

of the Municipal Code of the City of Detroit and in accordance with the foregoing communication to provide legal representation to defendants:

Charles Springer, Badge 3616; Jay Hammer, Badge 721.

Approved:

GEORGE G. MATISH
Acting Corporation Counsel

Not adopted as follows:

Yeas — Council Members Eberhard and Kelley — 2.

Nays — Council Members Cleveland, Hood, Mahaffey, McFadden and President Henderson — 5.

Law Department

Honorable City Council:

Re: Petitions to Convert Alleys to Easements.

For your consideration, submitted herewith are twenty-four (24) petitions requesting the conversion of various alleys into easements in the City of Detroit.

The requested conversions into easements for public utilities were recommended by the Community and Economic Development Department upon prior investigation and report. For filing in the office of the City Clerk, please find report, petitions to vacate the public alleys, a sketch of each alley and Notice of City Council Hearing.

All other involved City Departments and privately owned utility companies have no objections to the conversion of the public right-of-ways into easements 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,

HILDA H. HIRATA

Asst. Corporation Counsel

By Council Member Hood:

WHEREAS, the following petitions have been filed with the City Council, signed by not less than two-thirds of the owners of properties respectively abutting the alleys as herein described, and public hearings having been held by this body on April 4, 1979 pursuant to these alley vacations;

NOW, THEREFORE, BE IT

PETITION NO. 2703. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY PLAINVIEW, AUBURN, CATHEDRAL, AND WESTFIELD AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by PLAINVIEW, AUBURN, CATHED-

RAL AND WESTFIELD AVENUES, abutting Lots 329 to 342, both inclusive, on the East of said alley and the South 30 feet of Lot 388 to 401, both inclusive, on the West of said alley, in the WARRENDALE WARSAW SUBDIVISION, of the West ½ of the Southwest ¼ of Section 35, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 47, Page 33 of Plats, Wayne County Records;

PETITION NO. 2767. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY LONGACRE, RUTLAND, PAUL AND WHITLOCK AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by LONGACRE, RUTLAND, PAUL AND WHITLOCK AVENUES, abutting Lots 61 to 75, both inclusive, on the West of said alley and Lots 76 to 90, both inclusive on the east of said alley in the FRISCHKORN'S SOUTH-FIELD PARK SUBDIVISION, being part of the Northwest ¼ of Section 12, Town 2 South, Range 10 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 70, Page 91 of Plats, Wayne County Records. Also abutting Lots 53 to 65, both inclusive, on the West of said alley and Lots 66 to 68, both inclusive, on the East of said alley in the WARREN HEIGHTS SUBDIVISION of the Northerly 17½ acres of the Southwest ¼ of the Northwest ¼ of Section 12, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 42, Page 12 of Plats, Wayne County Records;

PETITION NO. 2819. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY SNOWDEN, LITTLEFIELD, FENKELL AND KELLER AVENUES;

RESOLVED, that all that part of the North/South alley, sixteen (16) feet, in the block bounded by SNOWDEN, LITTLEFIELD, FENKELL AND KELLER AVENUES, abutting Lots 91 to 104, both inclusive, on the West of said alley and Lots 114 to 127, both inclusive, on the East of said alley, in the GLENCRAFT SUBDIVISION NO. 1, Subdivision of part of the South ½ of the Southwest ¼ of the Southwest ¼ Section 17, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 37, Page 69 of Plats, Wayne County Records;

PETITION NO. 2881. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE

BLOCK BOUNDED BY CHAPEL, BENTLER, FULLERTON AND GLENDALE AVENUES;

RESOLVED, that all that part of the North/South alley, sixteen (16) feet wide, in the block bounded by CHAPEL, BENTLER, FULLERTON AND GLENDALE AVENUES, abutting Lots 578 to 597, both inclusive, on the East of said alley and Lots 598 to 617, both inclusive, on the West of said alley in the B.E. TAYLOR'S BRIGHTMOOR-GARDNER SUBDIVISION, lying South of Grand River Avenue, being a part of the Northwest $\frac{1}{4}$ of Section 27, Town 1 South Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 47, Pages 64 and 65 of Plats, Wayne County Records;

