

**Environmental Protection  
And Maintenance Dept.**

October 21, 1976

Honorable City Council:

Re: Petition No. 2676 George Ertzbischoff, et al, Conversion to Easement of a portion of the east-west public alley in the block bounded by Grover, Peoria, Seymour, and Spring Garden Avenues.

The above petition requests the conversion of the above described public alley, 16 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community & 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 installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

JAMES W. WATTS

Director

By Council Member Mahaffey:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Grover, Peoria, Seymour, and Spring Garden, abutting the rear line of lots 526 to 542 and lots 569 to 583 and being the southerly ½ of the alley as it abuts the rear line of lot 525 and being the northerly ½ of the alley as it abuts the rear line of the easterly 20 feet of lot 584 all inclusive of "Seymour and Troester's Montclair Heights Subdivision No. 1", of part of Section 12, T.1S., R.12E., Gratiot Township Wayne County, Michigan, as recorded in Liber 38, Page 12, 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 Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

**Environmental Protection and  
Maintenance Department**

October 21, 1976

Honorable City Council:

Re: Petition No. 2736, Sandra Kettenbeil et al, Conversion to Easement of the north-south alley in the block bounded by Minock, Westwood, Van Buren, and Joy.

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 Mahaffey:

Resolved, That all that part of the north-south public alley, 18 feet wide, in the block bounded by Minock, Westwood, Van Buren, and Joy Road abutting the rear line of Lots 33 to 45 and lots 153 to 165, both inclusive of "Sloan's Park Drive Subdivision" of the east 50 acres of the west 1/2 of the northwest 1/4, Section 2, T.2S., R.10E., Dearborn Township, Wayne County Michigan, as recorded in Liber 48, Page 52, 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 Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

Environmental Protection & Maintenance Department

October 22, 1976

Honorable City Council:

Re: Petition No. 2800, Dorothy A.

Collins, et al. Conversion to Easement of the east-west public alley in the block bounded by Howell, Wesson, Ford Freeway, and Nowak.

The above petition requests the conversion of the above described alley, 20 feet wide, into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community & 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 Mahaffey:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Howell, Wesson, Nowak, and the Ford Freeway abutting the side line of Lot 10, Block 1; Lot 18, Block 2; and Lot 9, Block 1, all inclusive of Joseph Bushey's Subdivision of part of Private Claim 171, confirmed to Joseph Livernois, Jr. as recorded in Liber 2, Page 9, 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