

4885 — Dacosta, Dolphin, Kendall and Acacia.

4886 — Sussex, Coyle, Grove and Mc Nichols.

Respectfully submitted,  
JOSEPH N. BALTIMORE  
Supervising Assistant  
Corporation Counsel

Approved:

SYL DELANEY

Deputy Corporation Counsel  
By Council Member Mahaffey:

Resolved, That a public hearing will be held by the Detroit City Council, 1340 City-County Building, Detroit, Wayne County, Michigan, on TUESDAY, DECEMBER 8, 1981, at 10:00 A.M. in the Committee Room, 13th Floor, City-County Building, to determine the advisability of vacating twenty-seven (27) alleys as outlined in the foregoing communication.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

#### Law Department

November 4, 1981

Honorable City Council:

Re: Amended Resolution for Petition No. 3764 to Convert Alley to Easement.

For your consideration, submitted herewith is Petition No. 3764 requesting the conversion of the alley into an easement in the City of Detroit.

The requested conversion into easement for public utilities was recommended by the Community and Economic Development Department upon prior investigation and report. For filing in the office of the City Clerk, please find report, petition to vacate the public alley, a sketch of the alley and Notice of City Council hearing.

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

The adoption of the attached revised resolution is recommended.

Respectfully submitted,  
JOSEPH N. BALTIMORE,  
Assistant Corporation Counsel

Approved:

SYL DELANEY,

Deputy Corporation Counsel

By Council Member Mahaffey:

WHEREAS, the following petition has been filed with the City Council, signed by not less than two-thirds of the owners of properties respectively abutting the alley as herein amended and described, pursuant to ordinance for the purpose of determining the advisability of this alley vacation.

NOW, THEREFORE, BE IT

PETITION NO. 3764

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY LAKEPOINTE, ROXBURY, YORKSHIRE AND GRAYTON AVENUES;

RESOLVED, That all that part of the eighteen (18) foot wide alley, running North and South, in the block bounded by LAKEPOINTE, ROXBURY, YORKSHIRE AND GRAYTON AVENUES, abutting Lots 172 to 190, both inclusive, on the West of said alley and Lots 236 to 254, both inclusive, on the East of said alley in the KING HEIGHTS SUBDIVISION, a part of the Rear Concession of Private Claims 584 and 261, Gratiot Township, Wayne County, Michigan, as recorded in Liber 50, Page 60 of 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 easement or rights-of-way over said vacated public alley hereinabove described for the purpose 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 utility easement or right-of-way in and over said vacated alley hereinabove described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way.



The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies other than that specifically prohibited by this resolution shall be restored to a satisfactory condition.

THIRD, 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 fences) shall be built or placed upon said easement, nor any changes of surface grade made, without prior approval by the Department of Public Works.

FOURTH, 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 easements, 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 but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 3, 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 the City Clerk shall, within 30 days, record a certified copy of this resolution with the Wayne County Register of Deeds, and shall send a certified copy to the State Treasurer, and shall further transmit a copy of this resolution to the City Engineer, to the Law Department and to the Department of Public Works; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the Law Department shall notify the owners of the property abutting on such alley or portion thereof and other necessary parties that the alley or portion thereof have been vacated and converted in easement for utilities; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the City Engineer shall correct the official city maps and records; and be it further

RESOLVED, That upon the receipt of a copy of the resolution, the Department of Public Works shall adjust its garbage and refuse collection services accordingly.

Approved:

SYL DELANEY,

Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

### Buildings and Safety Engineering Department

November 10, 1981

Honorable City Council:

Re: Dangerous Buildings.

In accordance with this Department's findings and determination that the buildings or structures on the following described premises are in a dangerous condition and should be removed, it is requested that your Honorable Body hold a hearing on each location as provided in Ord. 290-H S Z Section 12-11-28.4 of the Building Code and this Department also recommends that you direct the Department of Public Works to take the necessary steps in each case to have the dangerous structures removed and to access the codes of same against the property.

2993 Ashland, Bldg. 101, DU's 2, Lot 317, Sub. of C. B. Sherrard Sub., between Mack and Charlevoix.

The one-and-one-half story, frame, one family dwelling is vacant, open, fire damaged and vandalized.

5105 Bangor, Bldg. 101, DU's 4, Lot E. 52.59' 129-128, Sub. of Daniel Scottons Sub. of O.L. 91, 92, 93 & 94, P.C. 563, between Scotten and Roosevelt.

The two story, brick veneer, four family dwelling is vacant, open, and vandalized.

621 Canton, Bldg. 101, DU's 2, Lot 91, Sub. of The Mills Sub., between W. Lafayette and E. Congress.

The two story, frame, two family dwelling is vacant, open and vandalized.

4209 Grandy, Bldg. 101, DU's 1, Lot 23; B12, Sub. of Chene's Felicite & Rosalite B., between E. Canfield and E. Willis.

The one-and-one-half story, frame, one-