

Wayne County, Michigan, as recorded in Liber 59, Page 88, Plats, Wayne County records, being on the north side of Rossini Drive, west of Regent Avenue, commonly known as 14191 Rossini.

PROVIDED, That said permit shall be issued only after a certified copy of the resolution has been duly recorded by and at the petitioner's expense in the Office of the Register of Deeds for Wayne County; and further

PROVIDED, That no right in the public easement shall be considered waived by this permission which is granted expressly on the condition that the garage, driveway, building and all obstruction in connection therewith shall be removed at the expense of the grantee at any time when so directed by the City Council; and further

PROVIDED, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said easement by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary, and to restore the property affected to a condition satisfactory to the Department of Public Works at the owner's expense; and further

PROVIDED, That this resolution is revocable at the will, whim, or caprice of the City Council, and the grantees by the acceptance of this permission waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, McFadden, and President Pro Tem Mahaffey — 6.  
Nays — None.

**Department of Public Works**

December 19, 1980

Honorable City Council:

Re: Petition No. 4021. Michigan Osteopathic Medical Center. Vacation of all of the public alleys in the block bounded by Magnolia, Selden, Lawton, and Humboldt.

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 deposit with the City Treasurer, which has been credited to the department and account named, for the purpose indicated:

**DPW—Intersection Fund** \$640.00  
For the original cost of paving the streets at the intersections 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.

The petitioner has also requested that they be granted a 25 foot wide subsurface easement for domestic water services, hot and chilled water lines, and electrical cable under Magnolia Avenue. Also they have requested permission to relocate a sewer line from one of the alleys to the adjacent street right-of-way. The necessary provisions granting these two requests are included in the attached resolution.

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 Eberhard:

RESOLVED, That all that part of the public alleys, 12, 18, and 20 feet wide, in the block bounded by Magnolia, Selden, Lawton, and Humboldt Avenues, appearing in the following subdivisions:

1) Secor's Subdivision of Lots 64, 65, and 66 of Bradish and Hubbard's Subdivision of the Loranger Farm being Private Claim 474, Detroit, Wayne County, Michigan, as recorded in Liber 9, Page 43, Plats, Wayne County records; and

2) Bradish and Hubbard's Subdivision of part of Loranger Farm being section of Private Claim 474, and the westerly 1/9 of Private Claim 338,



north of Michigan Avenue, Detroit, Wayne County, Michigan, as recorded in Liber 1, Page 133, Plats, Wayne County records; and

3) Ferdinand Morell's Subdivision of Outlot 5, Private Claim 729, north of Michigan Avenue, Detroit, Wayne County, Michigan as recorded in Liber 4, Page 22, Plats, Wayne County records; and

4) McBride and Clark's Subdivision of Outlot 6 of the Rear Concession of Private Claim 729, Detroit, Wayne County, Michigan, as recorded in Liber 5, Page 8, 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 Department of Public Works be and it is hereby authorized and directed to issue a permit to the Michigan Osteopathic Medical Center for permission to encroach into a City of Detroit Right-of-Way, property being described as:

A twenty-five (25) foot strip, which crosses the entire right-of-way of Magnolia Avenue, 50 feet wide, said twenty-five foot strip abuts the westerly 25 feet of the easterly 110 feet of Lot 60 of Bradish and Hubbard's Subdivision as recorded in Liber 1, Page 133, Plats, Wayne County records,

Encroachment to consist of a sub-surface installation for domestic water services, hot and chilled water lines, and electrical cable at the location described above,

PROVIDED, That the necessary permit be obtained from the Department of Public Works and that the same shall be constructed and maintained under its rules and regulations, and in accordance with plans submitted to and approved by said Department, and

PROVIDED, That permittee at the time of obtaining said permit file with the Finance Department an indemnity agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages, or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages, or expenses that may arise out of the maintenance of said encroachment, and

PROVIDED, That no rights in the public streets and alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the permittee at any time

when so directed by the City Council, and that the public property so affected shall be restored to a condition satisfactory to said Department by said permittee at its expense; and

PROVIDED, That this resolution is revocable at the will, whim, or caprice of the City Council, as it applies to this encroachment, and permittee hereby expressly waives any right to claim damages or compensation for removal of said encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

