

The petitioner shall pay all incidental recording costs.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.
Nays — None.

City Engineering Department

October 22, 1987

Honorable City Council:

Re: Petition No. 1440, Community and Economic Development Department (Grayhaven-Lenox Joint Venture) Conversion to easement of portions of Avondale, Continental and part of the north-south public alley; also land dedication for Continental Avenue public street turnaround; all east of Kitchener, south of Essex.

To develop a parcel in the Grayhaven Project area it is necessary to convert portions of public streets and alley into utility easement(s). These are the requested public street and alley vacations:

- (1) part of Avondale Avenue, 60 feet wide, lying east of Kitchener Avenue
- (2) part of Continental Avenue, 50 feet wide, lying between Avondale and Essex Avenues
- (3) part of the north-south public alley, 18 feet wide, in the block bounded by Kitchener, Continental, Avondale and Essex Avenues.

Also, it is necessary to dedicate City-owned land for a Continental Avenue public street turnaround (north of Avondale Avenue).

The requested conversions into public utility easements were approved by the Department of Transportation. Also, the Department of Transportation has designated the Continental Avenue public street turnaround.

The City Planning Commission has reviewed the "Greyhaven" development plans. The City Planning Commission has submitted a conditional report (dated September 21, 1987) to your Honorable Body.

The petition was referred to the City Engineering Department for investigation and report. This is our report:

The developer plans to use the paved (Avondale) street return entrance and requests such remain in its present status. The developer shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately-owned utility companies have reported no objection to the conversion of public rights-of-way into a utility easement. Provisions protecting utility installations are part of the resolution.

An appropriate resolution is attached

for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Ravitz:

Resolved, All that part of Avondale Avenue, 60 feet wide, lying east of Kitchener Avenue (60 feet wide); also All that part of Continental Avenue, 50 feet wide, lying between Avondale and Essex Avenues; also

All that part of the north-south public alley, 18 feet wide, in the block bounded by Kitchener, Continental, Avondale and Essex Avenues;

The above public rights-of-way are contained within the bounds of a land parcel, being more particularly described as:

Beginning at the Northeast corner of Kitchener Avenue, 60 feet wide, and Avondale Avenue, 60 feet wide; thence northerly along the East line of said Kitchener Avenue, 30.00 feet; thence North 64° 08' 10" East along a line parallel to the North line of said Avondale Avenue, 268.00 feet, to a point on the East line of Continental Avenue, 50 feet wide; thence South 25° 51' 50" East, 30.00 feet along said East line of Continental Avenue to the Northeast corner of said Continental Avenue and said Avondale Avenue; thence South 25° 51' 50" East, 40.00 feet; thence South 64° 08' 10" West, 285.40 feet to a point; thence Northeasterly to the Northeast corner of said Kitchener Avenue and said Avondale Avenue, said corner also being the point of beginning;

All of the above mentioned public streets and alley appear in the following subdivision(s) and/or previously adopted Council resolutions:

1) "St. Clair Park Subdivision" of part of Private Claims 315 and 322, South of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 90, Plats, Wayne County Records; also

2) All that part of Private claims 315 and 322 dedicated to the City of Detroit for street and alley purposes on March 16, 1920 (J.C.C. Page 363), said strip of land lies between the "St. Clair Park Subdivision" as recorded in Liber 27, Page 90, Plats, Wayne County Records; and the Private Plat of "Grayhaven" being a subdivision of Private Claims 315 and 322; also

3) All that part of Avondale Avenue, 60 feet wide, as opened on March 28, 1967 (J.C.C. page 618);

Be and the same are hereby vacated as public streets and alley and are hereby converted into a public easement of the full width of the streets and 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 streets and 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 streets and 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 street or 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 streets and 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 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 or surface grade made, without prior approval of the City Engineering Department.

