

Resolved, That the following streets and alleys:

1) Deming Street, 60 feet wide, between and east line of Scotten Avenue and the westerly line of Lots 34 and 35 of Daniel Scotten's Subdivision, Liber 1, Page 196, Plats, W.C.R.

2) Hubbard Avenue, 60 feet wide, abutting the easterly line of Lots 34 and 35 of Daniel Scotten's Subdivision, Liber 1, Page 196, W.C.R.

3) All of the public alleys, 18 and 20 feet wide, in the blocks bounded by Scotten, Hubbard, Brandon, and the New York Central Railroad right-of-way.

Be and the same are hereby vacated as public streets and alleys to become a part and parcel of the abutting property, subject to the following provisions:

First, said owners hereby grant to and for the use of the Detroit Edison Company easements or rights-of-way over said vacated public streets and alleys hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing utilities such as electric light conduits or poles or things usually placed or installed in a public street or 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 streets and alleys 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, and be it further

Provided, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located in Deming Avenue, 60 feet wide, between Scotten Avenue and the easterly line extended northerly of the 20 foot wide north-south alley east of Scotten; and in all of the alley, 18 and 20 feet wide, in the area bounded by Scotten, Hubbard, Brandon, and Deming, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same, and further

Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Services Section of the Detroit Water and Sewerage Department and the Department of Buildings and Safety Engineering; and further

Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

Provided, That if the sewer 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 any 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 sewer; and shall also be liable for all claims for damages resulting from his action.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.

Nays — None.

#### Department of Public Works

March 17, 1981

Honorable City Council:

Re: Petition No. 3944. Detroit Board of Education. Vacation of a portion of the utility easements south of Lafayette and east of McDougall.

The above petition requests the vacation of portions of the easements at the above locations. The petition was referred to us for investigation and report. Our report is as follows:

The petitioner has reached agreement with the Public Lighting De-

partment and the Water and Sewerage Department on granting new easements over Board of Education property. Proper provisions are contained in the resolution authorizing these departments to accept the new easements.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacations or that they have reached satisfactory agreements with the petitioner regarding their installations 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 easements for the Water and Sewerage Department retained by the vacating resolution on September 22, 1964 (J.C.C. Pages 2114 to 2116) in the following described property:

All that part of the east-west vacated alley, 20 feet wide, east of Elmwood Avenue, between Fort Street and Congress Street, as platted in Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, George Hunt Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 22, Plats, Wayne County Records lying south of an adjoining the southerly line of Lots 8 through 27, both inclusive, south of and adjoining the southerly line of the westerly 10.00 feet of Lot 7, north of and adjoining the northerly line of Lots 37 through 56, both inclusive, north of and adjoining the northerly line of the westerly 20.68 feet of Lot 57, all of the above mentioned subdivision; also

All that part of the north-south public alley, 20 feet wide, east of Elmwood Avenue, north of Congress Street as platted in Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, George Hunt Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 22, Plats, Wayne County records lying west of and adjoining the westerly line of the public alley, 20 feet wide, adjoining Lot 37, east of and adjoining the easterly line of Lots 32 through 36, both inclusive, east of and adjoining the easterly line of the southerly 12.36 feet of Lot 31, all of the above mentioned subdivisions;

Be and the same are hereby vacated as easements for the Detroit Water and Sewerage Department; and be it further

Resolved, That all that part of the public utility easement, 60 feet wide, (vacated Elmwood) east of McDougall between Larned and Lafayette lying between and abutting a line which is 432 feet northerly of and parallel to the northerly line of Larned Street, 120 feet wide, and a line which is 188 feet southerly of and parallel to the southerly line of Lafayette Avenue, 120 feet wide, said easement having been created by action of the Common Council on November 5, 1969 (J.C.C. Pages 2734 to 2745) said property being a part of the following subdivisions:

1) Miller and Hallock's Subdivision of Lot 9 and part of Lot 10, George Hunt Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 22, Plats, Wayne County records; also

