

Adopted as follows:  
 Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.  
 Nays — None.

**Environmental Protection & Maintenance Department**

October 1, 1979

Honorable City Council:

Re: Forest Park II and Leland-Orleans Rehabilitation Projects.

The Forest Park II and Leland-Orleans Rehabilitation Projects have been plagued with serious problems of illegal dumping on parcels which have been cleared for redevelopment.

The Community and Economic Development Department has requested that certain streets in the projects be closed on a temporary basis while the necessary arrangements are being completed to permanently vacate the streets.

An Appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,  
**LOUIS W. KLEI**  
 City Engineer

Approved:

**JAMES W. WATTS**  
 Director

By Council Member Cleveland:

Resolved, That due to illegal dumping at certain streets in the Forest Park II and Leland-Orleans Rehabilitation Projects the following portions of streets are hereby closed on a temporary basis:

Riopelle between Canfield and Warren;

Orleans between Canfield and Warren;

Riopelle between Mack and Leland;

Orleans between Mack and Leland;

Leland between Rivard and Dequindre;

Illinois between Rivard and Dequindre;

St. Joseph between Russell and Dequindre;

Brady between Rivard and Russell;

Provided, The City and all utility companies retain their rights to maintain and service any utilities located in the said streets, and further

Provided, This resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

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

Nays — None.

**Environmental Protection & Maintenance Department**

September 26, 1979

Honorable City Council:

Re: Petition No. 1602, Boron Oil Company. Conversion to Easement of a Portion of the East-West Alley North of Clay, between Cameron and the Chrysler Freeway.

The above petition requests the conversion of the above described portion of alley, sixteen 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:

The petitioner has made the following deposit with the City Treasurer, which has been credited to the department and account named for the purpose indicated;

Environmental Protection and Maintenance Department — Intersection Fund, Receipt No. A11918 — \$140, for the original cost of paving the street at the intersection of the alley to be vacated.

The Petitioner has requested that the paved return at the entrance to the east end of the alley 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 conversion of 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,  
**LOUIS W. KLEI**  
 City Engineer

Approved:

**JAMES W. WATTS**  
 Director

By Council Member Cleveland:

RESOLVED, That all that part of the east-west public alley, sixteen feet wide, first north of Clay Avenue, between Cameron and the Chrysler Freeway, lying southerly of and abutting the southerly line of the easterly 110 feet of Lot 48 and northerly of and abutting the northerly line of Lots 45 to 47 and the easterly 20.5 feet of Lot 44, all inclusive of Curry's Subdivision of



Lots 13 and 14 of the Subdivision of Quarter, Section 58, 10,000 Acre Tract, Township of Hamtramck, Wayne County, Michigan, as recorded Liber 9, Page 57, 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 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 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 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 anytime in the future it becomes necessary to remove the paved alley return and con-

struct new curb and sidewalk, such removal and construction costs, will be borne by the petitioner or his assigns.

Adopted as follows:

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

Nays — None.

**Environmental Protection & Maintenance Department**

October 1, 1979

Honorable City Council:

Re: Petition No. 905. Central Quality Service Corporation. Request to maintain a fence which encroaches into street right-of-way.

The above petition was referred to this department for investigation and report. Our report is as follows:

The petitioner has erected a fence around his property at 7043 East Palmer Avenue which encroaches 9 feet into the right-of-way of East Grand Boulevard and 1 foot into the right-of-way of Palmer Avenue.

The Water and Sewerage Department has objected to the encroachment into East Grand Boulevard since they have a 6-inch water main located 2 feet east of the existing property line of East Grand Boulevard. The fence encloses the water main, however, provisions are included in the attached resolution providing for access to the main.

All other involved private utility companies and City departments have no objection to the petitioner's request.

An appropriate resolution granting the petition with conditions is attached for consideration by your Honorable Body.

Respectfully submitted,

LOUIS W. KLEI  
City Engineer

Approved:

JAMES W. WATTS  
Director

By Council Member Cockrel:

Resolved, That the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to the Central Quality Service Corporation to maintain fences which encroach into the right-of-way of East Grand Boulevard and Palmer Avenue at property located at 7043 East Palmer Avenue, property being described as:

Lots 49 to 51 and the northerly 5 feet more or less of lot 48 of the Assessor's Plat of Lots 1 to 98 inclusive of Plat recorded in Liber 299, Pages 130 and