Fourth, that if the owners of any lots abutting on said vacated streets and alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, shall 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 in said property shall break or be damaged as a result of any action on the part of said owners 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 said owners 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 street returns at the (Avondale) 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 "Grayhaven" developer(s), their heirs or assigns; and be it further

Resolved, The following described City-owned property is hereby dedicated for a Continental Avenue public street turnaround (north of Avondale):

Land in the City of Detroit, Wayne County, Michigan being part of Lots 359 and 360 of "St. Clair Park Subdivision" of part of Private Claims 315 and 322, South of Jefferson Avenue, City of Detroit, Wayne County, Michigan as recorded in Liber 27, Page 90, Plats, Wayne County Records; being more particularly described as:

Commencing at the Northeast corner of Continental Avenue, 50 feet wide, and Avondale Avenue, 60 feet wide; thence Northerly along the East line of said Continental Avenue, 30.00 feet; thence Westerly along a line parallel to the North line of said Avondale Avenue to a point on the West line of said Continental Avenue; thence Northerly along the West line of said Continental Avenue, 25.00 feet to the point of beginning; thence Westerly along a line parallel to the North line of said Avondale Avenue, 33.00 feet; thence Northerly along a line parallel to the West line of said Continental Avenue, 45.00 feet; thence Easterly along a line parallel to the North line of said Avondale Avenue, 33.00 feet to a point on the West line of said Continental Avenue; thence Southerly along the West line of said Continental Avenue, 45.00 feet to the point of beginning; containing 1,485.00 square feet, more or less; and be it further

Resolved, The Community and Economic Development Department is hereby authorized and directed to process documents necessary to develop the Continental Avenue public street turnaround. Such development shall be in accord with the revised plan submitted by the Department of Transportation (dated October 5, 1987); and

Provided Further, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:
Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.
Nays — None.

Community & Economic Development Department

November 19, 1987

Honorable City Council:

Re: Jefferson-Chalmers Neighborhood Development Project; Land Disposition: Lots 132-143; 703-769 Newport — Jordan Missionary Baptist Church, a Michigan Ecclesiastical Corporation.

On Thursday, November 19, 1987, a public hearing in connection with the proposed sale of the above captioned property in the Jefferson-Chalmers Neighborhood Development Project was held before your Honorable Body. All interested persons and organizations were given an opportunity to be heard.

The proposed developer has submitted satisfactory evidence that they possess the necessary financial resources required to develop land in accordance with the Development Plan for the project.

We, therefore, request that your Honorable Body authorize and confirm the sale and authorize the Finance Director to execute an agreement to purchase and develop Lots 132-143 (703-769 Newport) in the Jefferson-Chalmers Neighborhood Development Project in the amount of \$12,000.00. This amount is based on fair market value.

The subject property contains approximately 32,400 square feet of land.

Respectfully submitted,
EMMETT S. MOTEN, JR.

Director

By Council Member Ravitz:

Resolved, That the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop the following described land in the Jefferson-Chalmers Neighborhood Development Project with Jordan Missionary Baptist Church, a Michigan Ecclesiastical Corporation, for the sum of \$12,000.00 in accordance with the foregoing communication and the Development Plan for this Project.

Land in the City of Detroit, County of Wayne, State of Michigan, being Lots 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143 of the Jefferson Park Subdivision of the Jefferson Park Realty Company in the City of Detroit, Michigan, Wayne County. Rec'd L. 26, P. 93 of Plats, W.C.R.

and be it further

Resolved, That this agreement be considered confirmed when signed and executed by the Finance Director and

approved by the Corporation Counsel as to form.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.
Nays — None.

Council of the Arts

September 10, 1987

Honorable City Council:

At their September 9th meeting, the Board of Directors of the Detroit Council of Arts approved the following Discretionary Grants:

Detroit Focus, Postage for 87/88 Exhibition Season, \$2,200

Professional Theatre League of Detroit, Presentation of African Theatre in conjunction with Wayne State University, \$2,000.

We respectfully request permission to award these grants.

Respectfully submitted,

SHAHIDA MAUSI

Director

Approved:

W. I. STECHER

Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Peoples:

Resolved, That the Council of the Arts is hereby authorized to make grant awards totaling \$4,200 per the attached communication; and be it further

Resolved, That the Finance Director be and is hereby authorized to honor vouchers when presented in accordance with this resolution and standard City procedures.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 8.
Nays — None.

Economic Development Corporation

November 13, 1987

Honorable City Council:

Re: Bing Steel, Inc., Resolution Approving Project Plan.

Your Honorable Body has adopted a resolution setting a public hearing on the Bing Steel, Inc. Project Plan for November 24, 1987 at 10:00 a.m.

On file in the City Clerk's Office is a copy of the project description from the EDC Board agenda book and Project Plan as approved by the Economic Development Corporation, along with resolution approving same for your consideration.

Respectfully submitted,

CHARLES E. FEDER

Associate Director