

us for investigation and report; our report, accompanied by the original petition, is as follows:

All City Departments and privately owned utilities have reported that they have no objections to the proposed closing as long as the resolution grants them right of ingress and egress to their facilities.

An appropriate resolution containing all of the necessary provisions including those recommended by the Community and Economic Development Department 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 Eberhard:

RESOLVED, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permit to Linda Rigsby, et al, to close the portion of east-west public alley, 15 feet wide, westerly of Lawndale Avenue, abutting the northerly line of lot 152 and the southerly line of lots 96 to 99 and the easterly 6 feet of lot 100 all inclusive of Harrah's Toledo Avenue Subdivision as recorded in Liber 16, Page 11. Plats. Wayne County records, on a temporary basis for a period not to exceed three years, and to expire on January 21, 1979,

PROVIDED, That petitioner shall be subject to any tax which may be levied against him pursuant to law with regard to such use of public property, and further

PROVIDED, Petitioner furnishes an Agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the terms hereof, and files same with the Finance Department, and further

PROVIDED, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

PROVIDED, That no building or other structure is constructed in said alley; that petitioner shall observe the rules of the City Engineering Department, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley;

PROVIDED, That at the expiration

of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department, by and at the permittee's expense, and further

PROVIDED, This resolution is revocable at the will, whim, or caprice of the City Council, and further, that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.
Nays — None.

City Engineering Department

January 13, 1976

Honorable City Council:
Re: Petition No. 1536. Harry J. Vanden Brink, et al. Conversion to Easement of the north-south alley in the block bounded by Patton, Fielding, Florence, and Grand River.

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 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 Eberhard:
RESOLVED, That all that part of the north-south public alley, 16 feet wide, in the block bounded by Patton, Fielding, Florence, and Grand River, abutting the rear line of Lots 112 to 117 and lots 216 to 219 both inclusive of the Grand River Park Section 15, T.1.S., R.10E. south of Grand River Avenue, Redford Township, Wayne County, Michigan, as Subdivision of part of the east 1/2 of recorded in Liber 37, Page 4, 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 follow-

ing 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, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

City Engineering Department

January 14, 1976

Honorable City Council:

Re: Petition No. 1622, Virginia Wozniak, etal, Conversion to Easement of the North-South alley in the block bounded by Lamont, Fenelon, Lantz, and Outer Drive.

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 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 W. WATTS
Environmental Protection &
Maintenance Dept.

By Council Member Eberhard:

RESOLVED, That all that part of the north-south public alley, 16 feet wide, in the block bounded by Lamont, Fenelon, Lantz, and Outer Drive, abutting the rear line of lots 168 to 192 and lots 304 to 328 both inclusive of Dondero's Subdivision of the east 1/2 of the east 1/2 of the southwest 1/4 of Section 5, T. 1S., R. 12E., Hamtramck Township, and City of Detroit, Wayne County, Michigan, as recorded in Liber 38, Page 43, 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 herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas line 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,