

City Engineering Department

September 22, 1983

Honorable City Council:

Re: Petition No. 5788, Mrs. Williams, et al, Request to temporarily close a portion of the "L" shaped alley south of West Chicago between Marlowe and Hubbell.

We are returning herewith Petition No. 5788 of Mrs. Williams, et al, requesting the temporary closing of the above described alley.

The request was approved by the Community and Economic Development Department with certain restriction.

All other City departments and privately owned utility companies have reported that they have no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,
 CLYDE R. HOPKINS
 Director

By Council Member Peoples:

Resolved, that the City Engineering Department be and it is hereby authorized and directed to issue permits to Mrs. Williams, et al, to close a portion of the "L" shaped alley south of West Chicago, between Marlowe and Hubbell, abutting the rear line of Lots 125 to 132 and 141 to 156 of the "Plymouth Park Subdivision" of part of the N. 1/2 of the N.E. 1/4 of the S.W. 1/4 of Section 31, T.1S., R.11E, Greenfield Township (now Detroit), Wayne County, Michigan as recorded in Liber 42, Page 75, Plats, Wayne County records; as opened on July 22, 1952, J.C.C. Page 1741 through the S.W. 1/4 of Section 31, T.1S., R.11E.; on a temporary basis to expire on October 1, 1988;

Provided, petitioner furnishes an agreement, in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permit, and providing for the faithful performance by the grantee of the term hereof, and files same with the Finance Department, and further

Provided, That said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds by and at the permittee's expense, and further

Provided, the grantee shall acquire no implied or other privileges not expressly stated herein; and further

Provided, that no building or other

structure is constructed in said alley; that petitioner shall observe the rules of the City Engineering Department; and further

The City of Detroit retains all rights and interests in the area herein temporarily closed;

The City and all utility companies retain their rights to establish, maintain and service any utilities in said area of temporarily closed alley, and further

Provided, That at the expiration of said permit, all obstructions therein shall be removed at the expense of the grantee, and the public property affected shall be restored to a condition satisfactory to the City Engineering Department, by and at the permittee's expense, and further

Provided, That his grant may be revoked at the will, whim and caprice of the City Council without cause; and 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 Cleveland, Collins, Hood, Mahaffey, Peoples, Ravitz, and President Henderson — 7.

Nays — None.

City Engineering Department

September 22, 1983

Honorable City Council:

Re Petition No. 353, Gallati Cartage Company Conversion to Easement of the alley at West Jefferson and Dagoon.

On August 3, 1983, the City Council approved the above petition. The subsequent printing in the Legal News contained an error.

Submitted herewith is the proper letter and resolution to the Council for substitution.

Respectfully submitted,
 CLYDE R. HOPKINS
 Director

City Engineering Department

July 26, 1983

Honorable City Council:

Re Petition No. 353, Gallati Cartage Company Conversion to Easement of the east-west alley and a portion of the north-south alley, north of West Jefferson between Dagoon and Military.

The above petition requests the conversion of the above described alleys, 20 feet wide, into easements for public utilities. The requested conversion into easement for public utilities was approved by the Community and Economic Development Department with the recommendation that sufficient land

be dedicated for a new alley outlet into Military. 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:

Public Lighting Department, Receipt No. A13710 — \$600.00 for the estimated cost to remove lighting facilities from the alleys to be vacated.

City Engineering — Intersection Fund, Receipt No. A13709 — \$370.00 for the original cost of paving the east one-half of Dragoon and the west one-half of Military at the intersection of the east-west alley to be vacated.

The Petitioner has requested that the paved returns at the entrance to the east-west 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.

A Warranty Deed has been received from the petitioner, deeding the City of Detroit, land for the new alley outlet into Military.

This deed was approved as to form and execution by the Law Department and as to description by the City Engineer, and is attached for your Honorable Body's Acceptance.

