

By Council Member Eberhard:

Resolved, That in accordance with the foregoing communication and the Closing Agreement dated January 31, 1973, the Finance Director of the City of Detroit is hereby authorized to execute the Phase II Agreement and Grant of Easement for Permanent Easement Streets with Renaissance Center Phase II Partnership, Ford Motor Properties, Inc., and Manufacturer's National Bank of Detroit, and the Phase II Maintenance Agreement with the Renaissance Center Phase II Partnership, and Ford Motor Properties, Inc.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 8.

Nays — None.

Law Department

May 11, 1982

Honorable City Council:

Re: Cancellation of Accounts Receivable.

The following accounts receivable are recommended for cancellation:

Water and Sewerage

Angelo Iafrate Construction, F-46567, \$250.00.

Ben Washington Plumbing & Heating, F-48866, \$245.52.

Bernardino Capubianco, F-37401, \$90.00.

Cavalier Plating Company, F-46535, \$229.96.

Electroplating Industries, F-49748, \$227.93.

Harriel's Hardware, F-52852, \$209.51.

J & L Products, F-46561, \$225.40.

Lustre Plating, F-46557, \$242.22.

Michigan Consolidated Gas Company, F-49547, \$81.16.

Mid-City Development Company, F-23059, \$242.38.

Mid-City Development Company, F-29039, \$242.38.

Mid-City Development Company, F-37364, \$242.38.

Mid-City Development Company, F-49563, \$242.38.

Mid-City Development Company, F-52981, \$242.38.

Pender Plumbing Company, F-46639, \$1,758.32.

The Egg & I, F-46542, \$5,023.33.

Respectfully submitted,

KAY D.SCHLOFF

Assistant Corp. Counsel

Approved:

CHARLES BECKHAM

Director

SYL DELANEY

Acting Corp. Counsel

CONLEY C. ABRAMS

Deputy Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Eberhard:

Resolved, That the Finance Director be and he is hereby authorized to cancel accounts receivable bills in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 8.

Nays — None.

Law Department

July 22, 1982

Honorable City Council:

Re: Petitions to Convert Alleys to Easements.

For your consideration, submitted herewith are five (5) petitions requesting the conversion of alleys into easements in the City of Detroit.

The requested conversions into easements for public utilities were recommended by the Community and Economic Development Department upon proper investigation and report. For filing in the office of the City Clerk, please find report, petitions to vacate the public alleys, 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 resolution is recommended.

Respectfully submitted,

JOSEPH N. BALTIMORE

Supervising Asst.

Corp. Counsel

Approved:

SYL DELANEY

Acting Corp. Counsel

By Council Member Eberhard:

Whereas, the following petitions have been filed with the City Council, signed by not less than two-thirds of the owners of properties respectively abutting the alleys as herein described, pursuant to ordinance for the purpose of determining the advisability of this alley vacation.

NOW THEREFORE, BE IT

PETITION NO. 5315

CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED BARRETT,

July 28

ROSEBERRY, OUTER DRIVE AND ROSEMARY AVENUES;

RESOLVED, that all that part of the eighteen (18) foot wide alley, running East/West in the block bounded by **BARRETT, ROSEBERRY, OUTER DRIVE AND ROSEMARY AVENUES**, abutting Lots 272 to 291, both inclusive, on the North of said alley, and Lots 331 to 346, both inclusive, on the South of said alley in the **DAVID TROMBLEY ESTATE SUBDIVISION NO. 2**, of the David Trombly Farm, Private Claim 389, City of Detroit, Wayne County, Michigan, as recorded in Liber 40, Page 47 of Plats, Wayne County Records;

PETITION NO. 5345-A**CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED WOODINGHAM, SANTA BARBARA, PICKFORD AND MARGARETA AVENUES;**

RESOLVED, that all that part of the eighteen (18) foot wide alley, running North/South in the block bounded by **WOODINGHAM, SANTA BARBARA, PICKFORD AND MARGARETA AVENUES**, abutting lots 785 to 799, both inclusive, on the East of said alley and Lots 829 to 845, both inclusive, on the West of said alley, in the **CANTERBURY GARDENS SUBDIVISION NO. 2**, being a subdivision of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 9, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 45, Page 86 of Plats, Wayne County Records;

PETITION NO. 5481**CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BURT, PIERSON, FLORENCE AND VERNE AVENUES;**

RESOLVED, that all that part of the sixteen (16) foot wide alley, running East/West in the block bounded by **BURT, PIERSON, FLORENCE AND VERNE AVENUES**, abutting Lots 367 to 376, both inclusive, on the West of said alley, and Lots 399 to 408, both inclusive, on the East of said alley in the **GRAND RIVER SUBURBAN SUBDIVISION**, of part of the North $\frac{1}{2}$ of Section 15, Town 1 South, Range 10 East, Redford Township, and Village, Wayne County, Michigan, as recorded in Liber 35, Page 16 of Plats, Wayne County Records;

PETITION NO. 5651**CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED QUEEN, HAYES, KILBOURNE AND LANNETTE AVENUES;**

RESOLVED, that all that part of the eighteen (18) foot wide alley, running East/West in the block bounded by **QUEEN, HAYES, KILBOURNE AND LANNETTE AVENUES**, abutting Lots 74 to 83, both inclusive, on the South of said alley, and Lots 94 to 103, both inclusive, on the North of said alley in the **DALBY-HAYES LAND COMPANY'S CRAFTSCOMMUNE SUBDIVISION**, of part of Fractional Section 13, Town 1 South, Range 12 East, Gratiot Township, Wayne County, Michigan, as recorded in Liber 46, Page 22 of Plats, Wayne County Records;

PETITION NO. 5652**CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED WHITTIER, YORKSHIRE, WAYBURN AND LANSDOWNE AVENUES;**

RESOLVED, that all that part of the eighteen (18) foot wide alley, running East/West in the block bounded by **WHITTIER, YORKSHIRE, WAYBURN AND LANSDOWNE AVENUES**, abutting Lots 362 to 375, both inclusive, on the North of said alley, and Lots 389 to 402, both inclusive, on the South of said alley, in the **OBENAUER BARBER LAING COMPANY'S DU NORD PARK SUBDIVISION**, of part of the Northwest end of Claim 17, being the Rear Concession of Private Claims 261 and 584, Gratiot Township, Wayne County, Michigan, as recorded in Liber 50 Page 98 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 right-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 or 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 change 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.

PROVIDE 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 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
Acting Corp. Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 8.

Nays — None.

Law Department

July 7, 1982

Honorable City Council:

Re: Sylvia Sarafopoulos v Dayton-Hudson Corporation, et al. Case No. 80 014 347 NO. File No. 79-6989 (LTG).

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in the memorandum. From this review, it is our considered opinion that a settlement in the amount of \$40,000.00 is in the best interest of the City of Detroit

We, therefore, request your Honorable Body to direct the Finance Director to issue his draft in the amount of \$40,000.00 payable to Sylvia Sarafopoulos and Paul D. Sherr, P.C., her attorney, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal approved by the Law Department.

Respectfully submitted,
WILLIAM DIETRICH
Supervising Assistant
Corporation Counsel

Approved:

SYL DELANEY,
Acting Corporation Counsel
By Council Member Eberhard:

Resolved, that the Finance Director be, and he is hereby authorized and directed to draw his warrant upon the proper fund in favor of Sylvia Sarafopoulos and her attorney Paul D. Sherr, P.C., in the sum of \$40,000.00 in full payment of any and all claims which she may have against the City of