

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

August 16, 1979

Honorable City Council:

Re: Petition No. 245, General Motors Corporation, Vacation of Govin Street between the alley north of Fort Street and the Fisher Freeway.

The above petition requests the vacation of the above described portion of Govin Street, 50 feet wide. 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:

Easements are reserved in the vacating resolution for the Detroit Water and Sewerage Department, the Fire Department and the Michigan Consolidated Gas Company for the maintenance of their installations located in the public right-of-way to be vacated.

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 Kelley:

RESOLVED, That all that part of Govin Street, 50 feet wide, lying between and abutting the northerly line of 20 foot wide east-west public alley first north of Fort Street and the southerly line of the Fisher Freeway right-of-way having been platted in the following subdivisions:

The Re-Subdivision of Lots 25 to 36 both inclusive of the Subdivision of Lot 2 of Blackmar's Subdivision of Lot 5, Shipyard Tract, Springwells, Wayne County, Michigan, as recorded in Liber 20, Page 19, Plats, Wayne County records; also

Sage's Subdivision of Lot 1 of the Subdivision of Outlot 5 of the Subdivision of the Shipyard Tract and Lot 14 and the north 208.89 feet of Lot 13 of the subdivision of P.C. 718, Township of Springwells, Wayne County, Michigan, as recorded in Liber 9, Page 77, Plats, Wayne County records

Be and the same is hereby vacated as a public street and is hereby con-

verted into an easement of the full width of the street, 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 street and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, Said owners hereby grant to and for the use of the Detroit Water and Sewerage Department, the Fire Department, and the Michigan Consolidated Gas Company, an easement or right of way over said vacated public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing utilities such as water mains, fire hydrants, gas lines or mains, or things usually placed or installed in a public street 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 above named utilities,

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 utilities in said easement, such owners, upon whose property the 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.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, McFadden, and President Pro Tem Mahaffey — 7.
Nays — None.