

W. 11 ft. of lot 34 and the E. 20 ft. of lot 35, Phillis Beaubien's Sub'n of Out Lot 51, St. Aubin Farm, Detroit, Wayne County, Michigan. Rec'd L. 9, P. 16 Plats, W.C.R. in accord with the attached communication, and be it further

Resolved, That in accordance with said Offer the Finance Director be authorized to issue a Quit Claim Deed for the described property upon payment of \$250 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 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 lot 36 and the westerly 6 ft. of lot 35 of the above named subdivision. and be it further

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

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

City Engineering Department

March 3, 1976

Honorable City Council:

Re: Petition No. 2395, LaGrasso

Brothers Produce Co. Vacation of a portion of the alley in the block bounded by McDougall, Elmwood, Preston, and Gratiot.

The above petition requests the vacation of the portion of alley in the block described above. The requested vacation 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 vacation of said portion of 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 Kelley:

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

Nays — None.

City Engineering Department

March 3, 1976

Honorable City Council:

Re: Petition No. 7259, Chestley R. Green. Conversion to Easement of the remaining portion of Field Avenue between Hancock and Gratiot Avenue.

The above petition requests the conversion of the above described portion of Field Avenue, 66 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:

Transportation Department, Receipt No. C 14484. For the cost to remove street signs from the street to be vacated, \$25.00.

The petitioner has also requested that the paved return at the entrance to Field Avenue 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.

The westerly one-half of the vacated street will become the City's property because it abuts the D-eweke Playground. The Recreation Department has agreed to sell a portion of the westerly half of the street



to the petitioner. The attached resolution has appropriate language assigning the portion to be sold to the Community and Economic Development Department for sale to the petitioner.

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 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,  
HERMAN T. DUDLEY,  
Director

Approved:  
JAMES WATTS  
Director

Environmental Protection  
& Maintenance Dept.

By Council Member Kelley:

All that part of Field Avenue, 66 feet wide, not previously vacated between Hancock and Gratiot having been platted in the "Subdivision of the eastern part of Private Claim 678" between Mack and Gratiot Roads (Previously known as Newbold's Subdivision), Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 300, Plats, Wayne County records; and in the Schwartz Subdivision of the westerly part of Private Claim 16, north of Mack Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 17, Page 56, Plats, Wayne County records; and in that part of Private Claim 16 remaining in the block bounded by Field Avenue, Sheridan, Hancock, and Gratiot Avenues,

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 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 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 Community and Economic Development Department be and is hereby authorized to accept the Offer to Purchase submitted by Chestley R. Green and Lucy Green, his wife, for the purchase of property described as:

Land in the City of Detroit, Wayne County, Michigan, having been a part of the west one-half of vacated Field Avenue, 66 feet wide, south of Gratiot Avenue, 120 feet wide; said vacated Field Avenue being a part of Private Claim 678; and having been platted in the "Subdivision of the eastern part of Private Claim 678" between Mack and Gratiot Roads (previously known as Newbolds Subdivision), Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 300, Plats, Wayne County Records; more particularly described as:

Beginning at a point, said point being the intersection of the southerly line of Gratiot Avenue, 120 feet wide, and the center line of vacated Field Avenue, 66 feet wide, thence S. 26 deg. 14 min. 37 sec. W., 31.27; thence S. 25 deg. 58 min. 00 sec. E., 18.44 feet; thence S. 25 deg. 44 min. 29 sec. E., 99.23 feet; thence N. 64 deg. 02 min. 00 sec. E., 25.10 feet; thence N. 25 deg. 58 min. 00 sec. W., 136.83 feet to the point of beginning; containing 3,162 square feet or 0.0726 acres more or less.

for the sum of \$1,500, 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 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 east one-half of the to be vacated Field Avenue and Lots 211 through 214, inclusive, the abutting property of which the Grantee herein is the title holder."

and be it further

RESOLVED, That the Law Department be and is hereby authorized and directed to prepare said deed; and be it further

