

Detroit to furnish Title Insurance, and be it further

RESOLVED, That said deed include the following clause:

This conveyance is given subject to the following restrictive covenant which shall be construed as a covenant running with the land and shall be binding upon the Grantee named herein and the successors and assigns thereof.

No structure shall be erected, placed or permitted to remain on the land herein conveyed except and only as such is made and used as part and parcel of the south 12.50 feet of lot 193 and the north 25 feet of lot 194. and be it further

RESOLVED, That the Community & Economic Development Department be and is hereby authorized to accept the Offer to Purchase submitted by Marquerite Foster, a single Woman, for the purchase of property described on the tax rolls as:

The south 6.25 feet of lot 194 and the north 12.50 feet of lot 195, Riverside Boulevard Sub'n. of part of P.C.s 689 & 131 lying south of Jefferson Avenue, City of Detroit, Wayne Co., Mich. Rec'd. L. 37, P. 93 Plats, W.C.R.

for the sum of \$200 cash, the City of Detroit to furnish Title Insurance and be it further

RESOLVED, That said deed include the following clause:

This conveyance is given subject to the following restrictive covenant which shall be construed as a covenant running with the land and shall be binding upon the Grantee herein named and the successors and assigns thereof.

No structure shall be erected, placed or permitted to remain on the land herein conveyed except and only as such is made and used as part and parcel of the south 37.50 feet of lot 195, and be it further

RESOLVED, That the Corporation Counsel be and is hereby authorized to prepare said deed.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

City Engineering Department

January 23, 1976

Honorable City Council:

Re: Petition No. 1162, Board of Education, Conversion to Easement for underground utilities of a portion of alley west of Lenox and north of Avondale

The above petition requests the conversion of the above described alleys into easements for underground public utilities. The requested conversion into easement for underground public utilities was approved by the Community and Economic Development Department. The peti-

tion 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 Order which has been credited to the department and account named for the purpose indicated:

Public Lighting Department, P.O. No. 86453, For the estimated cost to remove lighting facilities: \$8,000.00

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed conversion or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
HERMAN T. DUDLEY,
Director

Approved:

JAMES W. WATTS,
Director
Environmental Protection & Maintenance Dept.

By Council Member Henderson:

RESOLVED, That all that part of the east-west public alley, 20 feet wide, west of Lenox Avenue north of Avondale having been platted as the northerly 20 feet of the southerly 25 feet of lot 24 of the Riverside Boulevard Subdivision of part of Private Claims 689 and 131, lying south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 37, Page 93, Plats, Wayne County records,

be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; and further

RESOLVED, That all that part of the north-south alley, 18 feet wide, in the block bounded by Dickerson, Lenox, Avondale, and Essex abutting the rear line of lots 25 and 26 and the southerly 25 feet of lot 24 of the Riverside Boulevard Subdivision as recorded in Liber 37, Page 93, Plats, Wayne County records; and abutting the rear line of lots 733 to 735 and the southerly 15 feet of lot 736 all inclusive of the St. Clair Park Subdivision of part of Private Claims 315 and 322, south of Jefferson Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 90, Plats, Wayne County Records,

be and the same is hereby vacated as a public alley and is hereby converted into a subsurface public easement of the full width of the alley, which subsurface 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 a subsurface easement or right of way

under said vacated public alley hereinaabove 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 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 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.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

Environmental Protection and Maintenance Department

January 29, 1976

Honorable City Council:

Re: Cancellation of assessment for cost of cleaning private lots.

The Environmental Protection and Maintenance Department recommends cancellation of the following item from the Assessment Rolls:

Roll No. RUC 168 WL; Lot No. W. 5 ft. of Lot 12, and all of 13; Location, S. side of Georgia; Ward No. 13; Item No. 4753; Dept. No. 8210; Amt. of Assessment, \$202.03.

The assessment was put on the wrong lot. The assessment should have been placed on the west 5 feet of Lot 31 and all of Lot 32.

We, therefore, recommend that the above assessment be cancelled.

Respectfully submitted,

JAMES W. WATTS

Director

By Council Member Hood:

Resolved, That the City Treasurer be and he is hereby ordered to cancel the assessment for the cost of lot cleaning on the property listed in connection with the foregoing communication because the assessment was put on the wrong property.

Law Department approval as to form:

KERMIT G. BAILER

Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.

Environmental Protection and Maintenance Department

January 29, 1976

Honorable City Council:

Re: Cancellation of assessment for cost of cleaning private lots.

The Environmental Protection and Maintenance Department recommends cancellation of the following items from the Assessment Rolls:

Roll No. RUC 171 WL; Lot No. 10; Location, S. side of Charlevoix; Ward No. 11; Item No. 1160; Dept. No. 646; Amt. of Assessment, \$42.39.

Roll No. RUC 171 WL; Lot No. 36; Location, S. side of W. Fitzpatrick; Ward No. 22; Item No. 68231; Dept. No. 1047, Amt. of Assessment, \$21.75.

Roll No. RUC 171 WL; Lot No. 37; Location, S. side of W. Fitzpatrick; Ward No. 22; Item No. 68232; Dept. 1047; Amt. of Assessment, \$21.75.

Roll No. RUC 171 WL; Lot No. 103; Location, W. side of Van Dyke; Ward No. 15; Item No. 5174; Dept. 1054; Amt. of Assessment, \$13.08.

Roll No. RUC 171 WL; Lot No. 104; Location, W. side of Van Dyke; Ward No. 15; Item 5175; Dept. No. 1054; Amt. of Assessment, \$13.08.

Upon investigation by the Environmental and Commercial Division, it was discovered that these lots were cleaned by the owners of the property.

We, therefore, recommend that the above assessments be cancelled.

Respectfully submitted,

JAMES W. WATTS

Director

By Council Member Hood:

Resolved, That the City Treasurer be and he is hereby ordered to cancel the assessments for the cost of lot cleaning on the property listed in connection with the foregoing communication because these lots were cleaned by their owners.

Law Department approval as to form:

KERMIT G. BAILER

Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 8.

Nays — None.