

Conversion to Easement of Griffin Avenue, 48 feet wide, east of Moran Street to the Dead End.

The above petition requests the conversion of Griffin Street, 48 feet wide, easterly of Moran Street, 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:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named for the purpose indicated:

EP&M Intersection Fund
Receipt No. C-22093 \$200.00

For the original cost of paving Moran Street at the intersection of Griffin Avenue to be vacated.

The petitioner has also requested that the paved return at the entrance to Griffin Street remain in its present status as the petitioner plans to utilize same, and has agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All other involved City Departments and privately-owned utility companies reported that they have no objections to the conversion of public right of way into an easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
JAMES W. WATTS
Director

By Council Member Eberhard:

RESOLVED, That all that portion of Griffin Avenue, 48 feet wide, lying east of the east line of Moran Street, 50 feet wide, and northerly of Lots 4 through 12 and the westerly 25.45 feet of Lot 3 of "Goodrich and Burton's Subdivision of the southwest part of Fractional Section 28, T.1S., R. 12E.," recorded in Liber 8, Page 8, on April 12, 1884, Plats, Wayne County records. The northerly 24 feet of said street was deeded to the City of Detroit on May 14, 1907 and is part of the southerly 24 feet of Lot 1 of the "Plat of Alonzo Merrills Land (NIZ) Section 60 and 41 in the T.T.A.T." recorded in Liber 12, Page 193, on December 2, 1834, Deeds, Wayne County records,

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, 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 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 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 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 street 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, and be it further

RESOLVED, That the Finance Director is hereby authorized and directed to issue to the Methodist Hospital of Brooklyn, a New York Corporation, owner of all of the abutting property, a Quit Claim Deed to the above described vacated street, and the Law Department is directed to prepare the deed.

Adopted as follows:

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

Nays — None.

Environmental Protection &
Maintenance Department
City Engineering Division
May 18, 1976

Honorable City Council:
Re: Petition No. 2395 — LaGrasso

Brothers Produce Co. Vacation of a portion of alley, correction of an error in resolution.

The resolution adopted by your Honorable Body on March 17, 1976 (J.C.C. Page 546) granting petition of the LaGrasso Brothers Produce Company to vacate a portion of the alley in the block bounded by McDougall, Elmwood, Preston, Gratiot, and Ludden, contained an error in the property description.

An appropriate resolution is attached correcting the error.

Respectfully submitted,
JAMES W. WATTS

Director

By Council Member Eberhard:

RESOLVED, That the resolution granting Petition No. 2395 of LaGrasso Brothers Produce Company (March 17, 1976, J.C.C. Page 546) to vacate a portion of the alley in the block bounded by McDougall, Elmwood, Preston, Gratiot, and Ludden.

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

RESOLVED, That all that part of the north-south alley, said alley paralleling Gratiot, in the block bounded by McDougall, Elmwood, Preston, Gratiot, and Ludden, having been platted in Block 47 of A. M. Campau's Resubdivision of part of the McDougall Farm, between Macomb Street and Gratiot Avenue as recorded in Liber 4, Page 96, Plats, Wayne County records, described as: Beginning at the southwesterly corner of Lot 10, thence northerly along the westerly line of said Lot 10, 23.40 feet to the southeasterly corner of Lot 9; thence westerly along the southerly line of said Lot 9, 11.9 feet to the southwesterly corner of said Lot 9; thence along a line in a southeasterly direction to the point of beginning, all inclusive of the above mentioned subdivision.

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

Adopted as follows:

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

Nays — None.

Environmental Protection & Maintenance Department
City Engineering Division

May 19, 1976

Honorable City Council:

Re: Petition No. 2955 — Michigan Bell Telephone Company. Conversion to Easement of a portion of the east-west alley in the block bounded by Rockdale, Lahser, McNichols, and Argus.

The above petition requests the conversion of the above described portion of alley, 15 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:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

EP&M Intersection Fund \$210.00
For the original cost of paving Rockdale Avenue at the intersection of the alley to be vacated.

The petitioner has also requested that the paved return at the entrance to the alley to be vacated remain in its present status as the petitioner plans to utilize same, and has agreed by letter filed with the original petition to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All other involved City Departments and privately-owned utility companies reported that they have no objections to the conversion of public right of way into an easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
JAMES W. WATTS
Director

By Council Member Eberhard:

RESOLVED, That all that part of the east-west public alley, 15 feet wide, in the block bounded by Rockdale, Lahser, McNichols, and Argus Avenues abutting the rear line of lots 18 to 23 all inclusive of Allen M. Bosworth's Subdivision on the S.E. corner of Section 9, in Redford, T.1S., R.10E., Wayne County, Michigan as recorded in Liber 22, Page 32, Plats, Wayne County records:

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement on 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 of 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 easements, 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, and be it further

RESOLVED, That if at any time in the future it becomes necessary to remove the paved alley return at the entrance to the vacated alley, such removal and construction of curb and sidewalk will be done under City permit and inspection and according to Environmental Protection and Maintenance Department specifications with the entire cost borne by the petitioner, his assigns or heirs.

Adopted as follows:

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

Nays — None.

Environmental Protection and Maintenance Department

May 24, 1976

Honorable City Council:

Re: Petition No. 3684, Bessie Ellis, For waiver of fee to remove collapsed garage at 586 E. Euclid, due to hardship

Returned herewith is Petition No. 3684 by Bessie Ellis requesting removal of collapsed garage debris at 586 E. Euclid, free of charge.

The above Petition was referred to our Environmental Control Division for investigation and report. Their findings reveal that the unfortunate circumstances surrounding Bessie Ellis' situation qualifies her for assistance.

The Environmental Protection and Maintenance Department, viewing this as a hardship case, recommends

that the debris be removed free of charge.

Respectfully submitted,
JAMES W. WATTS
Director

By Council Member Eberhard:
Resolved, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to remove debris from demolished garage at 586 E. Euclid, Detroit, Michigan free of charge in accordance with the foregoing communication.

Adopted as follows:

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

Nays — None.

**Environmental Protection & Maintenance Department
City Engineering Division**

May 20, 1976

Honorable City Council:

Re: Minority Petitions and Related Correspondence Protesting the Proposed Paving of a Residential Alley.

Returned herewith are Minority Petitions: No 3687 of Mr. Joseph E. Allor, No. 3793 of Handy Printing Company, and related correspondence protesting the proposed paving of the east-west residential alley in the block bounded by McKinney, King Richard, Whittier, and Everts.

The paving of this alley was initiated by Majority Petition No. 2610 from the abutting property owners, which is still a Majority Petition.

Inasmuch as the protest petitions do not represent a majority of the abutting properties, we recommend that Minority Protest Petitions No. 3687 and No. 3793 be denied.

Respectfully submitted,
JAMES W. WATTS,
Director

By Council Member Eberhard:
RESOLVED, That Minority Protest Petitions Numbers 3687 and 3793 be and the same are hereby denied.

Adopted as follows:

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

Nays — None.

Environmental Protection and Maintenance Department

May 24, 1976

Honorable City Council:

Re: Petition No. 3719, Betty Anderson, For free removal of collapsed garage at 4416 Manistique, due to hardship

Returned herewith is Petition No. 3719 by Betty Anderson requesting free removal of collapsed garage at 4416 Manistique, without charge.

The above Petition was reviewed by our Environmental Control Division. Their findings, after investigation, recommend that the Environ-