

odors, be met prior to the issuance of occupancy permits.

c. That an eight (8) foot high galvanized metal panel wall be installed along the perimeter of the site and that the colors of the perimeter wall and the buildings be compatible with each other. Such color(s) shall be in earth tone(s) and shall be approved by CPC staff prior to issuance of occupancy permits.

The Commission also recommends that the Department of Transportation be requested to install signage prohibiting heavy truck traffic at Crossley at Melville and Crossley at West Jefferson.

A resolution in support of the project with the conditions recommended by the Commission is attached for your consideration.

Respectfully submitted,
DONALD A. SCAVELLA,
Chairperson
MARSHA S. BRUHN,
Director

By Council Member Eberhard:

Resolved, That the Detroit City Council does and hereby supports Recycling Corporation of America, Incorporated's proposed solid waste recycling facility at 7751 Melville for consideration and inclusion in the Wayne County Solid Waste Management Plan provided that the following conditions pertaining to this facility are met:

1. That a landscape plan be submitted to CPC staff for its approval prior to the issuance of occupancy permits. Such landscape plan shall indicate a twenty (20) foot landscaped setback along the Crossley Street frontage;

2. That all requirements of the Wayne County Air Pollution Control Division, particularly those pertaining to dust and odors, be met prior to the issuance of occupancy permits; and

3. That an eight (8) foot high galvanized metal panel wall be installed along the perimeter of the site and that the colors of the perimeter wall and the buildings be compatible with each other. Such color(s) shall be in earth tone(s) and shall be approved by CPC staff prior to issuance of occupancy permits.

4. That the Department of Transportation be requested to install signage prohibiting heavy truck traffic on Crossley, between Melville and West Jefferson.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Collins, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

City Council's
City Planning Commission

March 1, 1990

Honorable City Council:

Re: (#4389) Community and Economic

Development Department Wholesale Distribution Center Rehabilitation Project Request for:

a) alley vacations in the block bounded by Riopelle, Orleans, Hale, and Mack;

b) street and alley vacations in the area bounded by Chrysler Freeway, Russell, Watson, and Mack;

c) dedication for Wilkins Street relocation between Rivard and Russell

(Recommend Approval.)

Submitted herewith is the report and recommendation of the City Planning Commission staff relative to a portion of a petition of the Community and Economic Development Department which was originally submitted on October 23, 1980. That petition called for, among other things, the vacation of public alleys in the block bounded by Riopelle, Orleans, Hale and Mack Avenue. It also requested the vacation of certain streets and alleys in the area bounded by Chrysler Freeway, Russell, Watson Street, and Mack Avenue. City-owned land is also proposed to be set aside for the widening of Mack Avenue between Riopelle and Orleans, Russell, between Watson and Mack, Rivard, between Watson and Mack Avenue and the East Chrysler Freeway Service Drive between Watson and Benton as well as the relocation of Wilkins between Rivard and Russell.

The City Planning Commission staff has been informed by the City Engineering Department that there had not been a need until now to vacate some of the streets in the Wholesale Distribution Center which were included in the 1980 request. The streets and alleys currently proposed for vacation are not considered necessary for the development of properties in the area.

The City Planning Commission staff has evaluated the Community and Economic Development Department's request to vacate the various streets and alleys and to dedicate city-owned property for street relocation and widenings and finds that these actions will not be detrimental to traffic circulation in this area. The CPC staff has also determined that the proposed vacation of streets and alleys, street widenings, and street relocation are consistent with the Development Plan Wholesale Distribution Center, Numbers 1-3.

The City Planning Commission staff, therefore, recommends that the City Council approve the Community and Economic Development Department's request to vacate streets and alleys, widen streets, and relocate streets in the Wholesale Distribution Center development area described in this report. The appropriate resolution has been submitted

by the City Engineering Department for your consideration.

Respectfully submitted,
MARSHA S. BRUHN
Director

City Engineering Department

October 19, 1989

Honorable City Council:

Re: Petition No. 4389. Community and Economic Development Department Wholesale Distribution Center Rehabilitation Project Street and Alley vacations and dedications.

(1) in the block bounded by Riopelle, Orleans, Hale, and Mack

(2) in the area bounded by Chrysler Fwy., Russell, Watson and Mack

(3) dedication for Wilkins Street relocation between Rivard and Russell

To develop properties in Wholesale Distribution Center Rehabilitation Project it is necessary to vacate public alleys in the block bounded by Riopelle, Orleans, and Hale Streets, and Mack Avenue; also it is necessary to vacate public streets and alleys in the area bounded by Chrysler Fwy., Russell and Watson Streets, and Mack Avenue; also it is necessary to set aside City-owned land for the widening of Mack Avenue (between Riopelle and Orleans), Russell Street, Rivard Street, the E. Chrysler Fwy. Service Drive, and the relocation of Wilkins Street (between Rivard and Russell).

The public street and alley closings were approved by the Department of Transportation.

Provisions are contained in the vacating resolution for a railroad easement to be located across Watson and Erskine Streets, west of (proposed) Rivard Street.

Satisfactory arrangements have been made with all City departments and privately-owned utility companies.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Hood:

Resolved, All that part of the north-south public alley, 15.64 feet wide (not previously vacated), in the block bounded by Riopelle, Orleans, and Hale Streets, and Mack Avenue lying southerly of and abutting a line 70.00 feet southerly of and parallel to the south line of Mack Avenue (50 feet wide); also lying northerly of and abutting the north line of Hale Street (40 and 50 feet wide) of "F.J.B. Crane's Subdivision of Outlot No's 53, 54, 57 and 58, Riopelle Farm," City of Detroit, Wayne County, Michigan

as recorded in Liber 53, Page 346, Deeds, Wayne County Records; also

All of the east-west public alley, 20 feet wide (having been opened on September 4, 1874), in the block bounded by Riopelle, Orleans, and Hale Streets, and Mack Avenue having been platted as the north 20.00 feet of the south 120.00 feet of Lot 34 of "F.J.B. Crane's Subdivision of Outlot No's 53, 54, 57 and 58, Riopelle Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 346, Deeds, Wayne County Records; also having been platted as the south 10.00 feet of Lots 36 thru 40, all inclusive, and the north 10.00 feet of Lots 41 thru 45, all inclusive, of the "Plat of the Subdivision of Lot 5 of the Subdivision of the Rear of the Dequindre Farm, North of North Street, (Now Division Street)," City of Detroit, Wayne County, Michigan as recorded in Liber 53, Page 195, Deeds, Wayne County Records;

Be and the same are hereby vacated as public (alley) rights-of-way to become part and parcel of the abutting property; and be it further

Resolved, All that part of the east-west public alley, 20 feet wide, in the block bounded by the Chrysler Freeway, Rivard, Erskine, and Benton Streets lying southerly of and abutting the south line of the west 14.00 feet of Lot 100, and the south line of Lots 101 thru 112; also lying northerly of and abutting the north line of the west 14.00 feet of Lot 99, and the south line of Lots 87 thru 98 of the "Plat of the Subdivision of the Southerly half of Outlot No. 185, Rivard Farm, being "Conners Section of Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 182, Plats, Wayne County Records; also

All of the remaining easterly portion (not previously vacated) of the east-west public alley, 20 and 30 feet wide (as widened on June 13, 1922 — J.C.C. Pg. 1106), in the block bounded by the Chrysler Freeway, Rivard, Watson, and Erskine Streets lying southerly of and abutting the south line of the west 14.00 feet of Lot 74, the south line of Lot 75, and the south line of the north 51.58 feet of the south 61.58 feet of Lot 76; also lying northerly of and abutting the north line of the west 14.00 feet of Lot 73, the north line of Lot 72, and the north line of the south 90.00 feet of Lot 71 of "Albert Crane's Section of the Rivard Farm being a Subdivision of Outlot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records;

Be and the same are hereby vacated as public (alley) rights-of-way to become part and parcel of the abutting property; subject to the following provision:

Provided, That said owners hereby grant (to and for the use of a railroad

company) a 28 feet wide railroad easement across the vacated public alleys, the centerline of which is described as: lying 21.00 feet westerly of and parallel to the (proposed) west line (as established later in this resolution) of Rivard Street; and be it further

