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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 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 permittee's expense.

Adopted as follows:

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

Nays — None.

\*RECONSIDERATION (No. 8) per Motions before Adjournment

#### City Engineering Department

April 14, 1986

Honorable City Council:

Re: Petition No. 4248. Marsha M. Grifis, et al. Conversion to easement of remaining north-south alley in the block bounded by Mapleridge, Parkgrove, Morang and Salter.

The above petition requests the conversion of the remaining north-south public alley, 20 feet wide, in the block bounded by Mapleridge, Parkgrove, Morang and Salter 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 plans to utilize the paved alley return entrances and requests such remain in their present status. The petitioner shall 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 Ravitz:

Resolved, That all that part of the remaining north-south public alley, 20 feet wide, in the block bounded by Mapleridge, Parkgrove, Morang and Salter Avenues lying west of and abutting the west line of Lots 2223 to 2235 of Park Drive Subdivision No. 7 of part of Private Claim 231, City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 28, 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 herein above 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 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 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 task, 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)

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shall be built or placed upon said easement, nor any change or 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 or 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 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, their heirs or assigns.

Adopted as follows:

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

Nays — None.

\*RECONSIDERATION (No. 9) per Motions before Adjournment

### **Economic Development Corporation**

April 25, 1986

Honorable City Council:

Re: National Metal Processing, Inc.  
Project Request for Public Hearing  
on Amended Project Plan.

On October 9, 1985, the Economic Development Corporation of the City of Detroit (EDC) determined to issue its Industrial Revenue Bonds by passing a Resolution of Inducement in connection with the above-captioned project. It is anticipated that on May 13, 1986, the EDC will approve the afore-stated project's Amended Project Plan in accordance with Public Act 338, as amended.

Pursuant to Section 10(2) of the Act, a public hearing must be held prior to City Council action on the Amended Project Plan. Therefore, the EDC respectfully requests that a public hearing be held on the above-named pro-

ject's Amended Project Plan on May 22, 1986 at 10:00 a.m.

The EDC will be responsible for the posting, mailing and publishing of the Notice of Public Hearing.

Respectfully submitted,

CHARLES E. FEDER

Associate Director  
Industrial Development

### **City Council Resolution Setting Hearing Date for Economic Development Corporation of the City of Detroit (National Metal Processing, Inc. Project)**

By Council Member Eberhard:

Whereas, this City Council, in conformity with Act 338 of Public Acts of 1974, as amended ("Act 338"), has previously approved a Project Area and Project District Area with respect to the Economic Development Corporation of the City of Detroit (National Metal Processing, Inc. Project); and

Whereas, this City Council has received a Project Plan for said Project and wishes to set the date for public hearing on said Project Plan, including the issuance of not to exceed \$3,000,000 Limited Obligation Economic Development Revenue Bonds;

Now, Therefore, Be It Resolved By The City Council Of The City Of Detroit, As Follows:

1. A public hearing on the Project Plan, including the issuance of not to exceed \$3,000,000 Limited Obligation Economic Development Revenue Bonds (National Metal Processing, Inc. Project) for said Project shall be held at 10:00 o'clock, a.m., local time, on the 22nd day of May, 1986, or such other date to which the public hearing may be adjourned in the City Council Chambers, in the City-County Building, in the City of Detroit, County of Wayne, Michigan. At such hearing, the City Council of the City of Detroit shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing and the proposed Plan. The hearing shall provide the fullest opportunity for the expression of opinion, for arguments on the merits, for introduction of documentary evidence pertinent to the proposed Project Plan and the proposed bond issue, and the location and nature of the proposed Project to be financed. This City Council shall make and preserve a record of the public hearing, including all data presented at the public hearing.

2. The staff of the EDC is hereby requested to publish, post and mail notice of such hearing, such notice to be substantially in the form attached hereto.

3. The City Clerk is hereby directed to provide five (5) certified copies of