

Division, by and at the permittee's expense, and further

Provided, This resolution is revocable at the will, whim, or caprice of the City Council, and further that grantee acquires no implied or other privileges hereunder, not expressly stated herein, and further

Provided, That the properly owned by petitioner and adjacent to the alley closing be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) in order to use the total width and length of alley for the requested use, and further

Provided, If this grant is continued for the five (5) year period, the City Council may, upon request and if the circumstances justify accordingly, grant an extension thereto.

Adopted as follows:

Yeas — Council Members Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 7.
Nays — None.

Department of Public Works

May 27, 1982

Honorable City Council:

Re: Petition No. 4281, Greater Grace Temple, Conversion to Easement of the West Half of the East-West Alley North of Seven Mile Road between Schaefer and Hartwell.

The above petition requests the conversion of the above described portion of alley, sixteen 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 deposits with the City Treasurer, which have been credited to the departments and accounts named, for the purposes indicated:

Department of Transportation - Receipt No. C-18469 — \$20.00, for the estimated cost to remove signs from the alley to be vacated.

Department of Public Works - Intersection Fund, Receipt No. B-23418 — \$144.00, for the original cost of paving Schaefer Highway at the intersection of the alley to be vacated.

The petitioner has also 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.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of public right-of-way into 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,

LOUIS W. KLEI

City Engineer

Approved:

JAMES W. WATTS

Director

By Council Member Collins:

Resolved, That all that part of the east-west public alley in the block bounded by Schaefer Highway, Hartwell, Seven Mile and Cambridge lying southerly of and abutting the southerly line of Lot 55 of the Greenwich Park Subdivision of the S.W. ¼ of Section 5, T.1S., R.11E., Greenfield Township, Wayne County, Michigan as recorded in Liber 41, Page 28, 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 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 that 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, and be it further

Resolved, that if at any time in the future it becomes necessary to remove the paved alley return such removal will be done under City permit and inspection, according to Department of Public Works specifications, with all costs borne by the petitioner.

Adopted as follows:

Yeas — Council Members Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 7.
Nays — None.

Department of Public Works

June 10, 1982

Honorable City Council:

Re: Petition No. 5023. Star Auto Wash. Conversion to Easement of the east-west public alley south of West Warren, between Faust and Penrod.

The above petition requests the conversion of the above described public 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 Transportation: \$20.00.

For the cost to remove parking signs from the alley to be vacated.

The petitioner has requested that the paved return at the entrance to the alley 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.

All other involved City departments and privately-owned utility companies reported that they have no objections to the conversion of 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,
LOUIS W. KLEI
City Engineer

Approved:
JAMES W. WATTS
Director

By Council Member Collins:

Resolved, That all that part of the east-west public alley, 18 feet wide, south of West Warren between Faust and Penrod abutting the rear line of Lots 218 to 224 inclusive of Frischkorn's Warren Avenue Park, being a subdivision of part of the N.E. ¼ of Section 11, T.2S., R.10E., Dearborn Township, Wayne County, Michigan as recorded in Liber 39, Page 89, 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: