

Department of Public Works
September 29, 1981

Honorable City Council:
Re: Petition No. 4582, ISKCON. Conversion to Easement of the east half of the east-west alley north of Jefferson between Dickerson and Lenox.

The above petition requests the conversion of the above described public alley 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

By Council Member Hood:

Resolved, that all that part of the east-west public alley, variable widths, north of Jefferson, Avenue, lying between and abutting the westerly line of Lenox Avenue, 60 feet wide, and a line beginning at the northwest corner of Lot 1 as platted in the Jefferson and Mack Subdivision of that part of P.C. 689 south of Jefferson Avenue, Grosse Pointe, Wayne County, Michigan, as recorded in Liber 18, Page 75, Plats, Wayne County records; and ending at a point in the westerly line of Lot 4 of the above mentioned subdivision, said point being 6 feet south of the northwest corner of said Lot 4,

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.

Department of Public Works
September 28, 1981

Honorable City Council:
Re: Petition No. 3406, David L. Griffis, Jr., et al. Conversion to Easement of the east half of the east-west alley in the block bounded by Washburn, Wyoming, the C. & O. Railroad and Grand River.

The above petition requests the conversion of the above described public alley, 18 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 petitioner has requested that

the paved return at the entrance to the alley to be vacated remain in its 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 petition 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 east-west public alley, 18 feet wide, in the block bounded by Washburn, Wyoming, the C. & O. Railroad and Grand River lying between and abutting the westerly line of Wyoming Avenue and the easterly line of the north-south alley, 16 feet wide, in the above described block having been plotted in the Westlawn Subdivision No. 4 of part of the Southeast Quarter Section 29, T. 1 S., R. 11 E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 32, Page 26, Plats, Wayne County, Michigan,

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.

Department of Public Works

September 29, 1981

Honorable City Council:

Re: Petition No. 4633, Great Northern Feeds. Conversion to easement of the southerly half of the north-south alley second west of St. Aubin between Erskine and Pierce.

The above petition requests conversion of the above portion of north-south alley, 20 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 as follows:

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversions of public right-of-way into easement provided that proper provisions are incorporated into the vacating resolution protecting their installations located therein.