

connection therewith shall be removed at the expense of the grantee at any time when so directed by the City Council; and further

Provided, If at any time in the future it becomes necessary to repair or replace the sewers or other utilities located or to be located in said streets by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary and to restore the property affected to a condition satisfactory to the owner's expense; and further

Provided, That this resolution is revocable at the will, whim, or caprice of the City Council, and the grantee by the acceptance of this permission waive any right to claim damages or compensation for any driveways or structures constructed and maintained hereunder, or for removal of the same, and they acquire no implied nor any other privileges not expressly stated herein.

Adopted as follows:

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

Nays — None.

City Engineering Division

August 3, 1983

Honorable City Council:

Re: Petition No. 851, Boyce Dale Hathcock, et al. Conversion to easement of Lang Avenue, between Lawdell and Mellon and a portion of the alley east of Lang.

The above petition requests the conversion of the above described street and portion of alley 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, accompanied by the original petition is as follows:

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

The adoption of the attached resolution is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Collins:

Resolved, That all that part of Lang

Avenue, 50 feet wide, between and abutting the southerly line of Mellon Avenue, 86 feet wide and Lawdell Avenue, 60 feet wide, as platted in the Oakwood Boulevard Manor Subdivision of part of Private Claim 671, City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 89, Plats, Wayne County records; also

All that part of the east-west public alley, 20 feet wide in the block bounded by Lang, Major, Lawdell and Mellon abutting the rear line of Lots 115 to 120, all inclusive of the above mentioned subdivision;

Be and the same hereby vacated as a public street and alley and are hereby converted into a public easement of the full width of the street and 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 street and 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 easements or rights-of-way over said vacated public street and alley hereinabove described for the purposes of maintaining, installing, repairing, removing or replacing public utilities such as water mains, sewers, gas lines or mains, telephones, electric light conduits or poles or things usually placed or installed in a public street or 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 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, not any change of surface grade made, without prior approval by the City Engineering Department.

Third, that if at any time in the future the owners of any lots abutting on said vacated street and alley shall request the removal and/or relocation of any existing poles or other utility are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Provided Further, that is 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 or mater-

ials 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 utility.

Adopted as follows:

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

Nays — None.

City Engineering Department

August 1, 1983

Honorable City Council:

Re: 3634-36 Mt. Elliott, Detroit, Michigan, Ward 15, Item 14014.

The two-story, two-family dwelling and garage located on the above described property were demolished in July, 1977. The costs of the demolition were assessed against the property.

The assessment was paid on August 10, 1982 on Cash Receipts Voucher C 4273 in the amount of \$2,868.00, copy attached.

Accordingly, our department requests your Honorable Body to direct and authorize the Board of Assessors to remove the lien against the above described property for costs of demolition.

Respectfully submitted,
CLYDE R. HOPKINS

Director

By Council Member Collins:

Resolved, That the Board of Assessors be directed and authorized to remove the lien for costs of demolition against Ward 15, Item 14014, in accordance with the foregoing communication.

Adopted as follows:

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

Nays — None.

Community and Economic Development Department

August 1, 1983

Honorable City Council:

Re: Petition No. 1652 — To close a portion of alley between Moross, Marne and Duprey.

A public hearing was held before your Honorable Body on June 14, 1983 at which time people for and against the partial closing appeared and expressed their desires and we at C&EDD agreed to take another look at field conditions and report back to you with our recommendations.

Our field investigation was held on the morning of June 16, 1983 in which both sides participated. After complete discussions on both sides, it was deter-

mined that an encroachment to abate a nuisance was in order and not an alley vacation: Namely that two opaque fences (6") be placed perpendicular across the alley in a 1' x 20' easement between two garages 110" east of Marne and 120' west of Duprey and that two signs be replaced at each alley entrance to reflect dead end alley and that the petitioner (Peter Marino) accept full responsibility for cost of installation and liability.

That the request for an encroachment to abate a nuisance be granted by your Honorable Body.

Respectfully submitted,
EMMETT S. MOTEN, JR.,
Director, C&EDD

By Council Member Collins:

1. Resolved, that the Department of Public Works be and it is hereby authorized and directed to issue permit to Peter Marino (owner in fee of the premises herein referred to) of 10960 Marne and Mary Hartley of 20326 Moross for the construction and encroachment of two opaque 6" fences 1' x 20' perpendicular across the alley 110" from Marne and 170' west of Duprey with reflectors on each side.

2. Provided, that said work shall be performed under the supervision of the Department of Public Works and in accordance with plans submitted to and approved by said Department.

3. Provided, that Department of Transportation change signs at each end of alley to reflect "dead end" use provided that owner of lot 1625 and lot 1628 accept liability for entire installation and incurred costs of same.

4. Provided, that said permit shall be issued only after a copy of this resolution has been duly recorded in the office of the Register of Deeds for Wayne County.

5. Provided, that this resolution is revocable at the will, whim or caprice of the Common Council and also permits issued by virtue hereof, and grantees hereby expressly waive any right to claim damages or compensation from the City of Detroit for property constructed hereunder or for the removal of same, and further, that Grantee acquires no implied or other privileges hereunder not expressly stated herein and, further, that the Grantee shall file a bond to indemnify the city for the cost of removing such.

Adopted as follows:

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

Nays — None.