

road tracks in the area north of Fort Street and to remove vehicular traffic from same until such time as the bridges can be replaced with new structures in conformance with the redevelopment plan in the area.

Adopted as follows:

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

— 7.

Nays — None.

Environmental Protection & Maintenance Department

June 28, 1979

Honorable City Council:

Re: Petition No. 1545, John Stevens Associates, Inc. Request to encroach at 577 East Larned.

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

The petitioner has requested permission to improve the appearance of their building at the above address by the addition of a new facade which will encroach approximately four (4) inches into the Larned Street right-of-way for a distance of 100 feet.

All City departments have said they have no objection to the request to encroach.

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

Respectfully submitted

LOUIS W. KLEI

City Engineer

By Council Member McFadden:

Resolved, that the Building and Safety Engineering, Community and Economic Development, and the Environmental Protection and Maintenance Departments be and they are hereby authorized and directed to issue permits to John Stevens Associates, Inc. for a building encroachment at 577 East Larned, Detroit, Michigan, property being described as:

Lot 6, the east 1/2 of Lot 7, and the west 1/2 of Lot 5 all inclusive of the Plat of the Antoine Beaubien Farm as recorded in Liber 27, Page 197 Deeds, Wayne County Records;

Encroachment to consist of a new metal and glass facade attached to the building at the above address to encroach approximately four (4) inches into the Larned Street right-of-way,

Provided, that petitioner file with the Finance Department, an indemnity agreement approved by the Law Department saving and protecting the City of Detroit from any and all claims which may arise therefrom; and

Provided, that a permit be obtained from the Environmental Protection and Maintenance Department.

Adopted as follows:

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

— 7.

Nays — None.

Environmental Protection & Maintenance Department

July 2, 1979

Honorable City Council:

Re: Petition No. 2096, West Michigan Nail and Wire Company, Vacation of a portion of Fulton Avenue between Elsmere and Lawndale.

The above petition requests the vacation of the above described portion of Fulton Avenue. The requested vacation was approved by the Community, Economic and 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 vacation of said street or that they have reached satisfactory agreements with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

By Council Member McFadden:

Resolved, that all that part of Fulton Avenue, 50 feet wide, between Elsmere and Lawndale and abutted on the east by the Penn-Central Railroad right-of-way, lying southerly of and abutting the southerly line of Lot 1 and lying northerly of and abutting the northerly line of the easterly 36.73 feet of Lot 58, all inclusive of Handloser's Subdivision of Lot A and Blocks 3, 4, 1 and East 203.11 feet of Blocks 2, 5, 6, 10, 12 and East 247.84 feet of Block 16 of the Subdivision of the East 203.11 feet of Blocks 2, 5, 6, 10, 12 and East 247.84 feet of Block 16 of the Subdivision of the East 3 1/2 acres of Lot 4 and Lots 5 to 10 inclusive of Wm. B. Wesson's Subdivision of Lot 6, Shipyard Tract, Springwells, Wayne County, Michigan as recorded in Liber 16, Page 89, Plats, Wayne County records;

Be and the same is hereby vacated as a public street to become a part and parcel of the abutting property; and be it further

Resolved, that the Finance Department issue a Quit Claim Deed for the above described property and the Law Department is hereby directed to prepare said deed.

Adopted as follows:

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

— 7.

Nays — None.

Environmental Protection & Maintenance Department

July 2, 1979

Honorable City Council:

Re: Petition No. 1443, Sure-Weld and Plating Rack Company, Conversion to Easement of the public alley in the block bounded by St. Aubin, Dubois, Franklin and Woodbridge.

The above petition requests the conversion of the above described public alley, 20 feet wide into an easement for public utilities. The requested conversion into easement for public utilities was approved by the Community, Economic and 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 requested that the paved returns at the entrance to the alley to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

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,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

By Council Member McFadden:

Resolved, that all that part of the east-west public alley, 20 feet wide, in the block bounded by St. Aubin, Dubois, Franklin and Woodbridge abutting the rear line of Lots 1 to 10, Section 6, of the Subdivision of the St. Aubin Farm south of Jefferson Avenue, Detroit, Michigan, as recorded in Liber 1, Page 35, Plats, Wayne County records; and as opened on July 6, 1868, that portion being described as: "All that part of the Dubois Farm, West ½ of P.C. 91, commencing at the S.E. corner of Lot 6, Block 6, Subdivision of St. Aubin Farm, thence N. 60 deg E. 146 feet to the line of Dubois Street. thence S. 26

deg E., 20.05 feet, thence S. 60 deg W., 146 feet; thence N. 26 deg W., 20.05 feet to the place of beginning"

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 purpose 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 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, and be it further