

to the repair of such broken or damaged utility; and be it 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 Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Environmental Protection and Maintenance Department

January 9, 1978

Honorable City Council:

Re: Petition No. 5511 — Ruby Doster, etal. Conversion to Easement of the north-south public alley in the block bounded by Ward, Sorrento, Florence, and Grove Avenues.

The above petition requests the conversion of the above described alley, 16 and 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 Cleveland:

RESOLVED, That all of the north-south public alley, 16 and 18 feet wide, in the block bounded by Ward, Sorrento, Florence, and Grove; the 16 foot wide portion of said alley abutting the rear line of lots 59 to 69 and lots 110 to 120 was platted in Murphy Brothers St. Mary's Woods Subdivision of the west ½ of the northeast ¼ of the northwest ¼ of Section 17, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 50, Page 20, Plats, Wayne County records; the 18 foot portion of said alley as dedicated as follows:

The westerly 10 feet was dedicated abutting the rear line of lots 64 to 70 of the Daniel Keidan Subdivision, being part of the northwest ¼ of Section 17, T. 1 S., R. 11 E., Detroit, Wayne County, Michigan, as recorded in Liber 63, Page 62, Plats, Wayne

County records and as dedicated from the northwest ¼ of Section 17, T. 1 S., R. 11 E., on June 30, 1925;

The easterly 8 feet was dedicated abutting the rear line of lots 213 to 222 of Bassett and Smith's Puritan Avenue Subdivision of the East 30 acres of the south ½ of the northwest ¼ of Section 17, T. 1 S., R. 11 E., Detroit, in Liber 44, Page 46, Plats, Wayne County records;

Be and the same are hereby vacated as 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 alleys 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 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 Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
 Nays — None.

Environmental Protection and Maintenance Department

January 10, 1978

Honorable City Council:

Re: Petition No. 5396 — S.J. Pilacinski, etal. Conversion to Easement of the easterly portion of the east-west alley in the block bounded by Dean, Sunset, Outer Drive, and Cordova.

The above petition requests the conversion of the above described portion of the east-west alley, 18 feet wide, into an easement for public utilities. The requested conversion into an 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 Cleveland:

RESOLVED, that all that part of the east-west alley, 18 feet wide, in the block bounded by Dean, Sunset, Outer Drive, and Cordova Avenue, abutting the rear line of lots 208 to 210 and the easterly 5.5 feet of lot 211, and abutting the southerly line of lot 207 all inclusive of the Eureka Gardens — Outer Drive Subdivision No. 1 of part of the northwest ¼ of Section 5, T. 1 S., R. 12 E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 47, Page 86, 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 co-

venants 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 other 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 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 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 Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.