PETITION NO. 2883. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY PHILIP, MANISTIQUE, ELMDALE AND PROMENADE AVENUES;

RESOLVED, that all that part of the North/South alley eighteen (18) feet wide, in the block bounded by PHILIP, MANISTIQUE, ELMDALE AND PROMENADE AVENUES, abutting Lots 309 to 328, both inclusive, on the West of said alley and Lots 404 to 421, both inclusive, on the East of said alley in the PARK MANOR DEVELOPMENT COMPANY'S PARK DRIVE SUBDIVISION, of lots 1 and 2 and part of lot 3 of plat of Subdivision of Private Claim 696, adjoining the east line of Section 13, Town 1 South, Range 12 East, City of Detroit and Gratiot Township, Wayne County, Michigan, as recorded in Liber 45, Page 42 of Plats, Wayne County Records;

PETITION NO. 2924. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY VAUGHAN, EVERGREEN, WHITLOCK AND W. WARREN AVENUES;

RESOLVED, that all that part of the North/South alley sixteen (16) feet wide, in the block bounded by VAUGHAN, EVERGREEN, WHITLOCK AND W. WARREN AVENUES, abutting Lots 75 to 119, both inclusive, on the East of said alley and Lot 133 to the North 25 feet of Lot 158, both inclusive, on the West of said alley in the FRISCHKORN'S ROUGE PARK SUBDIVISION, of part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 10, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 44, Page 61 of Plats, Wayne County Records;

PETITION NO. 3008. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY RUTHERFORD, FORRER, DAVISON AND SCHOOLCRAFT AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by RUTHERFORD, FORRER, DAVISON AND SCHOOLCRAFT AVENUES, abutting Lots 3 to 13, both inclusive, on the West of said alley and Lots 20 to 30, both inclusive, on the East of said alley in the MELROSE BOULEVARD SUBDIVISION, of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 33, Page 89 of Plats, Wayne County Records;

PETITION NO 3011. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY WALTHAM, GOULBURN, COLLINGHAM AND 8 MILE ROAD;

RESOLVED, that all that part of the North-South alley, eighteen (18) feet wide, in the block bounded by WALTHAM, GOULBURN, COLLINGHAM AND 8 MILE ROAD, abutting Lots 16 to 26, both inclusive, on the West of said alley and Lots 39 to 49, both inclusive, on the East of said alley in the WALTHAM MANOR SUBDIVISION, of the West $\frac{3}{4}$ of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 2, Town 1 South, Range 12 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 54, Page 55 of Plats, Wayne County Records;

PETITION NO. 3065. CONVERSION TO EASEMENT OF THE NORTH/SOUTH AND OF AN EAST/WEST ALLEY IN THE BLOCK BOUNDED BY WISCONSIN, OHIO, W. CHICAGO AND ORANGELAWN AVENUES;

RESOLVED, that all that part of the East/West alley, eighteen (18) feet wide, in the block bounded by WISCONSIN, OHIO, W. CHICAGO AND ORANGELAWN AVENUES, abutting Lots 20 to 23, both inclusive, on the North of said alley in the ASA B. COONS SUBDIVISION, on the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33 in Greenfield, Town 1 South, Range 11 East, Wayne County, Michigan, as recorded in Liber 27, Page 58 of Plats, Wayne County Records. Also abutting Lot 801 on the South of said alley in the B.E. TAYLOR'S SOUTHLAWN SUBDIVISION NO. 2, of part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33,

