

and such payments shall be deemed satisfaction of such taxes and/or special assessments as to the property so taken, and the petitioner shall be entitled to a receipt from the proper collecting officer or officers so stating.

We, therefore, respectfully request that your Honorable Body authorize the Treasurer to cancel the balance of the outstanding property taxes and special assessments of the subject property as detailed on the following page:

Kind of Tax—Real Property	Amount
1980 Millage	8.75
1980	55.43
1979	98.41
1978	101.80
1977 Millage	13.17
1977	91.27

Respectfully submitted  
**BELLA I. MARSHALL**  
 Finance Director

By Council Member Peoples:

Resolved, That the Treasurer be and he is hereby authorized and directed to cancel the taxes and special assessments in accordance with the foregoing communication, and proper journal entries be prepared by the Finance Director, and that the treasurer is authorized to execute receipts in accordance with Act 270, Public Acts of 1931, as amended.

Approved:

**JOSEPH A. BALTIMORE**  
 Law Department

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 7.

Nays — None.

**Law Department**

February 9, 1983

Honorable City Council:

Re: Cheryl Ann Scalf vs. City of Detroit, Department of Transportation Case No. C-81-0649/16th District Court File No. 77-3320 HHH.

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 Three Thousand Dollars (\$3,000.00) is in the best interest of the City of Detroit.

We, therefore, request the Finance Director to issue her draft in the amount of \$3,000.00 payable to Cheryl Ann Scalf and her attorneys, Levenson, Disner, Ruby & Fruitman, P.C., to be delivered upon receipt of properly executed Releases and a Stipulation and Order of Dismissal of Lawsuit No. C-

81-0649, approved by the Law Department.

Respectfully submitted  
**WILLIAM DIETRICH**  
 Supervising Assistant  
 Corporation Counsel

Approved:

**MARK R. ULICNY**

Deputy Corporation Counsel

By Council Member Peoples:

Resolved, That the Finance Director be and she is hereby authorized and directed to draw her warrant upon the proper fund in favor of Cheryl Ann Scalf and her attorneys, Levenson, Disner, Ruby & Fruitman, P.C., in the sum of \$3,000.00 in full payment of any and all claims they may have against the City of Detroit by reason of alleged injuries including but not limited to the left ankle as a result of slipping and falling on a wet step when she was exiting a DOT coach and that said amount be paid upon presentation of Release and Stipulation and Order of Dismissal of Lawsuit No. C-81-0649, approved by the Law Department.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 7.

Nays — None.

**Law Department**

February 8, 1983

Honorable City Council:

Re: Petitions to Convert Alleys to Easements.

For your consideration, submitted herewith are four (4) 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 prior 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**  
 Asst. Corporation Counsel

Approved:

**MARK R. ULICNY**

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 purpose of determining the advisability of this alley vacation.

NOW THEREFORE, BE IT  
PETITION NO. 132

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY SORRENTO, STEEL HILLVIEW AND CHALFONTE AVENUES;

RESOLVED, that all that part of the eighteen (18) foot wide alley, running North/South in the block bounded by SORRENTO, STEEL, HILLVIEW AND CHALFONTE AVENUES, ABUTTING Lots 113 to 126, both inclusive, on the West of said alley, and Lots 172 to 185, both inclusive, on the East of said alley in the MEYER'S GROVE SUBDIVISION, of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 20, Town 1 South, Range 11 East, City of Detroit, Wayne County, Michigan, as recorded in Liber 50, Page 21 of Plats, Wayne County Records;

PETITION NO. 264

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY MANSFIELD, RUTHERFORD, FLORENCE AND VERNE AVENUES;

RESOLVED, that all that part of the eighteen (18) foot wide alley, running North/South in the block bounded by MANSFIELD, RUTHERFORD, FLORENCE AND VERNE AVENUES, abutting Lots 51 to 61, both inclusive, on the East of said alley, and Lots 140 to 150, both inclusive, on the West of said alley in the PALMER FIELD SUBDIVISION, of the North  $\frac{3}{4}$  of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 13 and the East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 13, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 37, Page 7 of Plats, Wayne County Records;

PETITION NO. 265

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY MANSFIELD, RUTHERFORD, GROVE AND MC NICHOLS AVENUES;

RESOLVED, that all that part of the eighteen (18) foot wide alley, running North/South in the block bounded by MANSFIELD, RUTHERFORD, GROVE AND MC NICHOLS AVENUES, abutting Lots 90 to 97, both inclusive, on the East of said alley, and Lots 104 to 111, both inclusive, on the West of said alley

in the PALMER FIELD SUBDIVISION, of the North  $\frac{3}{4}$  of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 13 and the East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 13, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan, as recorded in Liber 37, Page 7 of Plats, Wayne County Records;

PETITION NO. 748

CONVERSION TO EASEMENT OF THE NORTH/SOUTH ALLEY IN THE BLOCK BOUNDED BY BELLETERRE, DALRYMPLE, COLLINGWOOD AND BURLINGAME AVENUES;

RESOLVED, that all that part of the twenty (20) foot wide alley, running North/South in the block bounded by BELLETERRE, DALRYMPLE, COLLINGWOOD AND BURLINGAME AVENUES, abutting Lots 23 to 37, both inclusive, on the West of said alley, and abutting Lots 43 to 56, both inclusive, on the East of said alley, in the NARDIN PARK SUBDIVISION, of the Northwest Fractional  $\frac{1}{4}$  of Fractional Section 34 and the Southwest part of  $\frac{1}{4}$  Section 30 and the West part of  $\frac{1}{4}$  Section 31, of the 10,000 Acre Tract, Greenfield, Town 1 South, Range 11 East, Wayne County, Michigan, as recorded in Liber 26, Page 96 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 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 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 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:

MARK R. ULICNY

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 7.

Nays — None.

### Law Department

February 9, 1983

Honorable City Council:

Re: Resolution Setting Hearing Date for Vacation of 40 Alleys.

Attached hereto please find Resolution in reference to setting a hearing date for the vacation of forty (40) alleys in various locations of the City of Detroit.

Petition No.: Bounded By:

506; Beaverland, Bramel, Sawyer & Tireman Avenues.

543; Memorial, Abington, Warren and Majestic Avenues.

544; W. Outer Drive, Sorrento, Cambridge & W. Outer Drive.

545; Woodmont, Asbury Park, Majestic & Diversey Avenues.

577; Kempa, E. Outer Drive, Bliss & Yolanda Avenues.

578; Sorrento, Steel, Midland & Pilgrim Avenues.

579; Woodmont, Asbury Park, Whitlock & Warren Avenues.

581; Ohio, Cherrylawn, Cambridge & W. Outer Drive.

709; Snowden, Littlefield, Cambridge & Vassar Avenues.

711; Patton, Fielding, Eaton & Outer Drive Avenues.

712; Strathmoor, Mark Twain, Clarita & W. Seven Mile Road.

745; Prevost, Forrer, Kendall and Acacia Avenues.

781 & 911; Strathmoor, Mark Twain, Puritan & Florence Avenues.

782 & 783; Roxbury, Greensboro, Haverhill & Courville Avenues.

785; Manistique, Ashland, Essex & E. Jefferson Avenues.

788; Gilbo, French Road, Dubai & Almont Avenues.

789; Memorial, Abington, Whitlock & Warren Avenues.

816; Dacosta, Dolphin, Acacia & Lyndon Avenues.

817; Patton, Fielding, Pilgrim & Puritan Avenues.