

right to ingress and egress at any time to and over said easement for the purpose above set forth.

SECOND, said utility easement or right-of-way in and over said vacated alley hereinabove described shall be forever accessible to the maintenance and inspection of the utility companies, or those specifically authorized by them for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies other than that specifically prohibited by this resolution shall be restored to a satisfactory condition.

THIRD, 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 fences) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

FOURTH, 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 easements, 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 of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 3, 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 shall, within 30 days, record a certified copy of this resolution with the Wayne

County Register of Deeds, and shall send a certified copy of the State Treasurer, and shall further transmit a copy of this resolution to the City Engineer, to the Law Department and the Department of Public Works; and be it further

RESOLVED, that upon the receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting on such alley or portion thereof and other necessary parties that the alley or portion thereof have been vacated and converted in easement for utilities; and be it further

RESOLVED, that upon the receipt of a copy of the resolution, the City Engineer shall correct the official city maps and records; and be it further

RESOLVED, that upon the receipt of a copy of the resolution, the Department of Public Works shall adjust its garbage and refuse collection services accordingly.

Approved:

GEORGE W. CROCKETT, JR.
Acting Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

July 25, 1980

Honorable City Council:

Re: Amended Resolution-Alley Conversion Petition No. 2248.

On November 7, 1979 (J.C.C. Pages 3021-30) your Honorable Body, adopted a resolution for the conversion of alleys. The purpose of this amended resolution is to correct the description of Petition No. 2248.

Respectfully submitted,
JOSEPH N. BALTIMORE
Asst. Corporation Counsel

Approved:

GEORGE W. CROCKETT, JR.
Acting Corporation Counsel

By Council Member Hood:

WHEREAS, the following petition has been filed with the City Council, signed by not less than two-thirds of the owners of properties respectively abutting the alleys as herein described, pursuant to ordinance for the purpose of determining the advisability of this alley vacation.

PETITION NO. 2248
CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY WARWICK, ARTESIAN, PAUL AND WHITLOCK AVENUES;

RESOLVED, that all that part of the North South alley, eighteen (18) feet wide in the block bounded by WARWICK, ARTESIAN, PAUL AND WHITLOCK AVENUES, abutting Lots 64 to 94, both inclusive, on the East of said alley and Lots 145 to 175, both inclusive, on the West of said alley, in the WEST WARREN LAWNS SUBDIVISION, being a Subdivision of the West 12 acres of the Northeast $\frac{1}{4}$ and the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 11, Town 2 South, Range 10 East, Dearborn Township, Wayne County, Michigan, as recorded in Liber 40, Page 88 of 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 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 utility easement or right-of-way in and over said vacated alley hereinabove described shall be forever accessible to the maintenance and inspection of the utility companies, or those specifically authorized by them for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above mentioned tasks, with the understanding that the utility companies use due care in such crossing or use, and that any property damaged by the utility companies other than that specifically prohibited by this resolution shall be restored to a satisfactory condition.

THIRD, 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 fences) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

FOURTH, 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 easements, 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 of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 3, 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 shall, within 30 days, record a certified copy of this resolution with the Wayne County Register of Deeds, and shall send a certified copy to the State Treasurer, and shall further transmit a copy of this resolution to the City Engineer, to the Law Department and to the Department of Public Works; and be it further

RESOLVED, that upon the receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting on such alley or portion thereof and other necessary parties that the alley or portion thereof have been vacated and converted in easement for utilities; and be it further

RESOLVED, that upon the receipt of a copy of the resolution, the City Engineer shall correct the official city maps and records; and be it further

RESOLVED, that upon the receipt of a copy of the resolution, the Department of Public Works shall adjust its garbage and refuse collection services accordingly.

Approved:

GEORGE W. CROCKETT, JR.
Acting Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland,

Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.
Nays — None.

Law Department

August 4, 1980

Honorable City Council:

Re: Post News Week Stations of Michigan Inc. (Petition No. 3438). Request for Commercial Facilities Exemption Certificate for a new facility.

Submitted herewith is a resolution approving the Commercial Facilities Exemption Certificate for a new facility in Commercial Redevelopment District No. 14 in the vicinity of 622 Lafayette according to the provisions of Act No. 255 of the Public Acts of 1978.

Respectfully submitted,
WILLIAM B. BEACH,
Supr. Asst. Corporation Counsel

By Council Member Kelley:

Whereas, This City Council has established by resolution City of Detroit Commercial Redevelopment District 14 in the vicinity of 622 Lafayette (J.C.C.), in the City of Detroit pursuant to Act No. 255 of the Public Acts of 1978; and

Whereas, Post News Week Stations of Michigan, Inc. (Petition No. 3438) has filed with the City Clerk an application for a Commercial Facilities Exemption Certificate for a new facility in said City of Detroit Commercial Redevelopment District No. 14 in the manner and form prescribed by the State Tax Commission; and

Whereas, The applicant is the owner or lessee of a facility within said District; and

Whereas, On the 31st day of July, 1980 in the City Council Committee Room, 13th Floor, City-County Building, a discussion was held on said application for a Commercial Facilities Exemption Certificate at which hearing the applicant, the assessor, and a representative of the affected taxing units had an opportunity for a hearing; and

Whereas, Notice was given, to the Detroit Board of Education, the City of Detroit Board of Assessors, Wayne County Board of Commissioners, Wayne County Community College, Wayne County Intermediate School District, and the applicant, informing them of the receipt of said application for a Commercial Facilities Exemption Certificate, the date and location of said discussion, and the opportunity to be heard;

Now Therefore Be It

Resolved, That it is hereby found and determined that the granting of the Commercial Facilities Exemption Certificate, considered together with the aggregate state equalized valuation of property exempt under certificates previously granted and currently in force under this Act or Act No. 198 of the Public Acts of 1974, as amended, will not have the effect of substantially impeding the operation of the local governmental unit or impairing the financial soundness of any other taxing unit which levies an ad valorem property tax within the City of Detroit; and be it further

Resolved, That it is hereby found and determined that the applicant has complied with the requirements of Section 10 of Act No. 255 of the Public Acts of 1978; and be it further

Resolved, That the application of Post News Week Stations of Michigan, Inc. (Petition No. 3438) for a Commercial Facilities Exemption Certificate for a new facility in the City of Detroit Commercial Redevelopment District No. 14 is hereby approved for a period of twelve (12) years in accordance with the provisions of Act No. 255 of the Public Acts of 1978; and be it further,

Resolved, That the City Clerk shall forward said application to the State Tax Commission as provided by said Act.

Approved:

KAY SCHLOFF

Acting Corporation Counsel

Legal Description

All of Lots 20 & 21 located with the Detroit Urban Renewal Plat No. 1 of part of private claims 23, 247, 55 and Military Reserve, City of Detroit, recorded Wayne County Records.

Adopted as follows:

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

Nays — Council Member Cockrel — 1.

Law Department

August 4, 1980

Honorable City Council:

Re: Post News Week Stations of Michigan, Inc. (Petition No. 3438) Request for Commercial Facilities Exemption Certificate for a restoration facility.

Submitted herewith is a resolution approving the Commercial Facilities Exemption Certificate for a restoration facility in Commercial Redevelopment District No. 14 in the vicinity of 622 Lafayette according to the