

Avenues, are hereby nullified and removed as follows:

"Resolved, That all that part of the southerly 20 feet of Avondale Avenue, 60 feet wide, as opened on March 28, 1969 (J.C.C. page 618), extending westerly 285.40 feet from the easterly line extended southerly of Continental Avenue, 50 feet wide,

Be and the same is hereby converted into public walkway and bicycle path and subject to an easement for public utilities, provisions for said easement to be listed later in this resolution; also

"Resolved, That the following described parcel of land:

Land in the City of Detroit being a part of vacated Avondale Avenue, 60 feet wide, east of the east line of Continental, part of a strip of land north of the abutting that portion of Avondale, part of Lot 27 and the vacated alley 9 and 18 feet wide at the rear of said Lot 27 as platted in the Riverside Boulevard Subdivision as recorded in Liber 37, Page 93, Plats, Wayne County Records, described as: Beginning at a point in the westerly line of Lenox Avenue, 50 feet wide, said point being 5.89 feet southerly of the northeast corner of Lot 27 of the above-mentioned subdivision, thence S. 64° 08' 10" W., 785.07 feet; thence S. 25° 51' 50" E., 20.00 feet; thence N. 64° 08' 11" E., 785.11 feet; thence N. 25° 58' 05" W., 20.00 feet to the point of beginning;

Be and the same is hereby set aside for a public walkway and bicycle path."

Adopted as follows:

Yeas — Council Members Collins, Eberhard, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 7.

Nays — None.

City Engineering Department

January 11, 1988

Honorable City Council:

Re: Petition No. 1493, Michigan Health Care Corporation Conversion to easement of portion of the north-south public alley in the block bounded by 18th, 17th, Martin Luther King Jr. and Magnolia.

Petition No. 1493 of Michigan Health Care Corporation requests the conversion of a portion of north-south public alley, 20 feet wide, in the block bounded by Eighteenth and Seventeenth Streets, Martin Luther King Jr. Boulevard and Magnolia Street 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 remove the paved alley return entrance (into Magnolia). Such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications. The petitioner shall pay all incidental alley return removal costs.

City department 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 Kelley:

Resolved, That all that part of the north-south public alley, 20 feet wide, in the block bounded by Eighteenth and Seventeenth Streets, Martin Luther King Jr. Boulevard and Magnolia Street lying easterly of and abutting the east line of Lots 493 to 500; also lying westerly of and abutting the west line of Lots 501 to 508 of the "Subdivision of part of the Stanton Farm, Private Claim 473 and Rear Concession", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 255, 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 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 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, Kelley, Mahaffey, Peoples, Ravitz, and President Pro Tem. Hood — 7.

Nays — None.

City Engineering Department

January 7, 1988

Honorable City Council:
The City Engineering Department recommends the deletion of the following sidewalk assessments on Roll Nos. 1 thru 3-D, confirmed by Your Honorable Body on November 18, 1987, same having been paid on Accounts Receivable Bills:

Partial Payments:

Roll 1-D, Lot 242; E. S. Kentucky between Mackenzie and Belton, delete \$10.00, Partial Payment, Bill No. 39689, Item No. 15649, Treas. Receipt No. C12001.

Roll 1-D, Lot 242; E. S. Kentucky between Mackenzie and Belton, delete \$10.00, Partial Payment, Bill No. 39689, Item No. 15649, Treas. Receipt No. A18214.

Roll 1-D, S. 10 Ft. Lot 318; N. 30 Ft. Lot 317; W. S. Edinborough between West Seven Mile and Clarita, delete \$50.00, Partial Payment, Bill No. 40026, Item No. 91063, Treas. Receipt No. C7548.

Roll 1-D, S. 10 Ft. Lot 318 N. 30 Ft. Lot 317; W. S. Edinborough between West Seven Mile and Clarita, delete \$50.00, Partial Payment, Bill No. 40026, Item No. 91063, Treas. Receipt No. C10934

Total Amount: \$120.00.

Full Payments:

Roll 2-D, Lot 299; W. S. Plainview between Santa Maria and McNichols, delete \$216.60, Final Partial Payment, Bill No. 40110, Item No. 94379, Treas. Receipt No. A11018.

Total Amount: \$216.60

Partial Payments:

Roll 3-D, Lot 39; S. S. West Seven Mile between Plainview and Westmoreland, delete \$100.00, Partial Payment, Bill No. 40351, Item No. 16516, Treas. Receipt No. A16089.

Roll 3-D, Lot 250 & Lot 251; N.S. West Seven Mile between Edinborough and Annchester, delete \$200.00, Partial Payment, Bill No. 40348, Item No. 16964-5, Treas. Receipt No. A11018.

Roll 3-D, N. 25 Ft. Lot 578; S. 30 Ft. Lot 579; E. S. Plainview between Santa Clara and Curtis, delete \$50.00, Partial Payment, Bill No. 40243, Item No. 94058, Treas. Receipt No. C10400.

Roll 3-D, N. 25 Ft. Lot 578; S. 30 Ft. Lot 579, E. S. Plainview between Santa Clara and Curtis, delete \$50.00, Partial Payment, Bill No. 40243, Item No. 94058, Treas. Receipt No. A16089.

Roll 3-D, N. 8 Ft. Lot 2192; S. 32 Ft. Lot 2191; E. S. Plainview between Pickford and Clarita, delete \$10.00, Partial Payment, Bill No. 40247, Item No. 94084, Treas. Receipt No. C8555.

Roll 3-D, N. 8 Ft. Lot 2192; S. 32 Ft.