2) Elmwood Park Urban Renewal Plat No. 2 of part of Private Claim 90, 14, 91, 733, 609, 9 and 454, 11 and 453, 182, 15 and 18, City of Detroit, Wayne County, Michigan, as recorded in Liber 92, Pages 77 to 82, Wayne County records also

All that part of the public utility easement, 50 feet wide, (vacated Fort Street) between McDougall and vacated Elmwood lying between and abutting the westerly line of the 60 foot wide public utility easement (Vacated Elmwood) and a line which connects a point in the northerly line of said 50 foot wide easement, point being 76 feet west of the west line of the 60 foot wide easement (vacated Elmwood) and a point in the southerly line of the 50 foot wide easement, said point being 73 feet west of the west line of the 60 foot wide easement (vacated Elmwood), having been platted in the Elmwood Park Urban Renewal Plat No. 2 as recorded in Liber 92, Pages 77 to 82, Plats, Wayne County records;

Be and the same are hereby vacated as public utility easements; and be it further

Resolved, That the petitioner shall grant the City of Detroit satisfactory easements for a new water main prior to construction; and further

Resolved, That upon satisfactory completion of the water main construction, the said main shall become City property and become part of the City of Detroit Water System; and further

Resolved, That the petitioner shall grant the City of Detroit satisfactory easements for a new Public Lighting Department conduit run prior to construction; and be it further

Resolved, That the Detroit Water and Sewerage Department and the Public Lighting Department are hereby authorized to accept the new easements in a form satisfactory to them and record same with the Register of Deeds for Wayne County.

Adopted as follows:  
 Yeas — Council Members Cleveland, Cockrel, Hood, Kelley, Mahaffey, Rogell, and President Henderson — 7.  
 Nays — None.

**Department of Public Works**  
 March 23, 1981

Honorable City Council:  
 Re: Petition No. 4553, National Bank of Detroit. Vacation of the alleys in the block bounded by Sheridan, Townsend, Warren, and Gratiot.

The above petition requests the vacation of the alleys in the above described block.

The requested vacations were 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:

**Public Lighting Department**

Receipt No. A 31356, \$5,000.00.

For the estimated cost to remove lighting facilities from the alleys to be vacated.

**DPW—Intersection Fund**

Receipt No. A 31357, \$563.00.

For the original cost of paving the west ½ of Townsend and the north ½ of Warren at the intersection of 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 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 other involved City Departments and privately-owned utility companies reported that they have no objection to the proposed vacations or that they have reached satisfactory agreements with the petitioner regarding their installations 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 18 and 20 foot wide alleys, not previously vacated in the block bounded by Sheridan, Townsend, Warren, and Gratiot, as platted in Block 10, E. C. Van Husan's Subdivision of the easterly 61.07 acres of P.C. 16 between Mack and Gratiot Avenues, City of Detroit, and Township of Hamtramck, Wayne County, Michigan, as recorded in Liber 11, Page 65, Plats, Wayne County records,

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property; and be it further

Resolved, That the Finance Department is hereby authorized and directed to issue a Quit Claim Deed for the above described property and the Law Department is directed to prepare the deed.

Adopted as follows:

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

**Detroit Water and Sewerage Department**

March 6, 1981

Honorable City Council:  
 Re: Petition No. 4691 of Amurcon Corporation Requesting Permission to Design and Construct City Sewers and Water Mains by Private Contractor.

Returned herewith is Petition No. 4691 of Amurcon Corporation, requesting permission to design and construct city sewers and water mains by private contract located in the area of West Outer Drive, Southfield Freeway, vacated Santa Maria and Oakfield Avenues.

The sewers and water mains are needed to serve the petitioners proposed South-Six Tower Apartments development.

All costs for the proposed sewers and water mains are to be borne by the petitioner.

It is therefore recommended that the petition be granted in accordance with the attached resolution.

Respectfully submitted,  
 CHARLES BECKHAM  
 Director