

use of the "Miss Dig" facilities before construction.

An appropriate resolution, granting the petition, is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS,
 Director

By Council Member Collins:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to Off-Broadway East to encroach into public rights-of-way on the north side of Harper Avenue, 86 feet wide, property described as:

Lots 29 to 32 platted in George A. King Subdivision of Lots 1 and 2 of Corby's Subdivision of the East 30.89 Acres of the West 36.89 Acres of Lot 9, Private Claim 10, Gratiot Township, City of Detroit, Wayne County, Michigan as recorded in Liber 33, Page 21, Plats, Wayne County Records;

Encroachment to consist of installing three light fixtures and three concrete planters on the north side of Harper Avenue between Norcross and Annsbury Avenues, abutting the above described lots;

Provided, That such light fixtures shall be installed according to plans submitted to and approved by the Public Lighting Department as per National Electrical Code as adopted by the Michigan Public Service Commission, and that a tag be placed on each pole indicating private ownership; and

Provided, Said light fixture installation shall be no more than 10 feet south of the north property line of Harper Avenue according to the requirements of the Water and Sewerage Department as stated in the preamble; and

Provided, That such use of said public property shall be made under the rules and regulations of the Department of Transportation as stated in the preamble; and

Provided, That the petitioner makes use of the "Miss Dig" organization prior to any construction. No structures or light fixture foundations shall be erected on or over Michigan Bell Telephone Company facilities without their prior approval. Also, all Michigan Bell facilities shall remain accessible and the petitioner shall be liable for all incidental repair costs and/or damages as stated in the preamble; and

Provided, That permittee at the time of obtaining said permits file with the Finance Department an indemnity 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 permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachment; and

Provided, That no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory by said permittee at its expense; and

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That this permit shall not be assigned or transferred without the written approval of the City Council; and

Provided, That the filing of the indemnity agreement and the securing of the necessary permit referred to herein shall be construed as acceptance of this resolution by the permittee; and

Provided, That a certified copy of this resolution shall be recorded with the Office of the Register of Deeds for Wayne County by and at permittee's expense.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

City Engineering Department

October 22, 1985

Honorable City Council:

Re: Petition No. 3803. Nunez Buick Conversion to Easement of east-west alley in the block bounded by West Seven Mile Road, Clarita, Hubbell and Strathmoor Avenues.

The above petition requests the conversion of the east-west public alley, 20 feet wide, in the block bounded by West Seven Mile Road, Clarita, Hubbell and Strathmoor Avenues 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

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 Department-Inter-section Fund:

\$231.00. Receipt No. C-12087.

For the original cost of paving the west one-half of Strathmoor Avenue at the intersection of the alley to be vacated.

The petitioner plans to utilize the paved alley return entrances and requests such remain in their present status. Also, by filed letter the petitioner has agreed to pay all incidental removal costs whenever discontinuance of use makes removal necessary.

All involved City departments and privately-owned utility companies reported they have no objection to the conversion of public right-of-way into easement provided provisions are incorporated into the vacating resolution protecting their installations 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 the east-west public alley, 20 feet wide, in the block bounded by West Seven Mile Road, Clarita, Hubbell and Strathmoor Avenues lying south of and abutting the south line of Lots 1986 to 1997, lying north of and abutting the north line of Lots 1998, 2163 and the previously vacated north-south public alley, 20 feet wide, platted in Blackstone Park Subdivision No. 3 of the West ½ of the West ½ of the Northeast ¼ of Section 7, T. 1 S. R. 11 E., Greenfield Township, City of Detroit, Wayne County, Michigan as recorded in Liber 49, Page 84, 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 pub-

lic 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 herein above 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 or egress at any time to and over said utility easement 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 on said easement, nor any change of surface grade made, without prior approval of the City Engineering Department,

Fourth, that if 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 the 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,

Fifth, 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 3, 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

Provided, That if it becomes necessary to remove the paved alley returns at the alley entrances, such removal

and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, his heirs or assigns; and further

Provided, That a certified copy of this resolution shall be recorded with the office of the Register of Deeds for Wayne County by and at the petitioner's expense.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

City Engineering Department

October 21, 1985

Honorable City Council:

Re: Petition No. 4409. Request from the Department of Transportation to explore changes to eliminate confusion of the two West Outer Drives entering or bordering Rouge Park near Plymouth Road.

The Department of Transportation has requested a change of name of the portion of West Outer Drive located entirely in Rouge Park. There are two streets named West Outer Drive in the Rouge Park area.

The Recreation Department was consulted and submitted the name "Rouge Park Drive". The Community and Economic Development Department concurred and recommended to your Honorable Body that the name be changed.

As directed by your Committee of the Whole a resolution changing the name of the above described portion of West Outer Drive to "Rouge Park Drive" is presented for approval by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Collins:

Resolved, That all that part of West Outer Drive within the boundary of River Rouge Park, which is also the S. E. ¼ of Section 33, N. E. ¼ of Section 33 and S. E. ¼ of Section 28 in T. 1 S., R. 10 E., Redford Township, and lying between Fullerton Avenue and its intersection with West Outer Drive south of West Chicago,

Be and the same is hereby changed to "Rouge Park Drive", and further

Resolved, That the City Clerk is hereby authorized and directed to forward a copy of this resolution to the State Treasurer and the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.

Nays — None.

Community & Economic Development Department

October 30, 1985

Honorable City Council:

The Community & Economic Development Department recommends acceptance of offers to purchase City-owned property in accord with the following resolutions.

Respectfully submitted,
THEODORE SPENCER
Assistant Director

By Council Member Hood:

Re: Sale of Property — vacant lot — (W) Sheridan, between Lambert and Medbury, a/k/a 5987 Sheridan.

Whereas, The Community & Economic Development Department (CEDD) has received, and recommends acceptance of, an Offer to Purchase in the amount of \$250.00 cash, from Hershel Patrick, a married man and Jerrie Patrick, his wife, adjoining owners, for the purchase of property, described on the tax rolls as:

Lot 96, William Tait Subdivision of part of the Church Farm (P.C. 16) North of Gratiot Avenue, Detroit, Wayne County, MI. Rec'd L. 16, P. 87 Plats, W.C.R.

which is a vacant lot, measuring 30' x 111.47' and zoned R-2.

Now, Therefore Be It Resolved, That, in accordance with the Offer to Purchase, the CEDD Director be authorized to furnish Title Insurance and to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price with the deed to include an attachment clause.

Recommended:
THEODORE SPENCER
Assistant Director

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 8.

Nays — None.

By Council Member Hood:

Re: Sale of Property — vacant lot — (W) Greeley, between Minnesota and Nevada, a/k/a 17883 Greeley.

Whereas, The Community & Economic Development Department (CEDD) has received, and recommends acceptance of, an Offer to Purchase in the amount of \$250.00 cash, from Regina F. McMullen, adjoining owner, for the purchase of property, described on the tax rolls as: