

Law Department

February 19, 1982

Honorable City Council:

Re: William Ligon vs. City of Detroit.

The Law Department has reviewed the above entitled workers' compensation matter, the facts and particulars of which are contained in the memorandum.

From that review, it is our opinion that a redemption in the amount of \$7,000.00 is in the best interest of the City of Detroit.

Respectfully submitted,
WILLIAM DIETRICH,
 Supervising Assistant
 Corporation Counsel

By Council Member Hood:

Resolved, That the Finance Director be and he is hereby authorized and directed to draw his warrants upon the proper fund in favor of William Ligon and Donald E. Limer, P.C., his attorney, in the total sum of \$7,000.00 in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as a result of William Ligon's past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

Approved:

SYL DELANEY,
 Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

Law Department

March 4, 1982

Honorable City Council:

Re: Amended Resolution — Alley Conversion Petition Nos. 4918, 4991, 5183, 5218, 5225 and 5248.

On February 24, 1982 (J.C.C. page 514-522), your Honorable Body adopted a resolution for the conversion of alleys into easements. The purpose of this amended resolution is to correct the legal description of Petition Nos. 4918, 4991, 5218, 5225, 5248 and to include Petition No. 5183 as originally recommended.

Respectfully submitted,
JOSEPH N. BALTIMORE,
 Supervising Assistant
 Corporation Counsel

Approved:

SYL DELANEY,
 Deputy Corporation Counsel

By Council Member Peoples:

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 propose of determining the advisability of these alley vacations.

NOW, THEREFORE, BE IT
 PETITION NO. 4918

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY SPRINGWELLS, CENTRAL BANK AND PERSHING AVENUES;

RESOLVED, that all that part of the eighteen (18) foot wide alley, running North/South in the block bounded by SPRINGWELLS, CENTRAL, BANK AND PERSHING AVENUES, abutting Lots 2 and the North 20 feet of Lot 11 on the East of said alley and Lots 3 to 7, both inclusive, on the West of said alley, in the SUBDIVISION OF PROPERTY NORTH OF RAILROAD PRIVATE CLAIM 718, Springwells, Wayne County, Michigan, as recorded in Liber 12, Page 21 of Plats, Wayne County Records;

PETITION NO. 4991

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY PREST, WHITCOMB, CLARITA AND 7 MILE ROAD;

RESOLVED, That all that part of the eighteen (18) foot wide alley, running North/South, in the block bounded by PREST, WHITCOMB, CLARITA AND 7 MILE ROAD, abutting Lots 1843 and 1853, both inclusive, on the East of said alley and Lots 1884 to 1894, both inclusive, on the West of said alley, in the BLACKSTONE PARK SUBDIVISION NO. 2, of the North ½ of the Northwest ¼ of Section 7, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 49, Page 47 of Plats, Wayne County Records;

PETITION NO. 5183

CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED BY REDMOND, BOULDER, BRINGARD AND EDMORE AVENUES;

RESOLVED, That all that part of the eighteen (18) foot wide East/West alley, in the block bounded by REDMOND, BOULDER, BRINGARD AND EDMORE AVENUES, abutting Lots 100 to 113, both inclusive, on the North of said alley and Lots 114 to 129, both inclusive, on the South of said alley in the PATERSON BROTHERS AND COMPANY'S RIDGEMONT

GARDENS SUBDIVISION of the West ½ of the West ¼ of the Northeast ¼ of Section 6, Town 1 South, Range 13 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 60, Page 3 of Plats, Wayne County Records;

PETITION NO. 5218

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY TULLER, SAN JUAN, LYNDON AND EATON;

RESOLVED, That all that part of the eighteen (18) foot wide North/South alley, in the block bounded by TULLER, SAN JUAN, LYNDON AND EATON AVENUES, abutting Lot 105 on the East of said alley and Lot 106 on the West of said alley in the ROBERT OAKMAN'S TULLER AVENUE SUBDIVISION, of part of the Northeast ¼ of Fractional Section 21, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, South ½ of Lot 3, Harper Tract, as recorded in Liber 35, Page 83 of Plats, Wayne County Records; Also abutting Lots 64 to 69, both inclusive, on the East of said alley and Lots 70 to 75, both inclusive, on the West of said alley, in the B. H. WARK'S CLARKDALE SUBDIVISION, of the northerly 11.78 acres of Lot 4 Harper Tract of Fractional Section 21 Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 46, Page 36 of Plats, Wayne County Records;

