

this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

Provided, the grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, That no building or other structure is constructed in said alley; that petitioner shall observe the 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 Cleveland, Cockrel, Eberhard, Hood, McFadden, Rogell, and President Pro Tem Mahafey — 7.

Nays — None.

**Department of Public Works**

February 23, 1981

Honorable City Council:

Re: Petition Nos. 3551, 3409A, 3409B, Herrud Smoked Meats, Inc. Conversion to Easement of the remaining alleys in the block bounded by 23rd, Tillman, Selden, and Poplar Avenues.

The above petition requests the conversion of the above described public alleys, 20 and 10 feet wide, into easements 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 made the following deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

**Department of Transportation**  
Receipt No. C 23325 \$20.00

For the estimated cost to remove signs.

**DPW—Intersection Fund**  
Receipt No. C 23324 \$373.00

For the original cost of paving Poplar, Selden, and Tillman Avenues at the intersection with the alleys to be vacated.

The petitioner has requested that the paved returns at the entrance to the alleys to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of public right-of-ways into easements provided that proper provisions are incorporated into the vacating resolution protecting their installations located 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, 20 feet wide in the block bounded by 23rd, Tillman, Selden, and Poplar Avenues, as platted in Grosfield and Schulte's Subdivision of Lots 451 to 472 inclusive of Johnston's Subdivision of part of the Porter Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 100, Plats, Wayne County Records; and as plated in Hosie's Subdivision of Lots 473 to 483 both inclusive of part of the Porter Farm, on the west side of Tillman Avenue, as recorded in Liber 8, Page 99, Plats, Wayne County records; also

All that part of the east-west public alley, 10 feet wide, in the above described block abutting the rear line of Lots 17 to 21 of the last mentioned subdivision;

Be and the same are hereby vacated as public alleys and are hereby converted into public easements of the full width of the alleys, which easements 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 alleys and by their heirs, executors, administrator's and assigns, forever to wit:

FIRST, said owners hereby grant to and for the use of the public easements or rights of way over said vac-

ated public alleys 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 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 alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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; and be it further

Resolved, That in the future if it becomes necessary to remove the paved alley returns and to construct new curb and sidewalk, such removal and construction will be done under City permit and inspection and according to Department of Public Works specifications with all costs borne by the petitioner or his assigns.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, McFadden, Rogell, and President Pro Tem Mahafey — 7.

Nays — None.

**Department of Public Works**

February 12, 1981

Honorable City Council:

Re: Petition No. 4132. Barry Surplus. Conversion to Easement of a portion of the north-south alley in the block bounded by Cloverdale,

Turner, Grand River, and Burlingame.

The above petition requests the conversion of the above described portion of 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. 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 located 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 north-south alley, 18 feet wide, in the block bounded by Cloverdale, Turner, Grand River, and Burlingame Avenues abutting the rear line of lots 188 to 193 and lots 165 to 169 and the northerly 40.2 feet of lot 170 all inclusive of the Grand River Park Subdivision of part of Sections 28 and 33, T.1S., R.11E., Greenfield, Wayne County, Michigan, as recorded in Liber 32, Page 77, 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 of 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,