Resolved, All of the remaining westerly portion (not previously vacated) of the east-west public alley, 20 and 30 feet wide (as widened on June 13, 1922 — J.C.C. pg. 1106), in the block bounded by the Chrysler Freeway, Rivard, Watson, and Erskine Streets lying southerly of and abutting the south line of the north 51.58 feet of the south 61.58 feet of Lot 82, and the south line of Lots 83 thru 86; also lying northerly of and abutting the north line of the south 90.00 feet of Lot 65, and the north line of Lots 61 thru 64 of "Albert Crane's Section of the Rivard Farm, being a Subdivision of Outlot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records; also lying southerly of and abutting the south line of the east 12.05 feet of Lot 304; also lying northerly of and abutting the north line of the east 11.56 feet of Lot 303 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records;

Be and the same is hereby vacated as a public (alley) right-of-way to become a part and parcel of the abutting property; and be it further

Resolved, All that part of Erskine Street, 50 feet wide, between the easterly line of the Chrysler Freeway and the (proposed) westerly line of Rivard Street lying southerly of and abutting the south line of the west 14.00 feet of Lot 99, and the south line of Lots 87 thru 98 of the "Plat of the Subdivision of the Southerly half of Outlot No. 185, Rivard Farm, being Conner's Section of Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 182, Plats, Wayne County Records; also lying northerly of and abutting the north line of the west 14.00 feet of Lot 74, and the north line of Lots 75 thru 86 of "Connor's Subdivision of the South part of Outlot 185, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 258, Plats, Wayne County Records; also lying southerly of and abutting the south line of the east 15.58 feet of Lot 327; also lying northerly of and abutting the north line of the east 14.36 feet of Lot 304 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

All that part of Watson Street, 50 feet wide, between the easterly line of the

company) a 28 feet wide railroad easement across the vacated public alleys, the centerline of which is described as: lying 21.00 feet westerly of and parallel to the (proposed) west line (as established later in this resolution) of Rivard Street; and be it further

Resolved, All of the remaining westerly portion (not previously vacated) of the east-west public alley, 20 and 30 feet wide (as widened on June 13, 1922 — J.C.C. pg. 1106), in the block bounded by the Chrysler Freeway, Rivard, Watson, and Erskine Streets lying southerly of and abutting the south line of the north 51.58 feet of the south 61.58 feet of Lot 82, and the south line of Lots 83 thru 86; also lying northerly of and abutting the north line of the south 90.00 feet of Lot 65, and the north line of Lots 61 thru 64 of "Albert Crane's Section of the Rivard Farm, being a Subdivision of Outlot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records; also lying southerly of and abutting the south line of the east 12.05 feet of Lot 304; also lying northerly of and abutting the north line of the east 11.56 feet of Lot 303 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records;

Be and the same is hereby vacated as a public (alley) right-of-way to become a part and parcel of the abutting property; and be it further

Resolved, All that part of Erskine Street, 50 feet wide, between the easterly line of the Chrysler Freeway and the (proposed) westerly line of Rivard Street lying southerly of and abutting the south line of the west 14.00 feet of Lot 99, and the south line of Lots 87 thru 98 of the "Plat of the Subdivision of the Southerly half of Outlot No. 185, Rivard Farm, being Conner's Section of Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 182, Plats, Wayne County Records; also lying northerly of and abutting the north line of the west 14.00 feet of Lot 74, and the north line of Lots 75 thru 86 of "Conner's Subdivision of the South part of Outlot 185, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 258, Plats, Wayne County Records; also lying southerly of and abutting the south line of the east 15.58 feet of Lot 327; also lying northerly of and abutting the north line of the east 14.36 feet of Lot 304 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records; also

All that part of Watson Street, 50 feet wide, between the easterly line of the

Chrysler Freeway and the (proposed) westerly line of Rivard Street lying southerly of and abutting the south line of the west 14.00 feet of Lot 73, and the south line of Lots 61 thru 72; also lying northerly of and abutting the north line of the west 14.00 feet of Lot 48, and the north line of Lots 49 thru 60 of "Albert Crane's Section of the Rivard Farm, being a Subdivision of Outlot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records; also lying southerly of and abutting the south line of the east 9.25 feet of Lot 303; also lying northerly of and abutting the north line of the east 7.61 feet of Lot 280 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records;

