

published March 31, 1982 (J.C.C. Page 793), to direct the City Engineering Department to have this dangerous structure removed and to assess the costs of removal against the property described above.

Respectfully submitted,
CREIGHTON C. LEDERER
Director

By Council Member Kelley:
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 March 31, 1983 (JCC p. 793), and April 14, 1982 (JCC p. 877-9), respectively, for the removal of dangerous structures on premises known as 1584-6 Montclair and 5032-4 Drexel, respectively, and to assess the costs of same against the property more particularly described in the two foregoing communications, and further

Resolved, That with further reference to dangerous structure located at 5032-4 Drexel, the City Engineering Department is hereby authorized and directed to defer the demolition order for 60 days and jurisdiction thereof is hereby returned to the Buildings and Safety Engineering Department.

Adopted as follows:

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

Nays — None.

**Buildings and Safety
Engineering Department**

July 25, 1983

Honorable City Council:
Re: 14480 Wade.

The building at 14480 Wade was ordered removed by your Honorable Body on May 5, 1983. Subsequently, the building has been secured and a Building Permit #9646 was issued to repair this dwelling. A recent inspection revealed that that repair work is now in progress.

Therefore, we respectfully recommend that the demolition order of May 5, 1983 on 14480 Wade be rescinded.

Respectfully submitted,
CREIGHTON C. LEDERER

Director

By Council Member Ravitz:

Resolved, That resolution adopted May 5, 1983 (JCC p.) for the removal of dangerous structure located at 14480 Wade, be and the same is hereby rescinded, inasmuch as a recent inspection by the Building and Safety Engineering Department revealed that the repair work is now in progress, and jurisdiction thereof, is hereby returned to the Buildings and Safety Engineer-

ing Department 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

July 26, 1983

Honorable City Council:
Re: Petition No. 5844, McDonald's Corporation, Conversion to Easement of the public alley in the block bounded by Townsend, Baldwin, Gratiot and Frederick.

The above petition requests the conversion of the above described alley, 20 and 18 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:

City Engineering - Intersection Fund, \$325.00 for the original cost of paving the east one-half of Townsend and the south one-half of Frederick 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 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 Eberhard:

RESOLVED, That all that part of the 20 and 18 feet wide public alley in the block bounded by Townsend, Baldwin, Gratiot and Townsend as platted in William Tait's Subdivision of part of the Church Farm (P.C. 16), North of

Gratiot Avenue, Detroit, Wayne County, Michigan as recorded in Liber 16, Page 87, Plats, Wayne County records

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property 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 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 exist-

ing 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 deeds to the above described property and the Law Department is directed to prepare such deeds; and further

RESOLVED, That if at any time in the future it becomes necessary to remove the paved alley returns such removal and construction of new walk and curb shall be done under City permits and inspection and according to City Engineering Department specification with all costs borne by the petitioners, his heirs or assigns.

Adopted as follows:

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

Nays — None.

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 Dragoon and Military.

The above petition requests the conversion of the above described alleys, 20 feet wide, into easement 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: