

mation on said property for final disposition by your Honorable Body.

The last inspection made on August 4, 1983 revealed that the building is open and dangerous.

It is respectfully requested that your Honorable Body approve the original recommendation of this Department published May 25, 1983 (J.C.C. Pages 976-979), to direct the City Engineering Department to have this dangerous structure removed and to assess the costs of removal against the property described above.

CREIGHTON C. LEDERER

Director

By Council Member Mahaffey:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to take the necessary steps as recommended by the Buildings and Safety Engineering Department in proceedings of April 20, 1983 (JCC p. 709), September 15, 1982 (JCC p. 2077), April 21, 1982 (JCC p. 965), and May 25, 1983 (JCC p. 976-979), for the removal of dangerous structures on premises known as 5172 Scotten, 917 W. State Fair, 7623 Wetherby, and 5678 Woodrow, and to assess the costs of same against the property more particularly described in the four (4) foregoing communications, and further

Resolved, That with further reference to the structure at 5678 Woodrow, the City Engineering Department is hereby directed to defer proceeding with the removal order for a period of thirty (30) days.

Adopted as follows:

Yeas — Council Members Cleveland, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 7.

Nays — None.

Buildings and Safety Engineering Department

September 30, 1983

Honorable City Council:

We have reviewed your Honorable Body's request to Mr. Clyde Hopkins and myself concerning deferral of demolition orders and submit the following

The City Clerk's letter of September 15, 1983 listed six (6) locations; three (3) of which have not been ordered demolished by your Honorable Body and three (3) were ordered demolished at public hearings based on this Department's reports and recommendations.

Since the City Ordinance on this matter requires that Council set a hearing at which time it may approve, disapprove or modify this Department's recommendation, we suggest that Council schedule a rehearing for the following, which were previously ordered demolished:

7453 DeSoto, 14803 San Juan, 15060 Littlefield.

Your early attention to this matter is recommended since the buildings will be subject to demolition until such time as the order to demolish is formally modified by your Honorable Body.

The building at 19966 Hawthorne is City-owned; therefore, Community & Economic Development Department (CEDD) should be contacted directly.

Respectfully submitted,
CREIGHTON C. LEDERER

Director

By Council Member Ravitz:

Resolved, That with reference to dangerous structures located at 7453 DeSoto, 14803 San Juan and 15060 Littlefield, another hearing has been scheduled for THURSDAY, OCTOBER 20, 1983, AT 9:45 A.M., in the Council Committee Room, 13th Floor of the City-County Building, at which time all interested owners and parties of interest will be given an opportunity to show cause as to why said structures should not be demolished or otherwise made safe and the Buildings and Safety Engineering Department Director is hereby requested to kindly have his department represented at said hearings.

Adopted as follows:

Yeas — Council Members Cleveland, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 7.

Nays — None.

City Engineering Department

Honorable City Council:

Re: Petition No. 2133 — Arnold R. Pinkney Wendy's. Conversion to Easement the north 1/2 of the alley east of Livernois, between Doris and Kendall.

The above petition requests the conversion of the above described portion of public 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:

Intersection Fund Receipt No. B7699 \$297.00 for the original cost of paving the south one-half of Doris Avenue at the intersection with the alley to be vacated. The petitioner has requested that the paved return at the entrance to 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 conversions 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,
CLYDE R. HOPKINS,
Director

By Council Member Mahaffey:

Resolved, that all that part of the north-south public alley, 20 feet wide, in the block bounded by Livernois, Holmur, Kendall and Doris Avenues abutting the rear line of Lots 128 to 133, and the westerly line of Lot 134 all inclusive of Robert Oakman's Livernois Avenue and Dexter Avenue Subdivision of a part of Lots 3, 4, 7 and 8 of Henry Walker's Plat of the westerly 80 acres of ¼ Section 8, and all of ¼ Section 9, 10,000 Acre Tract, lying east of Mill Road (Livernois Avenues), City of Detroit, Wayne County, Michigan, as recorded in Liber 45, Page 56, 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 of 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 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.

Adopted as follows:

Yeas — Council Members Cleveland, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 7.

Nays — None.

City Engineering Department

September 30, 1983

Honorable City Council:

Re: Petition No. 1187 and 1961 — Pel-lerito Foods, et al. Vacation of the east-west alley in the block bounded by the Grand Trunk Railroad, St. Aubin, Wilkins and Watson.

The above petition requests the vaca-