Be and the same are hereby vacated as public streets and are hereby converted into a public subsurface easement of the full width of the streets, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of said streets and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public a subsurface easement or right-of-way over said vacated public streets herein above described for the purposes of maintaining, installing, repairing, removing, or replacing underground public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed in a public street or 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 subsurface utility easement or right-of-way in and over said vacated streets 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, or any utility facility placed or installed in the subsurface 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 subsurface utility easement with any necessary equipment to perform the above-mentioned tasks, with 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 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 subsurface easement, nor any change of surface grade made, without prior approval of the City Engineering Department.

Fourth, that if the owners of said vacated streets shall request the removal and/or relocation of any utilities in said subsurface 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 said owners hereby grant (to and for the use of a railroad company) a 28 feet wide railroad easement across the vacated public streets, the centerline of which is described as: lying 21.00 feet westerly of and parallel to the (proposed) west line (as established later in this resolution) of Rivard Street; and be it further

Resolved, All that part of Mack Avenue, 50 feet wide, lying between (proposed) Rivard Street and (proposed) Russell Street; also

All that part of Eliot Street, 50 feet wide, lying between (proposed) Rivard Street and (proposed) Russell Street; also

All that part of the east-west public alley, 20 feet wide, and all of the north-south public alley, 19.24 feet wide, in the block bounded by Rivard, (proposed) Russell, and Eliot Streets, and Mack Avenue (50 feet wide); also

All that part of the east-west public alley, 20 feet wide, in the block bounded by (proposed) Rivard, (proposed) Russell, Benton, and Eliot Streets;

The above public rights-of-way are contained within the bounds of a land parcel, being more particularly described as follows:

Beginning at a point which is the intersection of the southerly line of Mack Avenue, 50 feet wide, and a line which is 12.00 feet easterly of and parallel to the easterly line of Rivard Street, 50 feet

wide; thence 145.77 feet along the arc of a curve, concave to the northwest, having a radius of 815.00 feet, a delta of $10^{\circ}14'51''$ and a long chord of 145.57 feet which bears $N.54^{\circ}12'53''E.$ to a point of tangency; thence $N.49^{\circ}05'28''E.$, 185.50 feet to a line which is 28.00 feet westerly of and parallel to the westerly line of Russell Street, 60 feet wide; thence $S.26^{\circ}09'33''E.$, along said line 497.11 feet; thence $S.63^{\circ}48'42''W.$, 325.49 feet; thence $N.23^{\circ}16'04''W.$, 47.40 feet; thence $N.26^{\circ}07'49''E.$, along a line 12.00 feet easterly of and parallel to the easterly line of Rivard Street, 50 feet wide, 378.37 feet to the point of beginning, containing 147,570 square feet or 3.3877 acres more or less;

All of the above mentioned public streets and alleys appear in the following subdivision:

"Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)," City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records;

Be and the same are hereby vacated as public (street and alley) rights-of-way to become part and parcel of the abutting property; and be it further

Resolved, All that part of Benton Street, 50 feet wide, (between proposed Rivard Street and proposed Russell Street) lying westerly of and abutting a line which is 28.00 feet westerly of and parallel to the west line of Russell Street (60 feet wide); also lying easterly of and abutting a line described as follows: Beginning at a point in the north line of Lot 140 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)," City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records; said point being 12.00 feet easterly of the northwest corner of said Lot 140, and ending at the southwest corner of Lot 163 of the above mentioned subdivision; also

All that part of the east-west public alley, 20 feet wide, in the block bounded by Rivard, (proposed) Russell, Erskine, and Benton Streets lying southerly of and abutting the south line of the west 2.00 feet of Lot 152, and the south line of Lots 153 thru 158; also lying northerly of and abutting the north line of the west 2.00 feet of Lot 175, and the north line of Lots

169 thru 174 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)," City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records;

Be and the same are hereby vacated as public (street and alley) rights-of-way to become a part and parcel of the abutting property; and be it further

