

gerous building notice has been issued but the owner is apparently unwilling or unable to secure the property. We have also received a recommendation from the Community & Economic Development Department that the structure be barricaded as it is an historic asset and/or is rehabilitable.

It is the opinion of this Department that an immediate danger exists. Therefore, by copy of this letter, we are requesting the Department of Public Works to maintain the basement, first floor windows and doors, the door on the 2nd floor at the top of the exterior-stairs and two windows adjacent to that door, secured against trespass until such time as the structure is rehabilitated or ordered removed.

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 Kelley:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to take the necessary steps to maintain the basement, first floor windows and doors, the door on the second floor at the top of the exterior-stairs and two windows adjacent to that door of dangerous structure located at 1058 Shipherd, secured against trespass until such time as the structure is rehabilitated or ordered removed, and to have the costs of same assessed as a lien against the property in accordance with the foregoing communication.

Adopted as follows:

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

Nays — None.

City Engineering Department

November 12, 1985

Honorable City Council:

Re: Petition No. 4062, Turf Lounge, Conversion to easement of portion of east-west alley in the block bounded by Fielding, Patton, Schoolcraft and the Jeffries Freeway.

The above petition requests the conversion of a portion of the east-west public alley, 18 feet wide, in the block bounded by Fielding, Patton, Schoolcraft Avenues and the Jeffries Freeway 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 plans to utilize the paved alley return entrance and requests such remain in its 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 Mahaffey:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Fielding, Patton, Schoolcraft Avenues and the Jeffries Freeway lying north of and abutting the north line of Lot 275 and lying south of and abutting the south line of Lots 276 to 280 and the west 2 feet of Lot 281 platted in Brightmoor-Rigoulot Subdivision lying south of Grand River Avenue being part of the Northeast Quarter of Section 27, T.1S., R.10E., Redford Township, City of Detroit, Wayne County, Michigan as recorded in Liber 49, Page 14, 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 herein above described shall be forever accessible to the maintenance and in-

spection 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 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.

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 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 be it further

Resolved, That if it becomes necessary to remove the paved alley return at the alley entrance, 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.

Adopted as follows:

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

Nays — None.

City Engineering Department

November 13, 1985

Honorable City Council:

Re: Petition No. 4117, Century 21 — DuPont Realtors Request to temporarily close remaining portion of east-west alley south of West Seven Mile Road between Stahelin and Avon.

We are returning herewith Petition No. 4117 of Century 21 — DuPont Realtors requesting temporary closing of the remaining portion of the east-west public alley, 20 feet wide, south of West Seven Mile Road between Stahelin and Avon Roads.

The request was approved by the Community and Economic Development Department with certain restrictions.

All other City departments and privately owned utility companies have reported they have no objections to the proposals, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution containing the necessary conditions is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS

Director

By Council Member Mahaffey:

Resolved, That the City Engineering Department be and it is hereby authorized and directed to issue permits to Century 21 — DuPont Realtors to close the remaining portion of the east-west public alley, 20 feet wide, south of Seven Mile Road, between Stahelin and Avon Roads lying southerly of and abutting Lots 19 to 24, also lying northerly of and abutting Lot 88 and the east 20 feet of Lot 139 of Longfellow Manor, a Subdivision of part of the North ½ of Section 11, T.1S., R.10E., Redford Township, City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 18, Plats, Wayne County Records, on a temporary basis to expire on December 1, 1990.

Provided, 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, the Grantee shall acquire