

RESOLVED, That the Finance Director be and he is hereby authorized and directed to honor payrolls when submitted in accordance with this resolution and the attached communication.

Adopted as follows:

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

Nays — None.

#### Department of Public Works

January 29, 1981

Honorable City Council:

Re: Petition No. 2549. University City Rehabilitation Project No. 2. Street and Alley Vacations.

We wish to advise that in order to develop the parcels within the above project which are bounded by Trumbull, the Lodge Freeway, Forest and Warren Avenues, it is now necessary to vacate the streets and alleys within the area.

All City departments or privately owned utility companies have replied that they are not involved or that they have made satisfactory arrangements regarding their facilities located therein.

An appropriate resolution 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 Eberhard:

WHEREAS, the City of Detroit is undertaking the rehabilitation of the area known as University City Rehabilitation Project No. 2 pursuant to Act 344 of the Public Acts of 1945, as amended, and

WHEREAS, in order to carry out the development plan for this project, it is necessary for the City of Detroit to vacate certain streets and alleys in the area; therefore be it

RESOLVED, that all of the streets and alleys in the parcel of land bounded by Trumbull, the Lodge Freeway, Forest and Warren, said parcel described as:

Land in the City of Detroit, County of Wayne, Michigan, being all of Lots 1 thru 5, inclusive of the "Eddy's Sub'n. of the South 181-36/100 ft. of O.L. 106 Woodbridge Farm" as recorded on February 25, 1887 in Liber 10, Page 39 of Plats, Wayne County Records; also all of Lots 183 thru 215, inclusive of the "Hodges Bros. Sub'n. of outlots 98, 99, 102 & 103 Woodbridge Farm" as re-

corded on April 2, 1872 in Liber 1, Page 308 of Plats, Wayne County Records, also see Chy. file 14441 for disputed strip between Hancock and Forest; also all of Lots 10 thru 18, inclusive of the "Sub'n. of Outlot 33 Baker Farm North of Grand River Ave." as recorded on March 31, 1883 in Liber 7, Page 30 of Plats, Wayne County Records; also all of Lots 1 thru 17, inclusive of the "McLaughlins Sub'n. of O.L. 32 of the Sub'n. of the Baker Farm North of Grand River Ave." as recorded on November 6, 1885 in Liber 9, Page 31 of Plats, Wayne County Records; also all of Lots 11 thru 26, and Lots 40 thru 52, all inclusive of the "Plat of Snows' Sub'n. of Lots 50 & 58 of Wesson's Sec. of Labrosse & Baker Farms and Lots 30 & 31 of the Sub'n. of the Baker Farm North of the Chicago Road," Chy. File 14441, as recorded on October 16, 1885 in Liber 9, Page 20 of Plats, Wayne County Records; also all of Lots 16 thru 30, inclusive of the "Plat of Bissells' Sub'n. of Outlot 39 Labrosse Farm" as recorded on April 22, 1882 in Liber 6, Page 59 of Plats, Wayne County Records; also all of Lots 1 thru 51, inclusive of the "Peppers' & McLaughlins' Sub'n. of Outlot 38 and North 130-37/100 ft. of Outlot 37 Labrosse Farm" as recorded on July 10, 1885 in Liber 9, Page 2 of Plats, Wayne County Records; also all of Lots 1 thru 12, inclusive of the "Baker & Clarks' Sub'n. of the East 128-25/100 ft. of the N. 229-84/100 of Lot 57 of the W. 95 ft. and S. 31 ft. of E. 100 ft. of Lot 56 and the N. 94-42/100 ft. of Lot 55 of the Sub'n. of the Labrosse Farm North of Grand River Ave." as recorded on June 28, 1887 in Liber 10, Page 78 of Plats, Wayne County Records; also part of Outlot 56 and 57, both inclusive of the "Plat of Wesson's Section of the Labrosse & Baker Farms being the Sub'n. of Lots 29, 30, 31, 32, 33, 34, 35, 36 and Part of 37 on the Labrosse Farm and 23, 24, 25, 26, 27, 28 & 29 on the Baker Farm all North of the Grand River Road" as recorded on January 14, 1852 in Liber 44, Page 9 of Plats, Wayne County Records; also rights, titles, and interest which may accure by the vacating of Hancock Ave., 70 feet wide, Lincoln Ave., 70 feet wide, Brooklyn Ave., 60 feet wide, Forest Court 50 feet wide, and Public Alleys 20, 19.98, 18, 17.28, 15, 13.30, 12 and 10 feet wide all within the bounds of this parcel which is more particularly described as follows:

Beginning at the intersection of the westerly line of the John C. Lodge Expressway Service Drive, Southbound, with the northerly line of Forest Ave., 70 feet wide; thence westerly along



said northerly line of Forest Ave. 1348.92 feet to the Easterly line of Trumbull Ave., 80 feet wide; thence Northerly along the Easterly line of Trumbull Ave. 573.12 feet to a point on the north line of Lot 215 of Hodges Bros. Sub'n., Liber 1, Page 308, Plats, WCR, thence Easterly along said north line of Lot 215 extended to a point of intersection of the west line of Lincoln Ave., 70 feet wide; thence Northerly along the west line of Lincoln Ave. 181.36 feet to a point on the southerly line of Warren Ave., 70 feet wide; thence Easterly along the Southerly line of Warren Ave. 1076.19 feet to the Westerly line of the John C. Lodge Expressway Service Drive, south bound; thence Southerly along the Westerly line of said South Bound Service Drive 787.72 feet to the Point of beginning. All parcel dimensions and calculations were made from recorded Plat dimensions.

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the abutting property, provided easements for public utilities are hereby retained in the following described streets and portions of streets:

1) Lincoln Avenue, 70 feet wide, lying between and abutting the northerly line of Forest Avenue, 70 feet wide, and the southerly line of Warren Avenue, 70 feet wide; and

2) The westerly 50 feet of Brooklyn Avenue, 60 feet wide, lying between and abutting the northerly line of Forest Avenue, 70 feet wide, and the southerly line of Warren Avenue, 70 feet wide; and

3) The southerly 50 feet of Hancock Avenue, 70 feet wide, lying between and abutting the easterly line of Trumbull Avenue, 80 feet wide, and the westerly line of Lincoln Avenue, 70 feet wide; and

4) The southerly 50 feet of Hancock Avenue, 70 feet wide, lying between and abutting the easterly line of Lincoln Avenue, 70 feet wide, and the westerly line of Brooklyn Avenue, 60 feet wide; and

5) The southerly 50 feet of Hancock Avenue, 70 feet wide, lying between and abutting a line which is 10 feet west of and parallel to the east line of Brooklyn Avenue, 60 feet wide, and a line which is 30 feet west of and parallel to the westerly right-of-way line of the John C. Lodge Freeway; and

6) The southerly 60 feet of Hancock Avenue, 70 feet wide, lying between and abutting a line which is 30 feet west of and parallel to the westerly right-of-way line of the John C. Lodge

Freeway and the westerly line of the John C. Lodge Freeway;

The above described streets and portions of streets 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 streets and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or right-of-way over said vacated public streets 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 easements 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 easements, 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 streets 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 by 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, Rogell, and President Henderson — 8.

Nays — None.