Resolved, All that part of the east-west public alley, 20 feet wide, in the block bounded by Rivard, (proposed) Russell, Erskine, and Benton Streets lying southerly of and abutting the south line of Lots 159 thru 163; also lying northerly of and abutting the north line of Lots 164 thru 168 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)," City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a public subsurface 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 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 a subsurface easement or right-of-way over said vacated public streets herein above described for the purposes of maintaining, installing, repairing, removing, or replacing underground public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed in a public street or 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 subsurface 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, or any utility facility placed or installed in the subsurface utility easement or right-of-

169 thru 174 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)." City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records;

Be and the same are hereby vacated as public (street and alley) rights-of-way to become a part and parcel of the abutting property; and be it further

Resolved, All that part of the east-west public alley, 20 feet wide, in the block bounded by Rivard, (proposed) Russell, Erskine, and Benton Streets lying southerly of and abutting the south line of Lots 159 thru 163; also lying northerly of and abutting the north line of Lots 164 thru 168 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins), City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a public subsurface 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 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 a subsurface easement or right-of-way over said vacated public streets herein above described for the purposes of maintaining, installing, repairing, removing, or replacing underground public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed in a public street or 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 subsurface 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, or any utility facility placed or installed in the subsurface 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 subsurface utility easement with any necessary equipment to perform the above-mentioned tasks, with 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 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 subsurface easement, nor any change of surface grade made, without prior approval of the City Engineering Department.

Fourth, that if the owners of said vacated alley shall request the removal and/or relocation of any utilities in said subsurface 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 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 (by the Community and Economic Development Department) with the Wayne County Register of Deeds; and be it further

Resolved, The following described City-owned properties are hereby dedicated for public street relocation and widening(s):

**Land Dedication for Mack Avenue
Widening Between Riopelle and
Orleans Streets**

Land in the City of Detroit, Wayne County, Michigan lying south of Mack

Avenue (50 feet wide) between Riopelle Street and Orleans Street; being all of Lots 47 and 48, all of the vacated north-south public alley (20 feet wide; having been vacated by City Council on August 21, 1917 — J.C.C. pg. 1105) of the "Plat of Theodore J. Parks Subdivision of Lots 61, 62, 64, 65, 66 and 67, Riopelle Farm, Town 2 South, Range 12 East," as recorded in Liber 5, Page 7, Plats, Wayne County Records; also part of Lots 1, 34, and part of the north-south public alley (20 feet wide) of "F.J.B. Crane's Subdivision of Outlot No's 53, 54, 57 and 58, Riopelle Farm," as recorded on July 22, 1854, in Liber 53, Page 346, Deeds, Wayne County Records; also part of Lots 36 thru 40 of the "Plat of the Subdivision of Lot 5 of the Subdivision of the Rear of the Dequindre Farm, North of North Street, Now Division Street," as recorded in Liber 53, Page 195, Deeds, Wayne County Records; said lots and the reversionary interest of the City of Detroit in the public alleys, lying between and abutting the south line of Mack Avenue, 50 feet wide, and a line 70.00 feet southerly of and parallel to said south line of Mack (between Riopelle and Orleans Streets);

**Land Dedication for Russell Street
Widening Between Watson Street and
Mack Avenue**

Land in the City of Detroit, Wayne County, Michigan lying west of Russell Street (60 feet wide), south of Mack Avenue (50 feet wide), and north of Watson Street (50 feet wide); being the easterly 28.00 feet of Lots 1, 23, 128, 151, 152 and 175 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)," City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records; also being part of Lots 176 and 199 (of the above mentioned subdivision) lying easterly of and abutting a line described as follows:

Beginning at a point in the southerly line of Lot 199 of "Wesson's Section of the Mullett Farm" as recorded in Liber 1, Page 96, Plats, Wayne County Records, said point being 7.87 feet westerly of the southeast corner of said Lot 199, and ending at a point in the northerly line of Lot 176, said point being 24.14 feet westerly of the northeast corner of said Lot 176 of the above mentioned subdivision (said line also bearing N.30°34'18"W., a distance of 211.51 feet, from the point of beginning to the point of ending);

