

PETITIONER IN ORDER TO DETERMINE THE NUMBER OF SIGNS NEEDED, THE LOCATIONS, AND THE METHOD OF INSTALLATION.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit and is hereby given immediate effect.

Approved as to form only:

ABIGAIL ELIAS

Deputy Corporation Counsel

Read twice by title ordered printed and laid on the table.

Resolution Setting Hearing

By Council Member Mahaffey:

Resolved, That a public hearing will be held by this body in the Committee Room, 13th Floor of the City-County Building, on TUESDAY, MAY 31, 1988, AT 10:00 A.M. for the purpose of considering the advisability of adopting the foregoing proposed ordinance to amend Chapter 50, to provide for establishment of a procedure for renaming or assigning secondary name to streets, at which time all interested persons are invited to be present to be heard as to their views.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Mahaffey, Ravitz, and President Henderson — 7.

Nays — None.

#### City Engineering Department

April 18, 1988

Honorable City Council:

Re: Petition No. 1347, Dr. Carl V. Washington, et al. Conversion to easement of portion of east-west public alley west of Livernois between Pembroke and Chippewa.

Petition No. 1347 of Dr. Carl V. Washington, et al requests the conversion of a portion of east-west public alley, 16 feet wide, west of Livernois Avenue between Pembroke and Chippewa Avenues 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 Mahaffey:

Resolved, That all that part of the east-west public alley, 16 feet wide, in the block bounded by Stoepel, Livernois, Pembroke and Chippewa Avenues lying southerly of and abutting the south line of Lot 36 (except that part taken for the widening of Livernois Avenue to 120 feet in 1929); also lying northerly of and abutting the north line of the west 15.67 feet of Lot 37, the east 22.00 feet of Lot 40, Lots 38 and 39 as platted in "Zeigen's Warwick Park Subdivision" of Southeast Quarter of Northeast Quarter of Section 4, Town 1 South, Range 11 East, Greenfield Township, City of Detroit, Wayne County, Michigan as recorded in Liber 37, Page 47, 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 (Livernois Avenue) 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, Collins, Eberhard, Hood, Mahaffey, Ravitz, and President Henderson — 7.  
Nays — None.

**City Engineering Department**

April 26, 1988

Honorable City Council:

Re: Petition No. 1588, "450 Temple, Inc." a/k/a Masonic Temple Temporary Alley Closings portions of north-south and east-west public alleys in the block bounded by Second, Cass, Temple and Charlotte.  
Petition No. 1588 of the Masonic

Temple requests the temporary closing of portions of the north-south and east-west public alleys, (both) 20 feet wide, in the block bounded by Second, Cass, Temple and Charlotte Avenues.

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

The Water and Sewerage Department will require unimpeded access to existing sewers. Any fence and gate installation must provide 13 feet horizontal and 13 feet vertical clearances for maintenance vehicles.

The Department of Transportation and the Department of Public Works — Sanitation will require gates to be open for trash collection 7:00 a.m. to 5:00 p.m., Monday thru Friday.

The petitioner has submitted a letter agreeing to pay all Public Lighting Department expenses to reinstall alley lights, 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 for consideration by your Honorable Body.

Respectfully submitted,  
E.M. KENNEDY  
for CLYDE R. HOPKINS  
Director

By Council Member Ravitz:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "450 Temple, Inc." (a/k/a Masonic Temple) to close portions of the north-south and east-west public alleys, (both) 20 feet wide, in the block bounded by Second, Cass, Temple and Charlotte Avenues on a temporary basis to expire on June 1, 1993; described as follows:

All that part of the north-south public alley, 20 feet wide, in the above mentioned block lying westerly of and abutting the west line of Lots 4 and 5; also lying easterly of and abutting the east line of the south 40.00 feet of Lot 9, the east-west public alley (20 feet wide), and the north 40.00 feet of Lot 24, Block 83, of the Plat of part of the Cass Farm, Blocks 83 and 84, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 131, Plats, Wayne County Records; also

All that part of the east-west public alley, 20 feet wide, in the above mentioned block lying southerly of and abutting the south line of Lots 9 to 13; also lying northerly of and abutting the north line of Lots 20 to 24, Block 83, of the Plat of part of the Cass Farm, Blocks 83 and 84, City of Detroit, Wayne County,