

Provided, the petitioner shall pay all Public Lighting Department expenses to reinstall street light(s), if the street is reopened for public use; and

Provided, The petitioner shall maintain a joint-locking-system as required by the Detroit Edison Company; and

Provided, This resolution is revocable at the will, whim or caprice of the City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued for the five (5) year period, the City Council may (upon written request and if the circumstances justify accordingly) grant an extension thereto; and

Provided, This permit shall not be assigned or transferred without the written approval of the City Council.

Adopted as follows:

Yeas — Council Members Cleveland, Eberhard, Mahaffey, Peoples, Ravitz, and President Henderson — 6.

Nays — None.

City Engineering Department

July 15, 1987

Honorable City Council:

Re: Petition No. 3428, St. James Cooperative (The Hallisy Co., Inc.), Conversion to easement of portion of the public alley turnaround, north of W. McNichols, east of Bentler.

Petition No. 3428 of St. James Cooperative (The Hallisy Company, Inc.) requests the conversion of a portion (20 feet by 60 feet) of the public alley turnaround north of West McNichols Road, east of Bentler 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:

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 attached resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS
 Director

By Council Member Cleveland:

Resolved, That all that part of the public alley turnaround north of West McNichols Road, east of Bentler Avenue platted as the south 20.00 feet of the

east 60.00 feet of Lot 44 of "Serp's Redford Subdivision of part of the Southwest Quarter of Section 10, Town 1 South, Range 10 East, Village of Redford", City of Detroit, Wayne County, Michigan as recorded in Liber 40, Page 73, Plats, Wayne County Records; said public alley turnaround having been deeded to the City of Detroit (May 26, 1953 J.C.C. page 1260);

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 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, Eberhard, Mahaffey, Peoples, Ravitz, and President Henderson — 6.

Nays — None.

City Engineering Department

July 15, 1987

Honorable City Council:

Re: Petition No. 2184, Community and Economic Development Department Virginia Park Rehabilitation Project — Parcel 110, Conversion to easement of portion of east-west public alley in the block bounded by Merrill, John C. Lodge, Seward and Virginia Park.

To develop Parcel 110 in Virginia Park Rehabilitation Project (Henry Ford Health Care Corporation — Gerber Children's Center) it is necessary to convert a portion of the east-west public alley, 10 feet wide, in the block bounded by Merrill Avenue, John C. Lodge Freeway, Seward and Virginia Park Avenues into an easement for public utilities.

The conversion into a public utility easement was approved by the Department of Transportation.

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 attached resolution is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

Director

By Council Member Cleveland:

Resolved, That all that part of the east-west public alley, 10 feet wide, in the block bounded by Merrill Avenue, John C. Lodge Freeway, Seward and Virginia Park Avenues lying southerly of and abutting the south line of Lot 14 as platted in "Virginia Park Subdivision" of part of Quarter Section 55, Ten Thousand Acre Tract, City of Detroit, Wayne County, Michigan as recorded in Liber 28, Page 80, Plats, Wayne County Records; also lying northerly of and abutting the north line of the east 2.88 feet of Lot 11, the (vacated) north-south public alley (10 feet wide), and the west 87.12 feet of Lot 10 as platted in "Sullivan's Subdivision" of Lots 1, 2, 3 and 4 of Block 10 and Lots 21, 22, 23 and 24 — Block 11 of Beck's Subdivision Quarter Section 55, Ten Thousand Acre Tract, Greenfield Township, City of Detroit, Wayne County, Michigan as recorded in Liber 15, Page 69, 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 purpose 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 easements with any necessary equipment to perform the above-mentioned tasks, with