**Land Dedication for Rivard Street
Widening Between Watson Street and
Mack Avenue**

Land in the City of Detroit, Wayne County, Michigan lying east of Rivard Street (50 feet wide), south of Mack Avenue (50 feet wide), and north of Erskine Street (50 feet wide); being the westerly 12.00 feet of Lots 9 thru 15, and Lot 139 of the "Wesson's Section of the Mullett Farm lying between Prospect (now Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the rear concession of said Mullett Farm, and on the southeast by the center of Morse Street (now Wilkins)," City of Detroit, Wayne County, Michigan as recorded on September 1, 1860, in Liber 1, Page 96, Plats, Wayne County Records; also being part of Lots 140 and 163 (of the above mentioned subdivision) lying westerly of and abutting a line described as follows: Beginning at a point in the northerly line of Lot 140 of "Wesson's Section of the Mullett Farm" as recorded in Liber 1, Page 96, Plats, Wayne County Records, said point being 12.00 feet easterly of the northwest corner of Lot 163 of the above mentioned subdivision (said line also bearing S.23°16'04"E., a distance of 240.31 feet, from the point of beginning to the point of ending); also

Land in the City of Detroit, Wayne County, Michigan lying west of Rivard Street (50 feet wide), south of Eliot Street (50 feet wide), and north of Watson Street (50 feet wide); being the easterly 12.00 feet of Lots 73 and 74 of "Albert Crane's Section of the Rivard Farm, being a Subdivision of Outlot 184," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 125, Plats, Wayne County Records; also being the easterly 12.00 feet of Lot 74 of Connor's Subdivision of the South part of Outlot 185, Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 258, Plats, Wayne County Records; also being the easterly 12.00 feet of Lot 99 of the "Plat of the Subdivision of the Southerly half of Outlot No. 185, Rivard Farm, being Connor's Section of Rivard Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 182, Plats, Wayne County Records; also being part of Lots 100 and 125 (of the last mentioned subdivision) lying easterly of and abutting a line described as follows: Beginning at a point in the southerly line of Lot 100 of the "Plat of the Southerly half of Outlot No. 185, Rivard Farm, being Connor's Section of Rivard Farm," as recorded in Liber 1, Page 182, Plats, Wayne County Records, said point being 12.00 feet westerly of the southeast corner of said Lot 100, and ending at the northeast corner of Lot 125 of the above mentioned

subdivision (said line also bearing N.23°16'04"W., a distance of 240.31 feet, from the point of beginning to the point of ending);

**Land Dedication Adjoining The East
Chrysler Freeway Service Drive
Between Watson And Benton Streets**

Land in the City of Detroit, Wayne County, Michigan lying easterly of the Chrysler Freeway Service Drive, south of Benton Street (50 feet wide), and north of Watson Street (50 feet wide); being part of Lots 303, 304, and 327 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records, lying westerly of and abutting a line described as follows: Beginning at a point in the southerly line of Lot 303 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," as recorded in Liber 1, Page 58, Plats, Wayne County Records, said point being 9.25 feet westerly of the southeast corner of Lot 303; and ending at a point in the northerly line of Lot 327 (of the above mentioned subdivision), said point (of ending) being 17.90 feet westerly of the northeast corner of said Lot 327 (said line also bearing N.27°22'47"W., a distance of 355.28 feet, from the point of beginning to the point of ending).

**Land Dedication For Wilkins Street
Relocation Between Rivard and
Russell Streets**

Land in the City of Detroit, County of Wayne, State of Michigan, being all of Lots 208, 241 and 242, also part of Lots 206, 207, 209, 215 thru 222, 240 and 243, all in "Wesson's Section of the Mullett Farm being all that portion of said farm lying between Prospect (Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the Rear Concession of said Mullett Farm, and on the southeast by the center of Morse (Wilkins) St., Detroit, Michigan", as recorded in Liber 1, Page 96 of Plats, Wayne County Records; also the reversionary interest of the City of Detroit in the easterly 2.0 feet of Rivard Street, 50 feet wide, also Public Alleys, 25 feet wide, all contained within the bounds of this parcel, which is more particularly described as follows:

