

the easterly 10 feet of the 30 feet wide public utility easement (formerly the easterly 30 feet of vacated Chene Street, 60 feet wide) between Chene Court and relocated Chene Street, having been platted in the following subdivisions: (1) "Plat of Albert Crane's Section of the Chene Farm" as recorded in Liber 1, Page 126, Plats, Wayne County records; and, (2) "Plat of Alfred Russell's Subdivision of part of Chene Farm", as recorded in Liber 1, Page 43, Plats, Wayne County records; and, (3) "Subdivision of the Chene Farm between Catherine (Madison) and Larned Streets" as recorded in Liber 1, Page 29, Plats, Wayne County records; more particularly described as: Beginning at a point, said point being N. 26 deg. 07 min. 10 sec. W., 297.31 ft. and N. 59 deg. 51 min. 50 sec. E. 20.05 feet from the intersection of the center line of vacated Chene Street, 60 feet wide, and the center line of vacated Madison Avenue, 50 feet wide; thence S. 26 deg. 07 min. 10 sec. E., 320.43 feet; thence S. 68 deg. 45 min. 49 sec. E., 14.76 feet; thence N. 26 deg. 07 min. 10 sec. W., 331.99 feet; thence S. 59 deg. 51 min. 50 sec. W., 10.02 feet to the point of beginning.

Be and the same is hereby vacated as a public easement.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Department of Public Works

July 28, 1981

Honorable City Council:

On July 8, 1981, your Honorable Body confirmed Repair Sidewalk Assessment Roll 23-Z. The City Treasurer has accepted payment for one of the items applied to that roll.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,

JAMES W. WATTS,

Director

By Council Member Cockrel:

RESOLVED, That the City Treasurer be and he is hereby authorized to make the following deletion:

Roll 23-Z, N. 28 Ft. Lot 426; S. 14 Ft. Lot 427; E. S. Sunderland between Curtis and Pickford, delete \$202.00, Bill No. 38695, Item No. 84792, Treas. Receipt No. C1169.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Department of Public Works

July 28, 1981

Honorable City Council:

On June 10, 1981, your Honorable Body confirmed Repair Sidewalk Assessment Rolls No. 1-Z thru 15-Z. However, the City Treasurer has accepted additional payments for items applied to the following rolls.

To remove these payments from the rolls, we offer the following resolution.

Respectfully submitted,

JAMES W. WATTS,

Director

By Council Member Cockrel:

RESOLVED, That the City Treasurer be and he is hereby authorized to make the following deletions.

Roll 1-Z, Lot 439; S. S. Chelsea between Coplin and Newport, delete \$182.45, Bill No. 36372, Item No. 7883, Treas. Receipt No. M2135.

Roll 9-Z, Lot 4390; W. S. Prest between St. Martins and Vassar, delete \$494.40, Bill No. 37152, Item No. 48949, Treas. Receipt No. B1960.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Department of Public Works

July 27, 1981

Honorable City Council:

Re: Petition No. 3980. In 'N' Out Food Stores, et al. Conversion to Easement of a portion of the east-west alley north of Lyndon between Rockdale and Outer Drive.

The above petition requests the conversion of the above described public alley, 18 feet wide in to 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 Eberhard:

RESOLVED, That all that part of the east-west public alley, 18 feet wide, north of Lyndon, between Rockdale and Outer Drive lying southerly of and abutting the southerly line of Lot 1 of "B. E. Taylor's Brightmoor — Canfield Subdivision" lying south of Grand River Avenue, being a part of the E. ½, of the E. ½, of Section 21, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan as recorded in Liber 47, Page 63, 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 an 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 mate-

rials 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, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, Rogell, and President Henderson — 9.

Nays — None.

Department of Public Works

Honorable City Council:

Re: Petition No. 5501, Virginia Park NDP, Michigan A-4-2 Street Vac-
ation Resolution Correction.

On July 1, 1981, your Honorable Body adopted a resolution granting the above resolution to vacate a portion of Rosa Parks Boulevard north of West Grand Boulevard.

The resolution contained an error in the description of the property to be vacated.

It will be necessary to adopt a resolution rescinding the action of July 1, 1981, and adopting a corrected resolution.

An appropriate resolution is attached for your Honorable Body's consideration.

Respectfully submitted,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

By Council Member Eberhard:

Resolved, That the resolution (5501) adopted on July 1, 1981, granting the petition to vacate a street in the Virginia Park N.D.P., Michigan A-4-2,

Be and the same is hereby rescinded and replaced by the following:

RESOLVED, That all that part of the easterly 17 feet of the westerly 26 feet of Rosa Parks Boulevard, 66 feet wide, (formerly Twelfth Street) between West Grand Boulevard and Lotthrop, lying easterly of and abutting the easterly like of Lot 7 of Whitney's Subdivision of Lots 1, 2 and south part of Lots 3, 6 and 11, Quarter Section 54, and Lots 16, 18, 38 and 40 of T. S. Anderson's Subdivision of Lots 7 and 8 of Quarter Section 54, 10,000 Acre Tract as recorded on October 11, 1911, in Liber 27, Plats, Page 78, Wayne County records,

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

RESOLVED, That all that part of the easterly 20 feet of the westerly 46 feet of Rosa Parks Boulevard, 66 feet