

FIRST, said owners hereby grant to and for the use of the public an easement or right 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 public alleys 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.

Resolved, That the Finance Director is hereby authorized and directed to issue to Fruehauf Corporation a Quit Claim Deed for the above described property and the Law Department is directed to prepare the deed; and be it further

Resolved, That the Quit Claim Deed for Fruehauf Corporation deeding land to the City of Detroit for alley purposes being described as:

The North 18 feet of South 21 feet of Lot No. 430 of the Warren Park No. 1 Subdivision, part of Lots 23, 24 and all of Lot 25 of the Subdivision of Private Claim 724 lying north of Shoemaker Avenue, Village of St. Clair Heights (now Detroit) Wayne County, Michigan, as recorded in Liber 37, Page 51, 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, and further

Resolved, That the removal of the paved alley return when necessary shall be done by private contract under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner or his assigns; and further

Resolved, That the construction in concrete of the newly dedicated alley return and the grading and stoning of the newly dedicated alley be done by private contract under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner, and further

Resolved, That the City Clerk is hereby authorized and directed to send a copy of this resolution to the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Rogell, and President Levin — 6.

Nays — None.

Environmental Protection and
Maintenance Department

November 17, 1976

Honorable City Council:

Re: Michigan Department of State
Highways and Transportation
Vacation of the public utility
easement north of Fort Street and
west of the Fisher Freeway.

The above petition requests the vacation of the public utility easement created in the vacated east-west public alley in the block bounded by Lawndale, the Fisher Freeway Service Drive, Fort Street, and Fulton Avenue by resolution adopted by your Honorable Body on April 10, 1973 (J.C.C. Pages 944-945). The petition was 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 vacation or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

JAMES W. WATTS,
Director

By Council Member Cleveland:

RESOLVED, That all that part of the public utility easement created in the vacated east-west public alley, 18 feet wide, in the block bounded by Lawndale, the Fisher Freeway Service Drive, Fort Street, and Fulton Avenue by resolution adopted on April 10, 1973 (J.C.C. pages 944-945) said easement being in "Moore's Subdivision" of lots 4, 5, and 6 of the sub-

division of lot 5, Shipyard Tract, South of M.C.R.R., Springwells, Wayne County, Michigan, as recorded in Liber 20, Page 46, Plats, Wayne County records.

Be and the same is hereby vacated as a public utility easement to become a part and parcel of the abutting property.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Rogell, and President Levin — 6.

Nays — None.

Environmental Protection & Maintenance Department

November 15, 1976

Honorable City Council:

Re: Petition No. 2684 Mr. J. J. Mader, et al Conversion to Easement of the north-south alley in the block bounded by Murray Hill, St. Marys, Margareta, and Clarita Avenues

The above petition requests the conversion of the above described alley, 18 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,

JAMES W. WATTS,

Director

By Council Member Kelley:

RESOLVED, That all that part of the north-south public alley, 18 feet wide in the block bounded by Murray Hill, St. Marys, Margareta, and Clarita, abutting the rear line of lots 67 to 81 and the rear line of lots 118 to 132 both inclusive of "College Drive" a subdivision of a part of the northeast ¼ of Section 12, T.1S., R.10E., Redford Township, Wayne County, Michigan, as recorded in Liber 48 Page 34, 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.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Rogell, and President Levin — 6.

Nays — None.

Environmental Protection & Maintenance Dept.

November 15, 1976

Honorable City Council:

Re: Petition No. 2801 C. L. Detherage, et al Conversion to Easement of the north-south alley in the block bounded by Pierson, Braile, Pilgrim and Puritan

The above petition requests the conversion of the above described alley, 16 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 re-