RESOLVED, That the following described portion of vacated Field Avenue is hereby assigned to the Recreation Department to become a part and parcel of the Dueweke Playground:

Land in the City of Detroit, Wayne County, Michigan, having been part of the west one-half of vacated Field Avenue, 66 feet wide, south of Gratiot Avenue, 120 feet wide; said vacated Field Avenue, 66 feet wide, south of Gratiot Avenue, 120 feet wide; said vacated Field Avenue being a part of Private Claim 678; and having been platted in the "Subdivision of the eastern part of Private Claim 678" between Mack and Gratiot Roads (Previously known as Newbolds Subdivision), Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 300, Plats, Wayne County records; more properly described as:

Beginning at a point said point being S. 26 deg. 14 min. 37 sec. W., 31.27 feet from the intersection of the southerly line of Gratiot Avenue, 120 feet wide, and the centerline of vacated Field Avenue, 66 feet wide; thence S. 26 deg. 14 min. 37 sec. W., 12.54 feet; thence S. 25 deg. 58 min. 00 sec. E., 6.98 feet; thence N. 84 deg. 51 min. 40 sec. E., 1.73 feet; thence S. 25 deg. 58 min. E., 102.39 feet; thence N. 64 deg. 02 min. E., 7.90 feet; thence N. 25 deg. 44 min. 29 sec. W., 99.23 feet; thence N. 25 deg. 58 min. W., 18.44 feet to the point of beginning, containing 940 square feet or 0.0216 acres more or less, and be it further

RESOLVED, That if at any time in the future it becomes necessary to remove the paved street return at the entrance to Field Avenue, it shall be done under City permit and inspection and according to City Engineering Department specifications with the entire cost being borne by the petitioner, his heirs, or his assigns.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

**Detroit Public Library**

March 3, 1976

Honorable City Council:

Re: State Aid to Library Systems.

Public Act 286, the State Aid to Public Libraries Act of 1965 provides

for grants to library systems up to 30 cents per capita in metropolitan areas with high population densities. The present funding available should allow for a grant of approximately 25 cents per capita to the Detroit Associated Libraries System (which is a voluntarily affiliation of the Detroit Public Library and the Public Library of Highland Park). One of the stipulations for membership in a Library System is that each member library pay membership dues of 10 cents per capita into the System Treasury. Detroit's share would be \$151,407.

The Detroit Library Commission has been designated as the governing body of the Detroit Associated Libraries System. When the Detroit Public Library gets a loan from one of its appropriation accounts to satisfy the requirements of local matching funds as required by Public Act 286, 1965, the System Board will return the money to the Library, which will in turn repay the money to the proper appropriation account.

We therefore, request authority to make a voucher payable to the Detroit Associated Libraries System in the amount of \$151,407 from account number 92-0060-2550 (Books, Periodicals and Audio-Visual Materials). When the provisions of Public Act 286, 1965 are satisfied, the Detroit Associated Libraries System will in turn issue a check in the same amount for reimbursement of the advance.

This request is in accordance with the action approved by your Honorable Body on page 591 of the Journal of the Common Council dated March 13, 1973, to handle a similar situation.

Respectfully submitted,

CLARA S. JONES

Director

Approved:

MERVIN D. WINSTON

Deputy Budget Director

G. F. FISCHER

Deputy Finance Director

By Council Member Mahaffey:

Resolved, That the Finance Director be and is hereby authorized and directed to honor a voucher in the amount of \$151,407.00 to the Detroit Associated Libraries System, chargeable to account 92-0060-2550, which amount is to be returned to the above account upon satisfactory compliance with Michigan Public Act 286 of 1965, in accordance with the foregoing communication and this resolution.

Adopted as follows:

Yeas — Council Members Browne, Cleveland, Eberhard, Henderson, Hood, Kelley, Mahaffey, Rogell, and President Levin — 9.

Nays — None.

**Department of Police**

February 24, 1976

Honorable City Council:

Re: Request permission to reimburse police officer Dallas Merritt for