

ties. 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:

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

The appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Cleveland:

Resolved, That all that part of the northerly 21 feet of Willis Avenue, 100 feet wide, between Second and Cass Avenues, abutting the southerly line of Lot 20 and the westerly 7.8 feet of Lot 21 all inclusive of the Subdivision of Blocks 97 and 98 of the Cass Farm, as recorded in Liber 1, Page 259, Plats, Wayne County records.

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, 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 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 street 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 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, nor any change of surface grade made, without prior approval of the City Engineering Department,

Third, that if at any time in the future the owners of any lot abutting on said vacated street shall request the removal and/or relocation of any existing poles or other utilities in said easement, 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.

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. 3342. Detroit Recreation Department. Conversion to Easement of Pembroke Avenue between vacated Sunderland and Stahelin.

The above petition requests the conversion of the above described portion of Pembroke Avenue, 86 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 Recreation Department will be responsible for keeping the existing catch basins in Pembroke clean in order to drain storm water from Stahelin.

All City departments and privately-owned utility companies reported that they will be unaffected by the conversion to an easement of said street 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 Cleveland:

Resolved, That all that part of Pembroke Avenue, 86 feet wide, lying between and abutting the easterly line of vacated Sunderland Avenue, 86 feet wide, and the westerly line of Stahelin, 60 feet wide, as platted in:

George W. Renchard's Collegedale Subdivision of the S. ½ of the N.E. ¼ of Section 2, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan as recorded in Liber 53, Page 3, Plats, Wayne County records; and

Southlawn Grove Subdivision of the N. ½ of the N. ½ of the S.E. ¼ of Section 2, T. 1 S., R. 10 E., Redford Township, Wayne County, Michigan as recorded in Liber 53, Page 41, Plats, Wayne County records

Be and the same is hereby vacated as a public street and is hereby converted into a public easement of the full width of the street, 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 by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easement or right of way over said vacated public street 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 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, 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 street shall request the removal and/or relocation of any existing poles or other utilities in said easement, 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 or 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 it shall be the responsibility of the petitioner to maintain the existing basins in vacated Pembroke Avenue in order to receive storm water from Stahelin Avenue.

Adopted as follows:

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

Nays — None.

City Engineering Department

March 29, 1985

Honorable City Council:

Re: Dedication of property as street right-of-way; extension of Modern Avenue westerly under the Chrysler Freeway.

The State of Michigan Department of Transportation has notified the City of Detroit that they have transferred jurisdiction to the City of Detroit of that portion of the right-of-way under the Chrysler Freeway overpass at Modern Avenue.

This portion of roadway at Modern provides access to the private property on the west side of the freeway.

It will be necessary for your Honorable Body to adopt a resolution which accepts jurisdiction. An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

CLYDE R. HOPKINS

Director

ALVIN O. JOHNSON

Director

Department of Public Works

By Council Member Cleveland:

Whereas, the State of Michigan has transferred jurisdiction over Modern Avenue under the Chrysler Freeway, I-75 and

Whereas, it is necessary that the City of Detroit accept jurisdiction and designate that portion of Modern as a City street, now therefore be it

Resolved, That the parcel of land described as: Beginning at a point in the northerly line of Lot 426 of McCallum's Addition to Highland Park of part of ¼ Section 3, 10,000 Acre Tract, lying east of the Grand Trunk Railroad, as recorded in Liber 30, Page 54, Plats, Wayne County Records; said point being 45 feet westerly of the northeasterly