

ment, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged mains and shall also be liable for all claims for damages resulting from his action, 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 &
Maintenance Department
City Engineering Division**

August 26, 1977

Honorable City Council:

Re: Petition 4119 ITT - Continental Baking Company, Inc. Conversion to Easement of a portion of the east-west alley west of Rosa Parks Boulevard and between Kendall and Oakman.

The above petition requests the conversion of alley 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 also requested that the paved return at the entrance to the alley from Rosa Parks Boulevard 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 conversions of a 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, 18 feet wide, westerly of Rosa Parks Boulevard (formerly 12th Street), between Kendall and Oakman Boulevard abutting the northerly line of lot 957 and the southerly line of lots 703 to 707, all inclusive of Robert Oakman's Twelfth Street Subdivision of part of ¼ Section 7, 10,000 Acre Tract, City of Detroit, Wayne County, Michigan as recorded in Liber 34, 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 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 slats 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, and be it further

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

Adopted as follows:

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

Nays — None.

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

August 25, 1977

Honorable City Council:

Re: Petition No. 5374 Edward C. Levy Company, Vacation of the 20 foot wide alleys in the block bounded by South Dix, Powell, and the Rouge River

The above petition requests the vacation of the above described alleys. The requested vacations were 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 alleys 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 Eberhard:

Resolved, That all that part of the east-west and north-south public alleys, 20 feet wide not previously vacated in the block bounded by Powell, South Dix Avenue, and the Rouge River having been platted as Lot 25 which was dedicated for alley pur-

poses on March 2, 1965 (J.C.C. page 387), and having been platted as Lot 6 which was dedicated for alley purposes on April 13, 1943 (J.C.C. Page 1105), the remainder of said alleys and all of the above having been platted in the Dix Rouge Subdivision of Outlot "B", G. W. Zanger's Oakwood Subdivision of part of Private Claims 37 and 667, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 27, Plats, Wayne County records.

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property; 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 & Maintenance Department
City Engineering Division**

September 1, 1977

Honorable City Council:

Re: Petition No. 6516, Grace M. Loginess, et al. Conversion to Easement of the north-south alley in the block bounded by Hoover, Rowe, Bringard, and Groesbeck.

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 Eberhard:

RESOLVED, That all that part of the north-south alley, 18 feet wide, in the block bounded by Hoover, Rowe, Bringard, and Groesbeck, abutting