

ous locations, be and the same is hereby amended for the purpose of deferring the removal order for dangerous structure at 1712 W. Grand Boulevard, only, for a period of sixty (60) days 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.

City Engineering Department

November 28, 1983

Honorable City Council:

Re: Petition No. 1687, McDonald's Hartford Memorial Baptist Church Vacation conversion to easement of the east-west alley north of Seven Mile Road between Freeland and Ardmore and a portion of Freeland and Ardmore.

The above petition requests the vacation of the above described portion of streets and alleys. The requested vacations were approved by the Community and Economic Development Department with the recommendation that sufficient land be dedicated to Wayne County for the future widening of Seven Mile Road. The property owners have agreed and will issue a deed directly to Wayne County.

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 purposes indicated:

City Engineering Intersection Fund: Receipt No. A10541 \$325.00 for the original cost of paving the west one-half of Ardmore and the east one-half of Freeland 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 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 objection to the proposed vacations or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Mahaffey:

Resolved, that all that part of the easterly 10 feet of Freeland Avenue, 80 feet wide, between West Seven Mile Road and Cambridge Avenue lying west of and abutting the westerly line of the northerly 90.01 feet of Lot 446, all inclusive of "San Bernardo Park No. 1," being a subdivision of the E. $\frac{1}{2}$ of W. $\frac{1}{2}$, of S.E. $\frac{1}{4}$ of Section 6, T.1S., R.11E., Greenfield Township, Wayne County, Michigan as recorded in Liber 49, Page 13, Plats, Wayne County records; also

All that part of the westerly 10 feet of Ardmore Avenue, 80 feet wide, between West Seven Mile Road and Cambridge Avenue, lying east of and abutting the easterly line of the northerly 90.01 feet of Lot 435, all inclusive of the above mentioned subdivision;

Be and the same are hereby vacated as portions of streets to become a part and parcel of the abutting property; and be it further

Resolved, that all that part of the east-west public alley, 20 feet wide, first north of West Seven Mile Road, between Freeland and Ardmore Avenues, lying north of and abutting the northerly line of Lots 435 to 446 of "San Bernardo Park No. 1" as recorded in Liber 49, Page 13, Plats, Wayne County records;

All that part of the easterly 10 feet of Freeland Avenue, 80 feet wide, between West Seven Mile Road and Cambridge Avenue lying west of and abutting the westerly line of the 20 feet wide east-west public alley first north of West Seven Mile Road, all inclusive of the above mentioned subdivision; also

All that part of the westerly 10 feet of Ardmore Avenue, 80 feet wide, between West Seven Mile Road and Cambridge Avenue, lying east of and abutting the easterly line of the 20 feet wide east-west public alley first north of West Seven Mile Road, all inclusive of the above mentioned subdivision;

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 City Engineering Department.

Fourth, that if 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 the Finance Department is hereby authorized and directed to issue a Quit Claim Deed to the above described property and the Law De-

partment is directed to prepare said deed; and be it further

Resolved, that if at anytime in the future it becomes necessary to remove the paved returns at the entrance to the alley to be vacated such removal and replacement with new curb and sidewalk will be done under City permit and inspection with all costs borne by the petitioner; and be it further

Resolved, that as a part of the conditions necessary to grant this petition the property owner will dedicate to the Wayne County Road Commission land for the future widening of West Seven Mile Road described as:

Land in the City of Detroit, Wayne County, Michigan being the southerly 10 feet of Lots 435 to 446 all inclusive of the "San Bernardo Park No. 1" being a subdivision of the E. ½ of W. ½ of S.E. ¼ of Section 6 T.1S., R.11E., Greenfield Township, Wayne County, Michigan as recorded in Liber 49, Page 13, Plats, Wayne County Records.

Adopted as follows:

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

Nays — None.

City Engineering Department

November 28, 1983

Honorable City Council:

Re: Petition No. 1161, Patrick F. Lane, et al, Conversion to Easement of the public alleys in the block bounded by Trinity, Burt, Verne and Grand River.

The above petition requests the conversion of the above described public alleys, 8 and 18 feet wide, into easements for public utilities.

The requested conversion into easements 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, was accompanied by the original petition as follows:

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said alleys or that they have reached satisfactory agreement with the petitioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Mahaffey:

Resolved, that all that part of the public alleys, 8 and 18 feet wide in the block bounded by Trinity, Burt Road,