

Lee Plaza Hotel historic district designation, under study by the Historic Designation Advisory Board, pursuant to Council resolution of April 29, 1981 (J.C.C. p. 951).

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.  
Nays — None.

**Department of Public Works**

September 22, 1981

Honorable City Council:

Re: Petition No. 3239, Julia Reid, et al. Conversion to Easement of the north-south alley in the block bounded by Mansfield, Rutherford, Lyndon, and Grand River.

The above petition requests the conversion of the above described public alley, 16 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 Hood:

Resolved, That all that part of the north-south public alley, 16 feet wide in the block bounded by Mansfield, Rutherford, Lyndon and Grand River lying between and abutting the northerly line of the east-west public alley south of Grand River and abutting the northerly line of Lyndon Avenue as plotted in Hehl's Brentwood Subdivision of part of the S.E. ¼ and southerly part of N.E. ¼ of Section 24, T.1S., R. 10 E., Redford Township, Wayne County, Michigan, as recorded in Liber 40, Page 98, Plats, Wayne County records; and in B.E. Taylor's Bellaire Subdivision of Lots 1, 2, 3 and 4 of the Villerot Estate Subdivision of south of Grand River Road, being a part of the N.E. ¼ and the S.E. ¼ of Section 24, T.1S., R.10E., Redford

Township, Wayne County, Michigan, as recorded in Liber 41, Page 60, 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 an easement or right or way over said vacated public alley 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 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 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 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 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, Eberhard, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.  
Nays — None.