Also, abutting Lots 61, 62, 63 and 64 on the West of said alley and Lots 58, 59 and 60 on the East of said alley in the ALPINE HEIGHTS SUBDIVISION, of the South ½ of the North 6/10 of Lot 4 Fractional Section 21, Town 1 South, Range 11 East, Greenfield Township, Wayne County, Michigan, as recorded in Liber 35, Page 22 of Plats, Wayne County Records;

PETITION NO. 5225

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY MONTROSE, WINTHROP, WHITLOCK AND WARREN AVENUES;

RESOLVED, That all that part of the eighteen (18) foot wide North/South alley, in the block bounded by MONTROSE, WINTHROP, WHITLOCK AND WARREN AVENUES, abutting Lots 168 to 192, both inclusive, on the West of said alley and Lots 207 to 231, both inclusive, on the East of said alley, in the WEST WARREN AVENUE ESTATES NO. 1 SUBDIVISION, of the East ½ of the Northeast ¼ of the Northeast ¼ of Section 12, Town 2 South, Range 10 East, Dearborn Township, Wayne County,

Michigan, as recorded in Liber 43, Page 70 of Plats, Wayne County Records;

PETITION NO. 5248

CONVERSION TO EASEMENT OF THE EAST/WEST ALLEY IN THE BLOCK BOUNDED BY HAYES, DUCHESS, BONITA AND HAVERHILL AVENUES;

RESOLVED, That all that part of the eighteen (18) foot wide East/West alley, in the block bounded by HAYES, DUCHESS, BONITA AND HAVERHILL AVENUES, abutting Lots 56 to 60, both inclusive, on the South of said alley and Lots 95 to 97, both inclusive, on the North of said alley, in the OBENAUER BARBER LAING COMPANY'S OUTER DRIVE SUBDIVISION, of part of Lots 1 and 2 of the Subdivision of the Back Concession to Private Claims 262 and 272, Gratiot Township, Wayne County, Michigan, as recorded in Liber 48, Page 50 of Plats, Wayne County Records; Also, abutting Lots 131 to 137, both inclusive, on the North of said alley and Lots 140 and 141 on the South of said alley in the BARBER'S HAYES BOULEVARD SUBDIVISION, of part of Lots 1 and 2 of the Subdivision of the Back Concession to Private Claim 262 and 272, Gratiot Township, Wayne County, Michigan, as recorded in Liber 48, Page 51 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, re-

pairing, 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 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 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.

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 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 if 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 the 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,
Deputy Corporation Counsel

Adopted as follows:

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

Nays — None.

Buildings and Safety Engineering Department

March 3, 1982

Honorable City Council:

Re: Dangerous Buildings.

In accordance with this Department's findings and determination that the buildings or structures on the following described premises are in a dangerous condition and should be removed, it is requested that your Honorable Body hold a hearing on each location as provided in Ord. 290-H Section 12-11-28.4 of the Building Code and this Department also recommends that you direct the Department of Public Works to take the necessary steps in each case to have the dangerous structures removed and to assess the costs of same against the property.

4776 Concord, Bldg. 101, DU's 1, Lot 4, Sub. of P.C. No. 573 Sub. of Lot 5. between E. Forest and W. Warren.

The two story, frame, one family dwelling is vacant, open and vandalized.

4015-7 Fourth, Bldg. 101, DU's 2, Lot S. 40' N. 282' OL 7, Sub. of Crane Farm Sub. rear concession of P.C. 247, between E. Alexandrine and unknown.

The two story, frame, two family dwelling is vacant, open, fire damaged and vandalized.

2776 Huron, Bldg. 101, DU's 1, Lot 141, Sub. of Larneds Sub. on the Laferty Farm, between Spruce and unknown.

The one-and-one-half story, frame, one family dwelling is vacant, open and fire damaged.