petition of Catherine Messina (1826) requesting a revision of sidewalk billing for work done at 611 E. Margaret.

The petitioner obtained a surplus lot from the City of Detroit in 1971 for the sum of \$35 which had been the result of the Brush street opening in 1932. Being only a 10.7 foot strip adjacent to petitioner's lot, the purchase, in effect, made the petitioner a corner lot owner. Full evidence in the files of the Community Economic Development Department bears out the fact that