

feet of lot 57, and the northerly 4.7 feet of lot 75, all inclusive of the above mentioned subdivision; also

All that part of Gregorie Avenue, 50 feet wide, lying easterly of McClellan Avenue, 66 feet wide, as platted; between Blocks 4 and 5 of Yeman's and Sprague's Subdivision of part of P.C. 152 lying north of Jefferson Avenue as recorded in Liber 13, Page 11, Plats, Wayne County records; also

All that part of the north-south and east-west public alleys, 18.82 and 16 feet wide respectively, east of McClellan, between Pontiac and Gregorie, all inclusive of Block 4 of the last mentioned subdivision; also

All that part of the north-south and east-west public alleys, 18.82 and 16 feet wide respectively, east of McClellan, between Gregorie and Kercheval, all inclusive of Block 5 of the last mentioned subdivision; also

All that part of the southerly 48 feet of Chapaton not vacated on November 22, 1904, J.C.C. Pages 1259-60 said portion being 18.82 feet wide lying north of and abutting the north-south public alley 18.82 feet wide, in Block 5, all inclusive of the last mentioned subdivision;

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

RESOLVED, That the Community and Economic Development Department is hereby authorized to honor billings from the Detroit Edison, Michigan Bell Telephone, and the Michigan Consolidated Gas Companies for the removal and relocation of their facilities as previously agreed to among the parties; and further

RESOLVED, That the City Clerk is hereby directed to send a copy of this resolution to the Detroit Edison, Michigan Bell Telephone, and Michigan Consolidated Gas Companies.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 8.

Nays — None.

Department of Public Works

December 11, 1979

Honorable City Council:

Re: Petition 1659. Community and Economic Development Department, Vacation and Conversion to Easement of a street and alley in the Hubbard Richard Rehabilitation Project.

The above petition requests the vacation of the north-south alley in the block bounded by Seventeenth, Six-

teenth, Lafayette and Howard; and the conversion to easement for public utilities of Seventeenth Street between Lafayette and Howard. The petition was referred to this department for investigation and report. Our report is as follows:

Interdepartmental Purchase Orders have been issued to all affected City departments and privately owned utilities reported that they will be unaffected by the vacation and conversion to easement or that they have made satisfactory arrangements with the petitioner.

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 north-south public alley, 20 feet wide, in the block bounded by Seventeenth, Sixteenth, Lafayette and Howard abutting the rear line of lots A to K of B. Stroh's Subdivision of lots 1 to 7 inclusive of Block 13, of the front subdivision of the Lafontaine Farm as recorded in Liber 1, Page 227, Plats, Wayne County records; and abutting the rear line of the southerly 36.75 feet of lot 8, Block 13, of the Plat of the Front Subdivision of the Lafontaine Farm, Private Claim No. 44, between Detroit River and Chicago Road as recorded in Liber 59, Pages 154 and 155, Deeds, Wayne County Records; and abutting the rear line of lots 60, 67, 68, 75, 76 and 83, and the northerly 27.21 feet of lot 59 of the Plat of the Subdivision of part of Private Claim No. 473, known as the Stanton Farm, as recorded in Liber 47, Pages 558 and 559, Deeds, Wayne County records;

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

Resolved that all that part of Seventeenth Street, 60 feet wide, between Lafayette and Howard abutting the westerly line of lots 60, 67, 68, 75, 76 and 83 and the northerly 27.2 feet of lot 59; abutting the easterly line of lots 61, 66, 69, 74, 77 and 82 and the northerly 24 feet of lot 58, all inclusive of the Plat of the Subdivision of part of Private Claim No. 473 known as the Stanton Farm, as recorded in Liber 47, Pages 558 and 559, Deeds, Wayne County Records;

Be and the same is hereby vacated

as a public street and is hereby converted into a public 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 the 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 street 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 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 Department of Public Works.

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 poles or other utilities in said easement, 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 or illustration but not limitation), such storage of excessive weights or materials or construction not in accordance with Section 2, mentioned incidental in such event the petitioner or assigns shall be liable for the repair of said utility.

Adopted by Council Members Cleveland, Yerxa, McFadden, Hood, Kelley, and President
Yeas - 8.
Nays - None.

Department of Public Works

December 7, 1979

Honorable City Council:

Re: Petition No. 2213. Liberty Temple, Request for communication cable encroachment at 1300 E. Seven Mile Road.

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

The Public Lighting Department has approved the installation provided certain precautions are observed.

All other departments have no objections provided proper provisions are contained in the resolution protecting their facilities.

The poles to be used are the property of the Detroit Edison Company, the petitioner will enter into an agreement with Detroit Edison to use their poles.

An appropriate resolution with the proper provisions is attached for consideration by your Honorable Body.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

Approved:

JAMES W. WATTS,

Director

Department of Public Works

By Council Member Cleveland:

RESOLVED, That the Department of Public Works be and it is hereby authorized and directed to issue permits to the Liberty Temple for permission to encroach over Russell Avenue at the east-west alley first south of East Seven Mile Road and over the east-west alleys first south of East Seven Mile Road and east and west of Russell Avenue, at the rear of 1228 and 1300 East Seven Mile Road, property described as: Lots 3, 461 and 466 including

Lots 292, 293, Millac Heights Subdivision of the E. 1/4 of Section 12 T.1S., of Greenfield Township, Wayne County, Michigan, as recorded in Book 33, Page 81, Plats, Wayne County records.

PROVIDED, that cable must be installed as per National Electrical Code as adopted by the Michigan Public Service Commission, and that the cable be a minimum of eighteen (18) feet above grade of the street.

PROVIDED, that permittee at the time of obtaining said permits file with the Finance Department an indemnity agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason