

following described portion of Field Avenue, south of Gratiot Avenue provided Mr. Green furnishes proof of ownership to the property easterly thereof and provided said deed is subject to the eastment provisions and restrictive covenants outlined in the resolution of the City Council adopted March 17, 1976, J.C.C. pages 546-7-8, and be it further

RESOLVED, That the Finance Director is authorized and directed to execute said deed when presented by the Law Department.

All that part of the easterly one-half vacated Field Avenue lying west of and abutting a portion of Private Claim 16, a vacated 20 feet wide public alley and Lots 211 through 214 of the Schwartz Subdivision of the westerly part of Private Claim 16, north of Mack Avenue, City of Detroit, Wayne Co. Mich., recorded Liber 17, Page 56 plats, W.C.R. which is more particularly described as commencing at the intersection of the centerline of Field Avenue, 66 feet wide, with the southerly line of Gratiot Avenue; thence S. 25d 58m E. along said centerline 136.83 feet to a point; thence N. 64d 02m E., 33.0 feet to a point on the easterly line of Field Avenue, said point being the southwesterly corner of Lot 214 of the above named Schwartz Subdivision; thence northerly along the easterly line of Field Avenue 162.33 feet, more or less to the southerly line of Gratiot Avenue; thence S. 26d 14m 37s W., along said line 41.75 feet, more or less, to the point of beginning and containing 4937 square feet of land more or less.

Adopted as follows:

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

Nays — None.

Department of Public Works

July 11, 1980

Honorable City Council:

Re: Petition 4059 — Community & Economic Development Dept. Vacate Portion Wilkins Street West of St. Aubin.

The Community & Economic Development Department has requested that the 15 feet wide strip of right-of-way on the north side of Wilkins Street lying between the west line of St. Aubin Avenue and the alley first west of that street be vacated. This land was acquired for the widening of Wilkins Street in 1944; however, the building removal on the parcel immediately to the west of the alley was never accomplished and the pavement

was never widened in the area involved. On July 17, 1973 (J.C.C. pg. 1839) Your Honorable Body approved the vacation of the 15 feet wide strip lying west of the alley and because this proposed vacation is consistent with that action, all involved City departments have recommended approval of the attached resolution.

All private utility companies have indicated that they are not affected by the proposed vacation.

The Community & Economic Development Department has indicated that the City has acquired the balance of the lot lying north of the street and has requested that the vacated portion be assigned to that department for future sale.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS

Director

Department of Public Works

EMMETT S. MOTEN, JR.

Director

Community & Economic
Development Department

By Council Member Hood:

RESOLVED, That the northerly 15 feet of Wilkins Street (as widened to 65 feet on March 21, 1944 (J.C.C. pg. 746) lying between the westerly line of St. Aubin Avenues and the alley first westerly thereof, said right-of-way being further described as the southerly 15 feet of Lot 68 of the Subdivision of Outlot 34, St. Aubin Farm recorded Liber 1, Page 173 Plats, W.C.R.; be and the same is hereby vacated to become part and parcel of the abutting portion of said Lot 68; and further

RESOLVED, That said parcel be assigned to the Community & Economic Development Department for disposal.

Adopted as follows:

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

Nays — None.

Department of Public Works

July 28, 1980

Honorable City Council:

Re: Petition No. 887 and 3181. Kirlin Qualmann Company. Vacation of the public utility easement (formerly Leib Street) between Jefferson and Larned.

The above petition requests the vacation of the above described public easement, 40 feet wide. The petition was referred to us for investigation and report. Our report, accompanied

by the original petition is as follows:

An easement is reserved in the vacating resolution for the Water and Sewerage Department for the maintenance of its installations located in the public easement 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 Rogell:

RESOLVED, That all that part of the public utility easement, 40 feet wide, as created by the vacation of Leib Street, between Jefferson and Larned (November 5, 1969, J.C.C. Pages 2734 to 2745) said easement having been platted in the Elmwood Park Urban Renewal Plat No. 2, Detroit, Wayne County, Michigan, as recorded in Liber 92, Pages 77 to 82, Plats, Wayne County records

Be and the same is hereby vacated as a public utility easement subject to the following provisions:

PROVIDED, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same, and further

PROVIDED, That no building shall be constructed over said sewers without prior approval of such building construction by the Sewer Services Section of the Water and Sewerage Department and the Department of Buildings and Safety Engineering; and further

PROVIDED, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

PROVIDED, That if the sewer 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 any construction not in accordance with Provision 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 sewer; and shall also be liable for all claims for damages resulting from his action.

Adopted as follows:

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

Nays — None.

Department of Public Works

July 28, 1980

Honorable City Council:

Petition No. 1445

Recreation Department. Conversion to Easement of a portion of the east-west public alley in the block bounded by Ste. Anne, Eighteenth, Wing Place and Bagley.

The above petition requests the conversion of a portion of the above described alley, 17.5 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:

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 Rogell:

Resolved, That all that part of the east-west public alley, 17.5 feet wide, in the block bounded by Ste. Anne, Eighteenth, Wing Place and Bagley lying between and abutting the rear line of Lots 39 to 46 inclusive of Ward's Subdivision of part of the Loranger Farm as recorded in Liber 1, Page 263, 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, reser-