

neering Department to reinvestigate and provide Council with additional information on said property for final disposition by your Honorable Body.

The last inspection made on December 5, 1983 revealed that: the dwelling is open.

It is respectfully requested that your Honorable Body approve the original recommendation of this department published July 15, 1981 (J.C.C. Page 1698), 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 Collins:

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. 707), July 8, 1981 (JCC p. 1637-8), and July 15, 1981 (JCC p. 1698) for the removal of dangerous structures on premises known as 7610 Lynch Rd., 12000 Mettetal, and 418 Watson, respectively, and to assess the costs of same against the property more particularly described in the three (3) foregoing communications, and be it further

Resolved, That with further reference to dangerous structure at 418 Watson, the City Engineering Department is hereby directed to defer the demolition of same for a period of sixty (60) days pending report from the Historical Commission.

Adopted as follows:

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

Nays — None.

**City Engineering
Department**

January 24, 1984

Honorable City Council:

Re: Petition No. 327. Difco Laboratories. Conversion to Easement of Fifth Avenue and Henry Street in the area bounded by the Fisher Freeway, Pine Street and Fourth Avenue.

The above petition requests the conversion of the above described portions of Fifth Avenue and Henry Street 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: The petition has made the following deposit with the City Treasurer, which has been credited to the departments and account named, for the purpose indicated:

City Engineering Department — Intersection Fund: Receipt No. A16639 \$524.00 for the original cost of paving the intersecting streets at Fifth Avenue and Henry to be vacated. The petitioner has also requested that the paved return at the entrance to Fifth Avenue at Pine Street 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 Michigan Department of Transportation for the maintenance of its installations located in the public right-of-ways to be vacated.

All other involved City departments and privately-owned utilities companies reported that they have no objections to the conversions of public right-of-way into easements 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 Henry Street, 50 feet wide, lying between and abutting the easterly line of Fifth Avenue, 50 feet wide, and the westerly line extended northerly of the 14.7 feet wide north south alley first west of Fourth Avenue; also

All that part of Fifth Avenue, 50 feet wide, lying between and abutting the northerly line of Fisher Freeway and the southerly line of Pine Street;

All of the above appear in the following subdivisions:

Blocks 13, 14, 15 and 16 of Crane and Wesson's Section of the Forsyth Farm between Chicago and Grand River Roads, as recorded in Liber 44 Pages 10 and 11, Deeds, Wayne County records, and

Blocks 64, 65 and 67 of the plat of the Subdivision of Jones Farm, south of the Grand River Road, as recorded in Liber 1, Page 184, Plats, Wayne County records;

Be and the same are hereby vacated as public streets and are hereby converted into public easements of the full width of the streets, which easements 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 streets 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 right of way over said vacated public streets 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 street in the City of Detroit, with the right to ingress and egress at any time to and over said easements 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 easements, nor any change or surface grade made, without prior approval by the City Engineering Department,

THIRD, that if at any time in the future the owners of any lot abutting on said vacated streets shall request the removal and or relocation of any existing poles or other utilities in said easements, such owners, upon whose property the poles or other utilities 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 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 Michigan Department of Transportation shall have ingress and egress over the vacated portion of the above described streets to gain access to their service gate located on the north line of the Fisher Freeway at the approximate end of Henry, and be it further

Resolved, That the Finance Department be and it is hereby authorized and directed to issue a Quit Claim deed to the above described property and the Law Department is directed to prepare said deed.

Adopted as follows:

Yeas — Council Members Cleveland,

Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Community & Economic Development Department

November 9, 1983

Honorable City Council:

Re: Modification: Sale of Property by Development Agreement, East Side of Jeffries between Selden and Magnolia (Lots 187, 188 and N. 25' of Lot 189, J.W. Johnston's Subdivision).

On February 9, 1983, J.C.C. pg. 292, your Honorable Body authorized the sale of Lots 187, 188 and the N. 25' of Lot 189 on the East side of Jeffries between Selden and Magnolia to Herrud Smoked Meats, Inc., a Michigan Corporation. The proposed development called for construction of a surface parking lot.

Herrud Smoked Meats, Inc. has requested that the Exhibit "B" of the Agreement to Purchase and Develop the subject property be modified to allow for a parking area surface consisting of slag, crushed stone or cinders. Our initial recommendation for the sale, and your Honorable Body's subsequent approval thereof, was based on construction of a parking area surface consisting of concrete pavement or an asphalt pavement on an aggregate base of adequate thickness to withstand the intended usage.

We, therefore, request that your Honorable Body amend the resolution authorizing the sale of the captioned property by Development Agreement and replace it with authorization to sell by Development Agreement containing a modified Exhibit "B", said modification allowing for construction of a parking area surface consisting of slag, crushed stone or cinders.

Respectfully submitted,
THEODORE SPENCER,
Assistant Director

City Planning Commission

January 18, 1984

Honorable City Council:

Re: Modification: Sale of property by development agreement to Herrud Smoked Meats, Inc., west side of Jeffries between Selden and Magnolia (Lots 187, 188 and north 25 ft. of Lot 189, J. W. Johnston's Subdivision) (Recommend denial of modification).

In February of 1983 your Honorable Body approved the sale of property located at the southwest corner of the Jeffries Freeway Service Drive and Selden Avenue to Herrud Smoked Meats, Inc. for use as employee parking lot.