

6131, Dept. No. VL 2423, Amount of Assessment: \$65.00.

Environmental Control and Commercial Division of E.P.M.D. notified Central Accounting to cancel the above assessment for the removal of five yards of debris as they discovered that only two yards of debris was actually removed. A corrected billing has been sent to the owner, V. Clark, for the removal of two yards of debris.

We, therefore, recommend that the above assessment be cancelled.

Respectfully submitted,

JAMES W. WATTS,

Director

By Council Member Kelley:

RESOLVED, that the City Treasurer be and he is hereby ordered to cancel the assessment for removing debris on the property listed in connection with the foregoing communication because of the error made on the amount of the assessment and the issuance of a corrected billing.

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

May 26, 1977

Honorable City Council:

RE: Petition Nos. 1616, 1617, 1618, and 1619 Community and Economic Development Department Conversion to Easement of certain alleys in the Virginia Park N.D.P.

We wish to advise that in carrying out the development plan for the area known as the Virginia Park Neighborhood Development Project, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945 as amended, the Community and Economic Development Department has requested that certain alleys be converted into easements for public utilities.

The petitioner has advised us that the removal of the paved alley returns and the construction of new curb and sidewalk will be done by private contract; the Environmental Protection and Maintenance Department has no objection provided the work is done under City permit and inspection and according to City Engineering Division specifications.

All other involved City departments and privately owned utility companies reported that they have no objections to the proposed alley conversion or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

JAMES W. WATTS,

Director

By Council Member Kelley:

RESOLVED, That all that part of the north-south public alley, 16 feet wide (18 feet measured) in the block bounded by 14th, 12th, Taylor, and Clairmont abutting the easterly line of lot 476 having been platted in the "Joy Farm Subdivision", 1/4 Section 34 and northerly part of 1/4 Section 47, 10,000 Acre Tract, Greenfield, Wayne County, Michigan, as recorded in Liber 32, Pages 39 and 40, Plats, Wayne County records; also

All that part of the north-south public alley, 16 feet wide (18 feet measured) in the block bounded by 14th, 12th, Hazelwood, and Taylor, abutting the easterly line of Lot 386 of the above mentioned subdivision; also

All that part of the north-south public alley, 16 feet wide (18 feet measured) in the block bounded by 14th, 12th, Gladstone, and Hazelwood, abutting the easterly line of the southerly 86 feet of Lot 281 of above mentioned subdivision; also

All that part of the north-south public alley, 16 feet wide (18 feet measured) in the block bounded by 14th, 12th, Blaine, and Gladstone, abutting the easterly line of Lot 8 of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements 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 alleys and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or rights of way over said vacated public alleys 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 easements 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 alleys shall request the removal and/or relocation of any existing poles or other utilities

June 8

in said easements, 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 further

RESOLVED, That the City Clerk is hereby directed to send a copy of this resolution to the Detroit Edison Company, the Michigan Bell Telephone Company, and the Michigan Consolidated Gas Company.

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

May 25, 1977

Honorable City Council:

RE: Petition No. 3945

White and Bagley of Michigan, Inc. Vacation of a portion of the alleys in the block bounded by Burnette, Monica, Westfield, and the railroad right of way

The above petition requests the vacation of the above alleys, 10 and 18 feet wide. The requested vacations were approved by the Community and Economic Development Department with the recommendation that sufficient land be dedicated for a new alley turnaround.

The Community and Economic Development Department and the Department of Transportation further recommend that the new alley turnaround remain closed on a temporary basis until such time as it is needed. In the meantime, this portion shall be maintained by the petitioner.

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 deposits with the City Treasurer, which have been credited to the department and accounts named, for the purposes indicated:

Water and Sewerage Department
Receipt No. C 27431 \$3,300.00

For the estimated cost to construct a new manhole in the portion of north-south alley to remain open.

Public Lighting Department

Receipt No. C-29677 \$ 400.00

For the estimated cost to remove one street lighting fixture from the alley to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation 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 Kelley:

All that part of the north-south public alley, 18 feet wide, south of Westfield between Burnette and Monica abutting the northerly line of the railroad right of way south of Westfield Avenue and abutting the rear line of lots 780 to 782 and the southerly 10 feet of lot 783 and the southerly 68.48 feet of lot 692, all inclusive of Steopel's Greenfield Highlands Subdivision which is a part of the Southeast $\frac{1}{4}$ of Section 33, Greenfield Township, Wayne County, Michigan, as recorded in Liber 31, Page 1, Plates, Wayne County Records; also

All that part of the east-west public alley, 10 feet wide; south of Westfield Avenue between Burnette and Monica Avenues lying between and abutting the railroad right of way and the southerly line of lot 780 both inclusive of the above mentioned subdivision

Be and the same are hereby vacated as public alleys to become part and parcel of the abutting property; and be it further

Resolved, That all that part of the north-south public alley, 18 feet wide, south of Westfield, between Burnette and Monica Avenues abutting the rear line of the northerly 20 feet of lot 783 and the southerly 20 feet of the northerly 50 feet of lot 692 of Stoepe's Greenfield Highlands Subdivision which is recorded in Liber 31, Page 1, Plats Wayne County records; and

All that part of the new alley turnaround, the title to which is accepted for the City in this resolution, being the northerly 20 feet of the westerly 12 feet of lot 783 of the above described subdivision;

Be and the same are hereby closed on a temporary basis for a period not exceeding three (3) years from May 25, 1977, and the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permit to White and Bagley of Michigan, Inc., for said closing subject to the following provisions:

Provided, That petitioner shall be subject to any tax which may be