

rules of the Department of Public Works, and further subject to the following provisions:

The City of Detroit retains all rights and interests in the area herein temporarily closed:

The City and all utility companies retain their rights to establish, maintain, and service any utilities in said area of temporarily closed alley;

PROVIDED, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division, by and at the permittee's expense, and further

PROVIDED, this resolution is revocable at the will, whim, or caprice of the City Council, and further that grantee acquires no implied or other privileges hereunder, not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 7.

Nays — None.

#### Department of Public Works

March 27, 1980

Honorable City Council:

Re: Petition No. 3402. Recreation Department. Conversion to Easement of the alley in the block bounded by Armour, Milner, Edgewood.

The above petition requests the conversion of the above described north-south alley, 15 feet wide, into an easement for public utilities.

The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition, is as follows:

The Recreation Department 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 by letter filed with the original petition 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 Cockrel:

RESOLVED, That all that part of the north-south public alley, 15 feet wide, in the block bounded by Armour, Milner, Edgewood, Knodell lying between and abutting the rear line of Lots 259 to 264 and Lots 294 to 299, all inclusive of the Edgewood Subdivision of part of Sections 22 and 23 known as P.C. 12, Hamtramck and Grosse Pointe, Wayne County, Michigan, as recorded in Liber 15, Page 83, 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 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 the 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 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 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 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 Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson

— 7.  
Nays — None.

**Department of Public Works**

April 2, 1980

Honorable City Council:

On September 12, 1979, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 22-X. The City Treasurer has accepted payment for one of the items applied to that roll.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,  
JAMES W. WATTS

Director

By Council Member Cockrel:

RESOLVED, That the City Treasurer be and he is hereby authorized to make the following deletion:

Roll 22-X, Lot 18; E.S. Rutherford between Verne and Grove, delete \$110.60, Bill No. 30651, Item No. 56064, Treas. Receipt No. 36712.

Adopted as follows:

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

— 7.  
Nays — None.

**Department of Public Works**

March 31, 1980

Honorable City Council:

Re: Petition No. 2636. Downtown Development Authority. Vacate Portion of Times Square and alley easterly thereof between Clifford and Grand River west of Washington Blvd.

On September 19, 1979, J.C.C. Pages 2586 and 2587, your Honorable Body adopted a resolution granting a conditional commitment to vacate a portion of Times Square and the alley easterly thereof. The parcel of land is to be used for the construction of the Washington Boulevard Multi-Use Residential Project (UDAG Project # B-78-AA-26-0011).

In accordance with the first provi-

sion of that resolution, the petitioner has agreed to reimburse all utilities for their costs in relocating their facilities from the areas to be vacated.

In accordance with the second provision, all utilities report that they will not require any easements in the areas to be vacated as all of their facilities are to be removed from the areas.

The maps and site plan approved stipulated in the third provision have been submitted. Your Honorable Body's City Planning Commission has reported that the proposed treatment of Times Square and the small park at the southwest corner of Clifford and Times Square meets with its approval, and that said approval has been submitted to your Honorable Body.

In conformance with the City Plan Commission's letter of March 6, 1980 to your Honorable Body, we are submitting the attached resolution vacating the noted public rights of way for your consideration.

Respectfully submitted,  
LOUIS W. KLEI  
City Engineer

Approved:

JAMES W. WATTS  
Director  
JOSEPH N. BALTIMORE  
Acting Corporation Counsel

**City Council's  
City Planning Commission**

March 6, 1980

Honorable City Council:

Re: Washington Boulevard Project. Construct a 23 story apartment building above a 5 level parking structure. Vacate alleys and a portion of Times Square Street, Block bounded by Washington Boulevard, Grand River, Times Square Street and Clifford (2636). (Dept. Report recommending approval with conditions — and recommending referral to the City Engineer's Office, Fire Department and Detroit Department of Transportation.)

The Detroit Downtown Development Authority (DDA) and Forest City Dillon, Inc. are proposing the development of a multi-use structure to be located on the entire block bounded by Washington Boulevard, Grand River, Times Square Street and Clifford. The project would consist of a 5-level, 525-vehicle capacity parking garage which would include 11,500 square feet of commercial space on the ground level, and would also include a 23-story, 349-unit apartment high-rise to be located above the garage at the easterly edge of the site along Washington Boulevard. Con-