

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 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 Cleveland:

Resolved, that all that part of the east-west public alley, 20 and 30 feet wide, south of Mellon Avenue and west of Lowdell Avenue abutting lots 167 to 176 and lying westerly of and abutting a line connecting the southerly corner of lot 176 and the northeasterly corner of lot 167, all inclusive of the Schaefer Dix Subdivision of part of private claims 51 and 59, City of Detroit, and Village of Melvindale, Wayne County, Michigan, as recorded in Liber 55, Page 48, 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 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, not 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.

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. 6118, Matt Hearn, et al, Conversion to Easement of the east-west alley south of Joy Road and east of Meyers.

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:

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 Cleveland:

Resolved, that all that part of the east-west public alley, 20 feet wide, in the block bounded by Meyers, Manor, Oakman and Joy abutting the rear line of lots 2598 to 2603 and the northerly line of lot 2597 inclusive of Robert Oakman Land Company's Aviation Field Subdivision No. 4 of the NW ¼ and part of the NE ¼ Section t, T. 2 S., R. 11 E., Greenfield Township and City of Detroit, Wayne County, Michigan as recorded in Liber 58, Page 48, 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 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.

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:

We have reviewed the condition of the bridge structures carrying Rosa Parks Boulevard (Twelfth Street) and Lafayette Avenue over the Conrail tracks on the near west side and believe that in the interest of the public safety, both of the bridges should be closed to vehicular traffic. The concrete roadway surface and supporting steel beams are in an advanced state of deterioration.

Subject to your approval we recommend the permanent barricading of these bridges and diverting vehicular traffic to adjacent streets, and allow pedestrian traffic to use bridges until removed for replacement.

These bridges were first erected under the terms of an agreement with the Michigan Central Railroad in 1885 and rebuilt in the 1920's. They are located within the West Side Industrial Redevelopment Project No. 2 and are scheduled for replacement as soon as final agreement can be reached with Conrail. It is anticipated that this work will be started before extensive repairs could be completed and the existing bridges reopened.

The Department of Transportation can reroute traffic in this area and concurs with our recommendation that the bridges be closed and we therefore recommend the adoption of the attached resolution.

Respectfully submitted,
LOUIS W. KLEI,
 City Engineer

Approved:
JAMES W. WATTS
 Director

By Council Member McFadden:

Resolved, That in accordance with the above communication, and in order to preserve the health, safety, peace and welfare of the people of the City of Detroit, authority is granted to the Environmental Protection and Maintenance Department to permanently barricade the Rosa Parks Boulevard bridge and the Lafayette Avenue bridge over the Conrail rail-