

Employees, Local 273 be and it is hereby approved and confirmed in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Department of Public Works

January 14, 1982

Honorable City Council:

Re: Petition No. 2422, Charles T. Cole, Jr. Conversion to Easement of the Westerly Portion of the East-West Alley in the Block Bounded by Helen, East Grand Boulevard, Forest and Gratiot Avenues.

The above petition requests the conversion of the above described portion of the alley, 20 feet wide, into 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:

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:

Department of Public Works — Intersection Fund

Receipt No. A16822 — \$176.00.

For the original cost of paving the east-one-half of Helen Avenue at the intersection of the alley to be vacated.

The petitioner has requested that the paved return at the entrance to the alley to be vacated remain in its 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 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, 20 feet wide, in the block bounded by Helen, East Grand Boulevard, Forest and Gratiot Avenues, abutting the rear line of Lots 1 to 8 and the northerly line of Lot 9 all inclusive of Mill's Subdivision No. 4

on Private Claim 573 and 678, Detroit, Wayne County, Michigan as recorded in Liber 28, Page 8, 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 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 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 of the Department of Public Works,

Fourth, that if at any time in the fu-

ture, 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 materials 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, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Department of Public Works

January 15, 1982

Honorable City Council:

Re: Petition No. 3767, Detroit Repertory Theatre. Conversion to Easement of a portion of the North-South Alley in the Block Bounded by Rosa Parks, Woodrow Wilson, Buena Vista and Tyler.

The above petition requests the conversion of the above described portion of alley, 18 feet wide, into 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:

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:

Department of Public Works — Intersection Fund:

Receipt No. A18404 — \$276.00.

For the original cost of paving the north one-half of Buena Vista Avenue at the intersection of the alley to be vacated.

The petitioner has requested that the paved return at the entrance to the alley to be vacated remain in its

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 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 north-south public alley, 18 feet wide, in the block bounded by Rosa Parks, Woodrow Wilson, Buena Vista and Tyler Avenues, abutting the easterly line of Lot 102, and abutting the westerly line of Lots 104 to 108 and the southerly 12 feet of Lot 103, all inclusive of Robert Oakman's Glendale Avenue Subdivision, part of ¼ Section 15, 10,000 Acre Tract, T.1S., R.11E., Wayne County, Michigan, as recorded in Liber 29, Page 93, 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 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