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Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 33, Page 57 of Plats, Wayne County Records. Also, the eighteen (18) foot wide alley running North and South, abutting Lot 20 on the West of said alley in the ASA B. COON SUBDIVISION on the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33 in Greenfield, Town 1 South, Range 11 East, Wayne County, Michigan, as recorded in Liber 27, Page 58 of Plats, Wayne County Records. Also abutting Lots 788 to 801, both inclusive, on the West of said alley, in the B.E. TAYLOR'S SOUTHLAWN SUBDIVISION NO. 2, of part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 33, Page 57 of Plats, Wayne County Records. Also, abutting Lots 40 to 56, both inclusive, on the East of said alley and Lots 57 to 62, both inclusive, on the East of a nine (9) foot alley running North and South, North of West Chicago Avenue, between vacated WISCONSIN AVENUE and OHIO AVENUE, in the SHERWOOD BROTHERS A.T. ROWE SUBDIVISION, of part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 32, Page 33 of Plats, Wayne County Records;

PETITION NO. 3154. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY BEATRICE, DEACON, GLEASON AND FRANCIS AVENUES;

RESOLVED, that all that part of the North/South alley, twenty (20) feet wide, in the block bounded by BEATRICE, DEACON, GLEASON AND FRANCIS AVENUES, abutting lots 1219 to 1237, both inclusive, on the West of said alley and Lots 1276 to 1294, both inclusive, on the East of said alley in the MARION PARK SUBDIVISION NO. 4, being a subdivision of part of Private Claim 669, City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 100 of Plats, Wayne County Records;

PETITION NO. 3155. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY KLINGER, REVERE, REMINGTON, AND WINCHESTER AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by KLINGER, REVERE, REMINGTON AND WINCHESTER AVENUES, abutting Lots 255 to 266, both inclu-

sive, on the East of said alley and Lots 306 to 317, both inclusive, on the West of said alley in the MELIN SUBDIVISION, of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 6, Town 1 South, Range 12 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 59, Page 70 of Plats, Wayne County Records. Also, abutting Lots 229 to 238, both inclusive, on the West of said alley and Lots 284 to 293, both inclusive, on the East of said alley in the SEYMOUR AND TROESTER'S CLAIRMONT PARK SUBDIVISION of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 6, Town 1 South, Range 12 East, Hamtramck Township, Wayne County, Michigan, as recorded in Liber 52, Page 43 of Plats, Wayne County Records;

PETITION NO. 3246. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY BEAVERLAND, BRAMELL, ELMIRA AND PLYMOUTH;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by BEAVERLAND, BRAMELL, ELMIRA AND PLYMOUTH, abutting Lots 121 to 133, both inclusive, on the West of said alley and Lots 472 to 484, both inclusive, on the East of said alley in the FRISCHKORN'S CITY PARK SUBDIVISION, being a part of the Northeast $\frac{1}{4}$ of Section 33, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 54, Page 9 of Plats, Wayne County Records;

PETITION NO. 3248. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY BRACE, GREENVIEW, SAWYER AND TIREMAN AVENUES;

RESOLVED: that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by BRACE, GREENVIEW, SAWYER AND TIREMAN AVENUES, abutting Lots 281 to 296, both inclusive, on the East of said alley and Lots 297 to 312, both inclusive, on the West of said alley in the RICHLAND PARK SUBDIVISION, being a subdivision of the North 40 acres of the Southeast $\frac{1}{4}$ of Section 2, and the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 2, Town 2 South, Range 10 East, Dearborn Township, Wayne County Michigan, as recorded in Liber 41, Page 63 of Plats, Wayne County Records. Also, abutting Lots 757 to 770, both inclusive, on the West of said alley and Lots 865 to 878, both inclusive, on the East of said alley in the

WARRENDALE SUBDIVISION NO. 1, being a Subdivision of part of the Southeast $\frac{1}{4}$ of Section 2, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 45, Page 14 of Plats, Wayne County Records;

PETITION NO. 3501. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY ROSEMONT, ASHTON, KIRKWOOD AND DAYTON AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by ROSEMONT, ASHTON, KIRKWOOD AND DAYTON AVENUES, abutting Lots 186 to 201, both inclusive, on the West of said alley and Lots 202 to 217, both inclusive, on the East of said alley in the RYCRAFT PARK SUBDIVISION, of part of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 11, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 42, Page 25 of Plats, Wayne County Records;