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 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 Hood:

Resolved, That all that part of the east-west public alley, 20 feet wide, first north of West Jefferson Avenue, lying between and abutting the easterly line of Dragoon Avenue, 66 feet wide, and the westerly line of Military Avenue, 66 feet wide; all inclusive of Daniel Scotten's Subdivision of that part of Private Claim 32 and the east 735.90 feet of Private Claim 268 lying between Fort and the River Road, Township of Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 9, Page 19, Plats, Wayne County records; also

All that part of the north-south public alley, 20 feet wide, north of West Jefferson Avenue and between Dragoon and Military as opened on June 6, 1905 having been platted as the westerly 20 feet of the easterly 168.5 feet of Lot 31 and the southerly 25 feet of the westerly 20 feet of the easterly 168.5 feet of Lot 34 all inclusive of Daniel Scotten's Subdivision of all that part of Private Claim 32 and the easterly part of Private Claim 268 lying between Fort Street and the River Road, Township of Springwells (now Detroit), Wayne County, Michigan, as recorded in Liber 1, Page 236, Plats, Wayne County records

Be and the same is hereby vacated as a public alleys and is hereby converted into a public easement of the full width of the alleys, 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 alleys 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 alleys 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 alleys 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 any time in the future, the owners of any lots abutting on said vacated alleys 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 or such broken or damaged utility, and be it further

Resolved, That the Finance Department is hereby authorized and directed to issue a deed to the above property and the Law Department is hereby directed to prepare said deed; and be it further

RESOLVED, That the Warranty Deed of Gallati Cartage of Michigan, Inc. deeding land to the City of Detroit for alley purposes described as:

"The south 20 feet of the north 25 feet of the east 148.50 feet of the south 1/2 of Lot 34, Daniel Scotten's Subdivision, as recorded in Liber 1, Page 236, Plats, Wayne County Records."

Be and the same is hereby accepted and the Law Department is hereby directed to record said deed in the Register of Deeds office for Wayne County.

Adopted as follows:

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

Nays — None.

Community & Economic Development Department

September 27, 1983

Honorable City Council:

The Community & Economic Development Department recommends ac-

ceptance of offers to purchase City-owned property in accordance with the following resolutions.

Respectfully submitted,
THEODORE SPENCER
Assistant Director

By Council Member Peoples:

Re: Sale of Property — vacant lot, (E) 12th between Willis and Calumet.

Whereas, The Community & Economic Development Department (CEDD) has received, and recommends acceptance of, an Offer to Purchase in the amount of \$250.00 cash, from Herbert Emil Ritter and Thelma Joan Ritter, his wife, adjoining owners, for the purchase of property, described on the tax rolls as:

Lot 12, Tafts Subd'n, of Block No. 10, 11 and 12, east part of the Thompson Farm, north of Grand River Ave. Rec'd L. 3, P. 13 Plats, W.C.R. which is a vacant lot, measuring 30' x 115' and zoned R-2.

Now, Therefore Be It Resolved, that, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:

THEODORE SPENCER
Assistant Director

Adopted as follows:

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

Nays — None.

By Council Member Peoples:

Re: Sale of Property — vacant Lot, (N) Clairmount between 14th and Rosa Parks Blvd.

Whereas, The Community & Economic Development Department (CEDD) has received, and recommends acceptance of, an Offer to Purchase in the amount of \$275.00 cash, from Jack Burgess, Jr., and Barbara Ann Burgess, his wife, adjoining owners, for the purchase of property, described on the tax rolls as:

Lot 550, The Joy Farm Subd'n., 1/4 Sec. 34 and northerly part of 1/4 Sec. 47, 10,000 A.T., Greenfield (now Detroit), Wayne County Michigan. Rec'd L. 32, P. 39 and 40, Plats, W.C.R. which is a vacant lot, measuring 35' x 139' and zoned R-2.

Now, Therefore Be It Resolved, that, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for the described property to purchaser upon payment