

Mahaffey, McFadden, Rogell, and
President Henderson — 9.
Nays — None.

**Environmental Protection &
Maintenance Department**
January 13, 1978

Honorable City Council:

Re: Petition No. 4773. General Motors
Corporation. Vacation of Cedar
Street between the Fisher
Freeway and Harbaugh Avenue.

The above petition requests the vaca-
tion of the above described street,
50 feet wide. The requested vacation
was approved by the Community and
Economic Development Department.
The petition was then referred to us
for investigation and report. Our re-
port, accompanied by the original peti-
tion, is as follows:

The petitioner has made the follow-
ing deposit with the City Treasurer,
which has been credited to the de-
partment and account named, for the
purpose indicated: EPMD — Intersec-
tion Fund. For the original cost of
paving Harbaugh Avenue at the inter-
section of the street to be vacated.
\$175.00.

An easement is reserved in the vacat-
ing resolution for the Water and
Sewerage Department for the mainte-
nance of its installations located in
the public right of way 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 in-
stallations therein.

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and privately-owned utility companies
reported that they have no objection
to the proposed vacation or that they
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The adoption of the attached resolu-
tion is recommended.

Respectfully submitted,

JAMES W. WATTS

Director

By Council Member Cleveland:

RESOLVED, That all that part of
Cedar Street, 50 feet wide, not pre-
viously vacated, lying between and
abutting the easterly line of the Fisher
Freeway and the westerly line of Har-
baugh Avenue, 66 feet wide, as platted
in "J. L. Riopelle's Subdivision", of
part of P.C. 340 in Springwells, T.2S.,
R.11E., as recorded in Liber 13, Page
43, Plats, Wayne County records,

Be and the same is hereby vacated
to become a part and parcel of the
abutting property, subject to the fol-
lowing easement provisions:

1. An easement, the full width of the
existing Cedar Street Right-of-Way is
reserved For the Detroit Water and
Sewerage Department for the purpose
of installing, maintaining, repairing,
removing or replacing any sewers,
water mains, fire hydrants and ap-
purtenances with the right of ingress
or egress at any time to, and over said
easement for the purpose above set
forth.

Free and easy access to the sewers,
water mains, fire hydrants and ap-
purtenances within the easement, is
required for Detroit Water and Sewer-
age Department equipment including
the use of backhoe, bull dozers, cranes
or pipe trucks and other heavy con-
struction equipment as necessary for
alteration or repair of the sewer or
water main and facilities.

The Detroit Water and Sewerage
Department retains the right to install
suitable permanent main location
guide posts over its sewers and water
mains at reasonable intervals and at
points of deflection.

2. Said owners of the adjoining
property for their heirs and assigns
agree that no building or structure of
any nature whatsoever, including
fences, porches, patios, balconies, et
cetera shall be built upon or over said
easement or that no grade changes or
storage of materials shall be made
within said easement without prior
written approval and agreement with
the Detroit Water and Sewerage De-
partment.

3. 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 the
aforementioned utilities in said ease-
ment, such owners shall pay all costs
incident to such removal and/or relo-
cation. It is further provided that if
sewers, 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 sewers, mains,
and shall also be liable for all claims
for damages resulting from his action.

Adopted as follows:

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

Nays — None.

**Environmental Protection and
Maintenance Department**

January 17, 1978

Honorable City Council:

Re: Petition No. 5860 — Cadillac