

All of the east-west public alley, 20 and 30 feet wide, in the block bounded by Rosa Parks Boulevard, Harrison Avenue, Brainard and Magnolia Streets lying southerly of and abutting the south line of Lots 149 to 151, also lying northerly of and abutting the north line of Lots 159 to 161 all in the "Albert Crane's Section of the Thompson Farm, being part of Private Claim No. 227, late Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 11, Plats, Wayne County Records; also

All of the north-south public alley, 14 feet wide, in the block bounded by Rosa Parks Boulevard, Harrison Avenue, Brainard and Magnolia Streets lying westerly of and abutting the west line of Lots 1 to 4 of "Dickinson's Subdivision of the Southerly 119.72 feet of the Westerly 397.84 feet of Out Lot 10, Subdivision of the Rear Concession to Private Claim 27," City of Detroit, Wayne County, Michigan as recorded in Liber 9, Page 96, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 489 to 492 of "Crane and Wesson's Section of the Jones Farm, so-called, being a subdivision of Lots 5 and 6 in the plat of the division between the heirs of Louis Lignon on the Lignon Farm, so-called, lying North of the Chicago Road and known as Private Claim 27 confirmed to Jacques Peltier," City of Detroit, Wayne County, Michigan as recorded in Liber 9, Page 96, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lot 149, the east-west public alley (20 and 30 feet wide), and Lot 161 all in the "Albert Crane's Section of the Thompson Farm, being part of Private Claim No. 227, late Springwells," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 11, Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property; and be it further

Resolved, Pursuant to the court ruling in *Center Line v. Michigan Bell Telephone Co.*, 26 Mich. App 659 (1970) aff. 387 Mich. 260 (1972), the Community and Economic Development Department is hereby authorized to process billings from utility companies and others for the relocation of their equipment in connection with this urban renewal project; and further

Provided, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Mahaffey, Ravitz, and President Henderson — 5.

Nays — None.

Council Member Hood abstained from voting due to possible conflict of interest.

City Engineering Department

July 8, 1987

Honorable City Council:

Re: Petition No. 302. Board of Education — Area "E" Office Site Consolidation Project Conversion to easement of portion of the east-west public alley in the block bounded by Hawthorne, Cardoni, E. McNichols and Dakota.

Petition No. 302 of the Detroit Board of Education — Area "E" Office Site Consolidation Project requests the conversion of a portion of the east-west public alley, 18 feet wide, in the block bounded by Hawthorne and Cardoni Avenues, East McNichols Road and Dakota Avenue into an easement for public utilities.

The requested conversion into a public utility easement was approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The petitioner plans to use the paved alley return entrance and requests such remain in its present status. The petitioner 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 right-of-way into a utility easement. Provisions protecting utility installations are part of the resolution.

The adoption of the resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS

Director

City Engineering Department

By Council Member Mahaffey:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Hawthorne and Cardoni Avenues, East McNichols Road and Dakota Avenue lying southerly of and abutting the south line of Lot 84, also lying northerly of and abutting the north line of the west 6.00 feet of Lot 35 and Lots 32 to 34 of "St. Barbara Subdivision of part of the South ½ of Section 12, Town 1 South, Range 11 East, Greenfield Township", City of Detroit, Wayne County, Michigan as recorded in Liber 28, 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 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 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 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 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, 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 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 return at the 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, their heirs or assigns; 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 Collins, Eberhard, Hood, Mahaffey, Ravitz, and President Henderson — 6.

Nays — None.

City Engineering Department

July 8, 1987

Honorable City Council:

Re: Petition No. 614 — Alex Ankowny.
Conversion to easement of east-west public alley in the block bounded by Stout, Kentfield, Clarita and W. Seven Mile.

Petition No. 614 of Alex Ankowny requests the conversion of the east-west public alley, 20 feet wide, in the block bounded by Stout, Kentfield and Clarita Avenues, and West Seven Mile Road into an easement for public utilities.

The requested conversion into a public utility easement was approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The petitioner plans to use the paved alley return entrance and requests such remain in its present status. The petitioner 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 right-of-way into a utility easement. Provisions protecting utility installations are part of the resolution.

The adoption of the resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS,
Director

By Council Member Mahaffey:

Resolved, That all of the east-west public alley, 20 feet wide, in the block bounded by Stout, Kentfield and Clarita Avenues, and West Seven Mile Road lying southerly of and abutting the south line of Lots 1 to 7, also lying northerly of and abutting the north line of Lot 8 as platted in "Brightside Subdivision of