

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,

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 material 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 23, 1976

Honorable City Council:

Re: Petition No. 2576 — Clyde W. Hall and Associates, 313 Michigan Avenue. Conversion to Easement of Asbury Park south of Joy Road and the east-west alley south of Joy Road between Asbury Park and Mettetal Avenue.

The above petition requests the conversion of the above described street and alley into easements for public utilities. The requested conversion into easements 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 easements of said street and 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 Mahaffey:

RESOLVED, That all that part of Asbury Park, 33 feet wide, between Joy Road as widened and the Chesapeake and Ohio Railroad right of

way, all inclusive of Bassett and Smith's Tireman Avenue Subdivision of part of W $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and part of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 1, T-2-S, R-10-E, Dearborn Township (now Detroit), Wayne County, Michigan, as recorded in Liber 44, Page 7, Plats, Wayne County records, all of which lies south of a line described as: Beginning at a point in the westerly line of lot 116 of the above mentioned subdivision and being 41.99 feet south of the northwest corner of said lot 116 and ends at a point in the west line of Asbury Park, 33 feet wide, said west line also being the north and south $\frac{1}{4}$ line of Section 1 and being distant S 1 deg. 43 min. 40 sec. E., 76.86 feet from the north $\frac{1}{4}$ corner of Section 1 of above mentioned township; also.

All that part of the east-west public alley, 18 feet wide, in the block bounded by Asbury Park, Mettetal, the Chesapeake and Ohio Railroad right of way and Joy Road, all inclusive of the above mentioned subdivision.

Be and the same is hereby vacated as a public street and alley and is hereby converted into a public easement of the full width of the street and 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 street and 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 street and 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 street and alley in the City of Detroit, with the right of 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 street and 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