

fire damaged and structurally unsafe, with extensive structural damage to the point of near collapse.

Our records reveal that this is the initial complaint for this location. There is no action on the part of the owners to correct the condition and we are processing a request for Council to order the building demolished.

It is the opinion of this Department that an actual and immediate danger exists. Therefore, we have requested the Department of City Engineering to implement emergency measures to have this building demolished. We respectfully recommend that your Honorable Body concur with this action and have the cost assessed as a lien against the property.

Respectfully submitted,  
CREIGHTON C. LEDERER  
Director

By Council Member Ravitz:

Resolved, That in accordance with the two (2) foregoing communications, the City Engineering Department is hereby authorized and directed to implement emergency measures to have the buildings at the following locations demolished and have the cost assessed as a lien against the respective properties:

1980 Pierce, and 1986 Pierce.

Adopted as follows:

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

Nays — None.

#### City Engineering Department April 8, 1985

Honorable City Council:

Re: Petition No. 3103, Nu-Sash of Southern Michigan, Inc. Conversion to Easement and Temporary Closing of the remaining alleys in the block bounded by Harned, Mitchell, Winchester and Eight Mile Road.

The above petition requests the conversion of the remaining portion of north-south public alley in the above described block into an easement for public utilities; and the temporary closing of the east-west alley in the same block for a period of five (5) years. The requested closings were 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 closings of said alleys or that they have reached satisfactory agreements with the peti-

tioner regarding their installation therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
CLYDE R. HOPKINS  
Director

By Council Member Cleveland:

Resolved, That all that part of the north-south public alley, 17 feet wide, not previously vacated in the block bounded by Harned, Mitchell, Winchester and Eight Mile Road, lying south of and abutting the south line of Eight Mile Road; the westerly 8 feet of the alley abuts the easterly line of Lots 121 to 124 and the southerly 10.63 feet of Lot 120 of Fox and O'Connor's Subdivision of the north 32.50 Acres of the N.W. ¼ of Section 6 lying east of Conant Road, T.1S., R.12E., Detroit, Wayne County, Michigan as recorded in Liber 35, Page 47, Plats, Wayne County records; the easterly 9 feet abuts the westerly line of Lot 111 and the 20 feet wide east-west alley which abuts the southerly line of said Lot 111 as platted in the Assessor's Base Line Superhighway Subdivision No. 4, City of Detroit, Wayne County, Michigan as recorded in Liber 63, Page 64, Plats, Wayne County records; and the easterly 9 feet abuts the westerly line of the south 6.59 of Lot 9 and the northerly 10 feet of Lot 10 of Seymour and Troester's Clairmount Park Subdivision of the north ½ of the N.E. ¼ of Section 6, T.1S., R.12E., Detroit, Wayne County, Michigan, as recorded in Liber 52, Page 43, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley 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 City Engineering Department,

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.

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue to Nu-Sach of Southern Michigan, Inc. permits to close the east-west public alley, 20 feet wide, in the block bounded by Harned, Mitchell, Winchester and Eight Mile Road abutting the rear line of Lots 111 to 115 of the Assessor's Base Line Superhighway Subdivision No. 41,

Detroit, Wayne County, Michigan, on a temporary basis, to expire on April 1, 1990;

Provided, That the 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, That 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 this 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, Eberhard, Hood, Kelley, Mahafey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

**City Engineering Department**  
April 8, 1985

Honorable City Council:  
Re: Petition No. 2486, Detroit Board of Education Conversion to Easement of a Portion of West Willis Avenue between Second and Cass.

The above petition requests the conversion of northerly 21 feet of Willis Avenue in front of petitioner's property into an easement for public util-