PETITION NO. 3570. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY WOODINGHAM DRIVE, SANTA BARBARA, SANTA CLARA AND THATCHER AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by WOODINGHAM DRIVE, SANTA BARBARA, SANTA CLARA AND THATCHER AVENUES, abutting Lots 372 to 388, both inclusive, on the East of said alley and Lots 449 to 465, both inclusive, on the West of said alley in the PALMER BOULEVARD ESTATES SUBDIVISION, of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 9, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 35, Page 42 of Plats, Wayne County Records;

PETITION NO. 3588. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY SNOWDEN, LITTLEFIELD, PURITAN AND FLORENCE AVENUES;

RESOLVED, that all that part of the North/South alley, sixteen (16) feet wide, in the block bounded by SNOWDEN, LITTLEFIELD, PURITAN AND FLORENCE AVENUES, abutting the South 28 feet of Lot 121 to Lot 140, both inclusive, on the West of said alley and Lot 146 to the South 18 feet of Lot 165, both inclusive, on the East of said alley in the MONNIER-PURITAN SUBDIVI-

SION, of part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 17, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 42, Page 6 of Plats, Wayne County Records;

PETITION NO. 3589. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY LITTLEFIELD, CHEYENNE, PURITAN AND FLORENCE AVENUES;

RESOLVED, that all that part of the North/South alley, sixteen (16) feet wide, in the block bounded by LITTLEFIELD, CHEYENNE, PURITAN AND FLORENCE AVENUES, abutting Lots 177 to 299, both inclusive, on the West of said alley and Lots 205 to 227, both inclusive, on the East of said alley in the MONNIER-PURITAN SUBDIVISION, of part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 17, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 42, Page 6 of Plats, Wayne County Records;

PETITION NO. 3655. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY STRATHMOOR, MARK TWAIN, SANTA MARIA AND OUTER DRIVE;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by STRATHMOOR, MARK TWAIN, SANTA MARIA AND OUTER DRIVE, abutting Lots 197 to 204, both inclusive, on the West of said alley and the North 20 feet of Lot 240 to Lot 264, both inclusive, on the East of said alley in the MARYGROVE-OUTER DRIVE PARK SUBDIVISION, a subdivision of part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 7, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 58 of Plats, Wayne County Records;

PETITION NO. 3657. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY MARK TWAIN, FREELAND, SANTA MARIA AND OUTER DRIVE;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by MARK TWAIN, FREELAND, SANTA MARIA AND OUTER DRIVE AVENUES, abutting Lots 305 to 311, both inclusive, on the West of said alley and Lots 346 to 354, both inclusive, on the East of said alley in the Marygrove-OUTER DRIVE PARK SUBDIVI-

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SION, a subdivision of part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 7, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 55, Page 58 of Plats, Wayne County Records;

PETITION NO. 3978. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY GREENFIELD, PREST, PICKFORD AND MARGARETA AVENUES;

RESOLVED, that all that part of the North-South alley, twenty (20) feet wide, in the block bounded by GREENFIELD, PREST, PICKFORD AND MARGARETA AVENUES, abutting Lots 301 to 320, both inclusive, on the West of said alley and Lots 321 to 330, both inclusive, on the East of said alley in the INGLEWOOD PARK SUBDIVISION NO. 1, of the North $13\frac{1}{2}$ acres of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 51, Page 27 of Plats, Wayne County Records. Also, abutting Lots 465 to 469, both inclusive, on the East of said alley and Lots 493 to 501, both inclusive, on the West of said alley in the INGLEWOOD PARK SUBDIVISION NO. 2, of part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 52, Page 38 of Plats, Wayne County Records;

PETITION NO. 3999. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY LAUDER, MARLOWE, MIDLAND AND PILGRIM AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by LAUDER, MARLOWE, MIDLAND AND PILGRIM AVENUES, abutting Lots 40 to 56, both inclusive, on the East of said alley and Lots 57 to 73, both inclusive, on the West of said alley in the FRED W. BRISTOW'S ROBSON AVENUE SUBDIVISION, of part of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 51, Page 16 of Plats, Wayne County Records;

