

City Engineering Department

November 13, 1985

Honorable City Council:

Re: Petition No. 4092. Detroit Nipple Works Requested outright vacation of a portion of the east-west alley in the block bounded by Beaubien, St. Antoine, Milwaukee and East Grand Boulevard.

The above petition requests the vacation of a portion of the east-west public alley, 16 feet wide, in the block bounded by Beaubien and St. Antoine Streets, Milwaukee Avenue and East Grand Boulevard.

The requested vacation was approved by the Community and Economic Development Department. The petition was then forwarded to us for investigation and report. Our report is as follows:

The petitioner plans to utilize the paved alley return entrance and requests such remain in its present status. Also, the petitioner will pay all incidental removal costs whenever discontinuance of use makes removal necessary.

Proper provisions are contained in the vacating resolution protecting the City's interest in sewers located or to be located in the alley to be vacated.

All other involved City departments and privately-owned utility companies reported they have no objection to the proposed vacation or they have reached satisfactory agreements with the petitioner regarding their installations therein.

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

Respectfully submitted,
 CLYDE R. HOPKINS
 Director

By Council Member Peoples:

Resolved, That all that part of the east-west public alley, 16 feet wide, in the block bounded by Beaubien and St. Antoine Streets, Milwaukee Avenue and East Grand Boulevard lying south of and abutting the south line of Lot 64 and lying north of and abutting the north line of Lots 65 to 71 and the west 5.50 feet of Lot 72 platted in Frisbie and Foxen's Subdivision of part of Fractional Section 31 and Lot 18 of Theodore J. and Denis J. Campau's Subdivision of Fractional Sections 29 and 32, T.1S. R.12E., City of Detroit, Wayne County, Michigan as recorded in Liber 6, Page 78, Plats, Wayne County Records,

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; subject to the following provisions:

Provided, That by reason of the vacation of the above property, the City of

Detroit does not waive any rights to the sewers located or to be located therein, and shall have the right to enter upon the premises, when necessary to repair, alter, service or install said sewers, and further

Provided, That no building shall be constructed over said sewers without prior approval of such building construction by the Sewer Services Section of the Detroit Water and Sewerage Department and the Buildings and Safety Engineering Department; and further

Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners or their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

Provided, That if the sewer 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 any construction not in accordance with Provision 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 sewer; and shall be liable for all claims for damages resulting from his action.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Kelley, Peoples, Ravitz and President Henderson — 7.

Nays — None.

City Engineering Department

November 14, 1985

Honorable City Council:

Re: Petition No. 4417. Rehabilitation Institute, Inc. Request permission to construct a "Sports Course" encroachment upon the grass median of the proposed Medical Center Brush Street Landscaped Mall.

Returning herewith, print and Petition No. 4417 of Rehabilitation Institute, Inc. requesting permission to encroach upon the median of the proposed Medical Center Brush Street Landscaped Mall to construct a game-field wheelchair "sports course". Individuals in wheelchairs will be performing various exercises over a 23 feet by 85 feet concrete pad constructed on a portion of median.

The requested encroachment was approved by the Community and Economic Development Department. The Recreation Department was consulted