

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 Department of Public Works,

THIRD, 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 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 of 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, than 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 Finance Director is hereby authorized and directed to issue a Quit Claim Deed to the petitioner for the above described vacated street and the Law Department is directed to prepare said deed.

Adopted as follows:

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

Nays — None.

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

September 20, 1978

Honorable City Council:

Re: Petition No. 699. Presto Trims, Inc. Vacation of Elmira Avenue east of Freeland.

The above petition requests the vacation of Elmira Avenue, 60 feet wide, east of Freeland. The requested vacation 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:

An easement is reserved in the vacating resolution for the Water and Sewerage Department in the northerly 30 feet of said street to provide ingress and egress to maintain a sewer and manhole at the alley east of Freeland.

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,
LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Eberhard:

Resolved, that all that part of Elmira Avenue, 60 feet wide, east of Freeland, lying southerly of and abutting the southerly line of Lot 431 and the 9 foot wide north-south alley which abuts the rear line of said Lot 431 inclusive of the "Churchill Park Subdivision, of part of the W 1/2 of the N.E. 1/4 of Section 31, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 50, Page 52, Plats, Wayne County records,

Be and the same is hereby vacated as a public street, subject to the following easement:

FIRST, an easement or right-of-way is hereby granted to the Detroit Water and Sewerage Department over the northerly 30 feet of said vacated street for the purpose of ingress and egress at any time to the sewer located at the northerly property line of said street and the nine foot alley east of Freeland,

SECOND, said owners for their heirs and assigns agree that no buildings or structures shall be built or placed on said easement; and further

Resolved, that the Finance Director is hereby authorized and directed to issue a Quit Claim Deed to the petitioner and the Law Department is directed to prepare said deed.

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

September 11, 1978

Honorable City Council:

Re: Assessment of cost for weed and debris removal.

In accordance with Ordinances 397G and 398G, Abatement and Eradication of Weeds, the owner, occupant, agent or other person having control or management of lands in violation of said ordinances were notified of the existing violations. Upon failure