

Michigan 48210, Ward 6, Item 5917, 3700 Trumbull.

A. Austin's property was assessed on Roll No. RUC 253 for building demolition.

The charge for building demolition was paid on Cash Receipt Voucher A38689 on June 4, 1981 as per attached copy of cash receipts voucher.

Our department recommends the assessment be cancelled.

Respectfully submitted,
JAMES W. WATTS
 Director

By Council Member Eberhard:

Resolved, That the Finance Department be and is hereby authorized and directed to cancel the special assessment for building demolition issued against Ward 6, Item 5917 owned by A. Austin, in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 6.

Nays — None.

Department of Public Works

February 4, 1983

Honorable City Council:

Re: Petition No. 5498. I.T.T. Continental Baking Company. Vacation of a portion of the East-West Alley in the Block bounded by Brooklyn, Lodge Freeway, Perry and Temple.

The above petition requests the vacation of a portion of the above described alley, 17 feet wide and permission to construct a truck well in the vacated portion. The requested vacation 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 petition has requested that the paved return at the entrance to the alley from Brooklyn Avenue 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.

An easement is reserved in the vacating resolution for the Detroit Edison and Michigan Bell Telephone Companies for the maintenance of their installations located in the public right-of-way to be vacated.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right-of-ways to be vacated.

All other involved City departments and privately-owned utility companies

reported that they have no objection to the proposed vacation or they have reached satisfactory agreements with the petitioner regarding their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
L. W. KLEI
 City Engineer

Approved:
JAMES W. WATTS
 Director

By Council Member Mahaffey:

Resolved, That all that part of the east-west public alley, 17 feet wide, in the block bounded by Brooklyn, the Lodge Freeway, Perry and Temple lying between and abutting the rear line of Lots 17 and 18 between Temple and Perry of the Subdivision of that part of Private Claim 24 lying north of the Chicago Road as recorded in Liber 30, Page 447, Deeds, Wayne County records; and abutting the southerly line of Lots 14 to 17 and the west 4 feet of Lot 18, and abutting the northerly line of Lots 10 to 13 and the west 4 feet of Lot 9 all of Block 20 of F. J. B. Crane's Subdivision of part of Block 17 and 20 Labrosse Farm as recorded in Liber 58, Page 252, Deeds, Wayne County Records

Be and the same is hereby vacated as a public alley and is hereby converted into an 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 Detroit Edison Company and the Michigan Bell Telephone Company 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 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 above named utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any telephone or light pole or any

utility facility placed or installed in the utility easement or right-of-way;

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 above named utilities;

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

Provided, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same, and further

Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Services Section of the Water and Sewerage Department and the Department of Buildings and Safety Engineering; and further

Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

Provided, That if the sewer located or to be located in said property shall break or be damaged, as 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 any construc-

tion not in accordance with Provision 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 sewer; and shall also be liable for all claims for damages resulting from his action; and be it further

Resolved, That the Buildings and Safety Engineering Department is hereby directed to issue permits for the construction of the truck-well mentioned in the above letter.

Adopted as follows:

Yeas — Council Members Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 6.

Nays — None.

Department of Public Works

January 31, 1983

Honorable City Council:

Re: Petition No. 1387. Holy Cross Hospital Request to install a directional sign which encroaches into City property at 4777 East Outer Drive.

The above petition was referred to this department for investigation and report. Our report is as follows:

The petitioner has requested permission to install a triangular directional sign which will encroach into a portion of City property which abuts the northerly right-of-way line of Outer Drive just west of Conner Avenue.

All involved City departments and private utility companies have no objection to the encroachment provided the resolution protects their facilities.

The Department of Public Works recommends approval of the request. An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

Approved:

JAMES W. WATTS

Director

By Council Member Peoples:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to Holy Cross Hospital to install an exterior directional sign at 4777 East Outer Drive in property described as:

"Part of the W. ½ of Section 3, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, described as follows: beginning at the intersection of the northerly line of Outer Drive, 150 feet wide, with the westerly line of Conner Avenue, 66 feet wide, thence northwesterly along the northerly line of Outer Drive on a curve to the left having a radius of 704.14 feet, a central angle of 29 deg. 31 min. 19 sec., a chord length of 358.82