

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 Vacation 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 Lthrop, 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

wide, (formerly Twelfth Street) between West Grand Boulevard and Lotthrop lying easterly of and abutting the easterly line of Lot 7 of Whitney's Subdivision as recorded in Liber 27, Page 78, Wayne County records,

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the portion of said street for the use of the public, 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 street 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 portion of vacated public street 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 street 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 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 the 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 street 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 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 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 Transportation

June 30, 1981

Honorable City Council:

Re: Federal-Aid Urban Highway Program Construction of Ring Road from Joseph Campau to Conant for General Motors Plant Urban Project M-2000(198) State Agreement No. 81-0789.

We have received for consideration a proposed agreement among the Michigan Department of Transportation, the Board of Wayne County Road Commissioners, and the cities of Detroit and Hamtramck which provides for the construction of a circumferential (ring) road on the north side of the proposed General Motors plant between Joseph Campau and Conant. The estimated cost of this construction and the participation is as follows:

Federal-aid	\$ 885,000
Wayne County Road Comm.	295,000
Total:	\$1,180,000

We also wish to advise Your Honorable Body that this is the first construction agreement with outside agencies on this project and that more agreements will follow on other phases of road construction and on right-of-way acquisition. It has become necessary to have a multitude of agreements so that the work may be staged properly to accommodate the three agencies (the Michigan Department of Transportation, the Wayne County Road Commission, and the City of Detroit) involved in preparing plans and supervising the construction. It was also necessary to do this to account properly for the monies coming from various funding sources (Federal-aid Interstate, Federal-aid Urban, Michigan Department of Transportation, Wayne County Road Commission, and the City's Major Street Fund) that have been negotiated for highway construction in the Central Industrial Park project.

The City of Detroit is a required signatory to this agreement since approximately 150 ft. of this new road west of Conant is in Detroit while the remainder is in Hamtramck. To assure timely completion of this work, we request adoption of the attached resolution which approves the agreement and authorizes the Street Adminis-