

Community & Economic Development Department

January 26, 1977

Honorable City Council:

Re: Sealed Bid on 220 Melbourne, Lot 116, opened on Tuesday, January 11, 1977.

The City of Detroit acquired as a tax reverted parcel from the State of Michigan, a two story brick, single, residential structure with a two car frame garage, which has been fire damaged and is in an area zoned R-3.

On January 11, 1977, the property was offered for public bid subject to the following terms: Successful bidder must enter into a six month "lease with option to purchase" agreement with the City of Detroit. The building may not be occupied, or allowed to be occupied until such time as the successful bidder obtains a "Certificate of Approval" from the Department of Buildings and Safety. The Certificate of Approval must be obtained by the bidder and at bidder's expense. Until such time as the Certificate of Approval has been obtained, and has been presented to the Community and Economic Development Department, the "option to purchase" cannot be exercised.

Successful bidder will be required to pay 1/6 of purchase price each month. This money will be applied toward total purchase price, if and when the option is exercised. The "lease with option to purchase" is for one six month term, and is not renewable.

Failure to exercise the option will cause all money paid to be defaulted; the contract shall be void and the property will be disposed of at the discretion of the City of Detroit.

Current taxes to be prorated to date of closing.

City will furnish Title Insurance and issue a Quit Claim Deed.

After advertising, we have received an Offer to Purchase from Isadore B. Holly and Annie Mae Holly, his wife, to purchase said property. The Offer to Purchase is in the amount of \$1,000.00 cash.

Isadore B. Holly and Annie Mae Holly, his wife, have signed the Lease with Option to Purchase and agreed to comply with the above stated terms.

Your Honorable Body's approval to accept this Lease with Option to Purchase Agreement is hereby requested.

Respectfully submitted,

RONALD J. HEWITT

Director

By Council Member Rogell:

Resolved, That the Community and Economic Development Department be and is hereby authorized to accept this Lease with Option to Purchase Agreement from Isadore B. Holly and Annie Mae Holly, his wife, for property described on the tax rolls as:

Lot 116, McLaughlin Bros. Subdivision of Lot 9 and the N'ly 33 feet of

Lot 7 of the Subdivision of 1/4 Section 57, 10,000 Acre Tract, Detroit, Wayne County, Mich. Rec'd L. 17, P. 73, Plats, W.C.R.

With the monthly lease payment of \$166.00 for five months and \$170.00 for the sixth month to begin on February 1, 1977 and ending six months thereafter, and be it further

Resolved, That upon compliance with the term of the lease agreement which included obtaining a Certificate of Approval from the Building and Safety Engineering Department, the Community and Economic Development Department be and is hereby authorized to enter into a cash transaction with Isadore B. Holly and Annie Mae Holly, his wife, for the above property, and be it further

Resolved, That in accordance with the Lease Purchase Agreement the Finance Director be authorized to issue a Quit Claim Deed for the described property upon payment of \$1,000.00 cash with all lease payments made pursuant to this lease being credited to the buyer on the sale price, 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.

Environmental Protection and Maintenance Department

January 13, 1977

Honorable City Council:

Re: Petition No. 3158 — Top Hat Collision, Inc., 8800 Schaefer. Conversion to Easement of a portion of the north-south alley north of Joy Road, between Schaefer and Hartwell.

The above petition requests the conversion of the above described portion of north-south alley, 20 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:

EPMD — Intersection Fund \$418.00
Receipt No. B 19063

For the original cost of paving Joy Road 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 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 north-south public alley, 20 feet wide, north of Joy Road, between Schaefer and Hartwell abutting the westerly line of Lot 7 of "Greenfield Improvement and Sales Company's Greenfield-Monnier Re-Subdivision of Lots 32 and 33 of R. M. Grindley's Subdivision of Little Farms No. 5" of the west $\frac{1}{2}$ of the west $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 32, T.1S., R.11E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 54, Page 90, 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 re-

quest 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 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 heirs or his assigns, and further

RESOLVED, That the Finance Director is hereby authorized and directed to issue to the petitioner a Quit Claim Deed, and the Law Department is directed to prepare the deed for the above described property; and be it further

RESOLVED, That the City Clerk is hereby authorized and 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

January 17, 1977

Honorable City Council:

Re: Petition No. 4222 — U. S. Truck Company. Conversion to Easement of the remaining portion of alley and alley turnaround in the block bounded by 24th, 23rd, Ruskin, and the N.Y.C.R.R.

The above petition requests the conversion of the above described alley and alley turnaround, 20 and 40 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 fol-