PROVIDED, That these permits shall not be assigned or transferred without the written approval of the City Council; and

PROVIDED, That the filing of the indemnity agreement and the securing of the necessary permits referred to herein shall be construed as acceptance of this resolution by the permittee; and further

RESOLVED, That the Detroit Water and Sewerage Department be and is hereby authorized to review the drawings for the lateral sewer relocation, and to issue a permit to the Petitioner (No. 4021) to cover the construction by private contract of the relocation of the existing lateral sewer in the block bounded by Magnolia, Selden, Lawton, and Humboldt; and be it further

RESOLVED, That the sewer relocation shall be satisfactorily completed prior to any building construction over the existing lateral sewer; and be it further

RESOLVED, That the entire work is to be performed in accordance with plans and specifications approved by the Detroit Water and Sewerage Department and constructed subject to the inspection and approval of the Detroit Water and Sewerage Department; and be it further

RESOLVED, That the entire cost of the sewer construction including inspection, survey, and engineering, shall be borne by the Petitioner; and be it further

RESOLVED, That the Petitioner shall deposit with the Detroit Water and Sewerage Department, in advance of engineering, inspection, and survey, such amounts as that Department deems necessary to cover the cost of these services; and be it further

RESOLVED, That the Petitioner furnish the Detroit Water and Sewerage Department, a synthetic (MYLAR) reproduction of the sewer drawings which were prepared for him by a registered professional engineer; and be it further



RESOLVED, That, if necessary, the Petitioner shall grant to the City a satisfactory easement for the relocated sewer; and be it further

RESOLVED, That the Board of Water Commissioners is hereby authorized and directed to accept and execute the easement grant on behalf of the City; and be it further

RESOLVED, That upon satisfactory completion of the sewer construction, the relocation sewer shall be City property and become part of the city sewer system; and be it further

RESOLVED, That the removal of the existing alley returns at the entrance to the alleys to be vacated be removed by private contract and that all construction of new curb and sidewalk 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; and further

RESOLVED, That a certified copy of this resolution shall be recorded with the office of the Register of Deeds for Wayne County by and at the Petitioner's expense.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, McFadden, and President Pro Tem Mahaffey — 6.  
Nays — None.

**Department of Public Works**

December 15, 1980

Honorable City Council:

Re: Ridge Road Bridge Over the Rouge River.

Our recent inspection of the bridge carrying Ridge Road over the Rouge River showed the condition of the bridge had deteriorated to the extent that, in the interests of public safety, we believe the bridge should be closed to all vehicular traffic.

Vehicular traffic in the area can be readily diverted to adjacent streets. The bridge would remain open to pedestrian traffic.

We are pursuing sources of funding for the reconstruction of the bridge.

We recommend adoption of the attached resolution.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

Approved:

JAMES W. WATTS

Director

By Council Member Eberhard:

RESOLVED, That in accordance with the above communication and in order to preserve the health, safety, peace and welfare of the people of the City of Detroit, authority is granted to the Department of Public Works to

barricade the Ridge Road Bridge over the Rouge River and its approaches to vehicular traffic.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, McFadden, and President Pro Tem Mahaffey — 6.  
Nays — None.

**Department of Public Works**

December 18, 1980

Honorable City Council:

Re: Petition No. 3685, The Boomer Land Corporation, a Michigan Corporation, Vacation of a portion of Warsaw Place west of St. Aubin and a portion of the east-west alley west of St. Aubin between Warsaw Place and Forest.

The above petition requests the vacation of the above portion of street and alley.

The requested vacations were approved by the Community and Economic Development Department with the recommendation that sufficient land be dedicated for a new street turnaround.

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:

Water and Sewerage Department — \$2,000.00

For the estimated cost of abandoning a portion of the water main located in the street to be vacated.

Street Maintenance Division, DPW. Permit No. GR 23511 — \$373.00.

For the estimated cost to excavate curb and sidewalk and install a concrete apron at the newly dedicated turnaround.

A Warranty Deed has been received from the petitioner, deeding to the City of Detroit, land for the new street turnaround. This deed was approved as to form and execution by the Law Department and as to description by the City Engineer, and is attached for your Honorable Body's acceptance.

The petitioner has requested that he be issued a Quit Claim Deed to the vacated portion of street and alley.

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.