PETITION NO. 4004. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY VAUGHAN, EVERGREEN, PAUL AND WHITLOCK AVENUES;

RESOLVED, that all that part of the North/South alley, sixteen (16) feet wide, in the block bounded by VAUGHAN, EVERGREEN, PAUL AND WHITLOCK AVENUES, abutting Lots 13 to 63, both inclusive, on the East of said alley and Lots 165 to 193, both inclusive, on the West of said alley in the FRISCHKORN'S ROUGE PARK SUBDIVISION, of part of the East $\frac{1}{2}$ of the Northeast $\frac{1}{2}$ of Section 10, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 44, Page 61 of Plats, Wayne County Records;

PETITION NO. 4048. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY ROXBURY, BEACONSFIELD, BRITAIN AND MORANG AVENUES;

RESOLVED, that all that part of the North/South alley, eighteen (18) feet wide, in the block bounded by ROXBURY, BEACONSFIELD, BRITAIN AND MORANG AVENUES, abutting Lots 7 to 26, both inclusive, on the West of said alley in the ROSEMARY SEVEN-MILE DRIVE SUBDIVISION, of the Easterly part of Lot 4 of Subdivision of the Back Concession of Private Claim 258, Liber 33, Page 93 of Deeds, City of Detroit, Wayne County, Michigan, as recorded in Liber 54, Page 53 of Plats, Wayne County Records. Also abutting Lots 494 to 511, both inclusive, on the East of said alley in the SEVEN MILE CADIEUX SUBDIVISION NO. 3, of the West part of Lot 4 of the Subdivision of the Back Concession of Private Claim 258, City of Detroit, Wayne County, Michigan, as recorded in Liber 58, Page 63 of Plats, Wayne County Records;

PETITION NO. 4118. CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY BEAVERLAND, BRAMELL, FENKELL AND KEELER AVENUES;

RESOLVED, that all that part of the North/South alley, sixteen (16) feet wide, in the block bounded by BEAVERLAND, BRAMELL, FENKELL AND KEELER AVENUES, abutting Lots 129 to 138, both inclusive, on the East side of said alley and Lots 173 to 182, both inclusive, on the West of said alley in the B.E. TAYLOR'S BRIGHTMOOR PIERCE-HAYES SUBDIVISION, lying South of Grand River Avenue, being part of the Southeast $\frac{1}{4}$ of Section 16, the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21, Town 1 South, Range 10 East, Redford Town-

ship, Wayne County, Michigan, as recorded in Liber 45, Page 35 of Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alley, which easements 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 alleys and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or right of ways over said vacated public alleys 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 easements for the purpose above set forth.

SECOND, said utility easements or right of ways in and over said vacated alleys hereinabove described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easements or right of ways. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies other than that specifically prohibited by this resolution shall be restored to a satisfactory condition.

THIRD, 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 easements, nor any change of surface grade made, without prior approval by the Environmental Protection and Maintenance Department.

FOURTH, 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 easements, 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 3, 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 shall, within 30 days, record a certified copy of this resolution with the Wayne County Register of Deeds, and shall send a certified copy to the State Treasurer, and shall further transmit a copy of this resolution to the City Engineer, to the Law Department and to the Environmental Protection and Maintenance Department; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting such alleys or portions thereof and other necessary parties that the alleys or portions thereof have been vacated and converted into easements for utilities; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the City Engineer shall correct the official city maps and records; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the Environmental Protection and Maintenance Department shall adjust its garbage and refuse collection services accordingly.

Approved:

KAY SCHLOFF

Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson

— 7.

Nays — None.

Law Department

March 27, 1979

Honorable City Council:

Re: Amir Al-Naimi and Jerry Curry
vs. City of Detroit. Civil Action
No. 75 055 799 NI — (DOT).