

ment 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 neces-

sary to remove the paved alley returns at the 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; 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, Eberhard, Mahaffey, Peoples, Ravitz, and President Henderson — 6.

Nays — None.

City Engineering Department

July 15, 1987

Honorable City Council:

Re: Petition No. 930, Wilson Kassab, et al, Conversion to easement of portion of east-west public alley north of W. Seven Mile between Cooley and Lahser.

Petition No. 930 of Wilson Kassab, et al requests the conversion of a portion of east-west public alley, 20.01 feet wide, north of West Seven Mile Road between Cooley and Lahser 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 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, 20.01 feet wide, north of West Seven Mile Road between Cooley and Lahser Avenues lying southerly of and abutting the south line of Lot 27, also lying northerly of and abutting the north line of Lots 28 to 33 as platted in "Seven Mile Lahser Subdivision of part of the Southeast 1/4 of Section 4, Town 1 South, Range 10

East, Redford Township," City of Detroit, Wayne County, Michigan as recorded in Liber 57, Page 78, 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 of 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 Cleveland, Eberhard, Mahaffey, Peoples, Ravitz, and President Henderson — 6.

Nays — None.

City Engineering Department

July 20, 1987

Honorable City Council:

Re: Petition No. 768. Gwendolyn Haywood, et al. London Block Club. Request to temporarily close portion of east-west and north-south alleys in the block bounded by San Juan, Livernois, London and Curtis.

Petition No. 768 of Gwendolyn Haywood, et al (London Block Club) requests the temporary closing of a portion of the east-west public alley, 16 feet wide; also the north-south public alley, 19.02 feet wide (varies), both west of Livernois Avenue between London and Curtis Avenues.

The request was approved by the Community and Economic Development Department with certain restrictions.

The Public Lighting Department will require the petitioner to pay all expenses to reinstall alley light(s), if the alleys are reopened for public use.

All other City departments and privately owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution containing the necessary conditions is attached