Commencing at the point of intersection of the southerly line of Watson Street, 50 feet wide, with the westerly line of Russell Street, 86 feet wide; thence S.26°06'10"E., along the westerly line of said Russell Street, 176.44 feet to the point of beginning; thence continuing S.26°06'10"E., along the westerly line of Russell Street, 78.10 feet; thence N.72°38'06"W., 6.88 feet; thence S.60°49'57"W., 355.93 feet; thence S.17°21'26"W., 7.26 feet; thence N.26°07'06"W., along a line 2.00 feet

subdivision (said line also bearing N.23°16'04"W., a distance of 240.31 feet, from the point of beginning to the point of ending);

Land Dedication Adjoining The East Chrysler Freeway Service Drive Between Watson And Benton Streets

Land in the City of Detroit, Wayne County, Michigan lying easterly of the Chrysler Freeway Service Drive, south of Benton Street (50 feet wide), and north of Watson Street (50 feet wide); being part of Lots 303, 304, and 327 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 58, Plats, Wayne County Records, lying westerly of and abutting a line described as follows: Beginning at a point in the southerly line of Lot 303 of the "Plat of the Crane and Wesson Section of the Louis Moran Farm," as recorded in Liber 1, Page 58, Plats, Wayne County Records, said point being 9.25 feet westerly of the southeast corner of Lot 303; and ending at a point in the northerly line of Lot 327 (of the above mentioned subdivision), said point (of ending) being 17.90 feet westerly of the northeast corner of said Lot 327 (said line also bearing N.27°22'47"W., a distance of 355.28 feet, from the point of beginning to the point of ending).

Land Dedication For Wilkins Street Relocation Between Rivard and Russell Streets

Land in the City of Detroit, County of Wayne, State of Michigan, being all of Lots 208, 241 and 242, also part of Lots 206, 207, 209, 215 thru 222, 240 and 243, all in "Wesson's Section of the Mullett Farm being all that portion of said farm lying between Prospect (Rivard) and Russell Streets, and bounded on the northwest by the northerly line of Lot 2 in the Rear Concession of said Mullett Farm, and on the southeast by the center of Morse (Wilkins) St., Detroit, Michigan", as recorded in Liber 1, Page 96 of Plats, Wayne County Records; also the reversionary interest of the City of Detroit in the easterly 2.0 feet of Rivard Street, 50 feet wide, also Public Alleys, 25 feet wide, all contained within the bounds of this parcel, which is more particularly described as follows:

Commencing at the point of intersection of the southerly line of Watson Street, 50 feet wide, with the westerly line of Russell Street, 86 feet wide; thence S.26°06'10"E., along the westerly line of said Russell Street, 176.44 feet to the point of beginning; thence continuing S.26°06'10"E., along the westerly line of Russell Street, 78.10 feet; thence N.72°38'06"W., 6.88 feet; thence S.60°49'57"W., 355.93 feet; thence S.17°21'26"W., 7.26 feet; thence N.26°07'06"W., along a line 2.00 feet

westerly of and parallel to the easterly line of Rivard Street, 50 feet wide, 78.10 feet; thence S.72°38'34"E., 6.88 feet; thence N.60°49'57"E., 355.95 feet; thence N.17°21'54"E., 7.26 feet to the point of beginning, containing 24,934 square feet or 0.5724 acres more or less.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Collins, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

City Planning Commission

March 7, 1990

Honorable City Council:

Re: City Planning Commission Rules of Procedure.

Attached per the request of the Clerk's office is a resolution to approve the proposed Rules of Procedure for the City Planning Commission, dated January 22, 1990. This matter is scheduled for the Council's formal session of March 7, 1990.

Respectfully submitted,

MARSHA S. BRUHN

Director

By Council Member Ravitz:

Whereas, The duties and powers of the City Planning Commission are outlined in Chapter 4 of the Charter of the City of Detroit, which was adopted by vote of the people on November 6, 1973, and which became effective July 1, 1974; and

Whereas, The City Planning Commission adopted Rules of Procedure to facilitate the performance of its duties and the exercising of its powers; and

Whereas, The Rules have been revised to reflect the evolving roles and responsibilities of the Commission and the staff services provided to it by the City Council;

Now Therefore Be It Resolved, That the City Council approves the Rules of Procedure for the City Planning Commission as revised and dated January 22, 1990.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Collins, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

Community & Economic Development Department

December 1, 1989

Honorable City Council:

Re: Sale of Property by Land Contract, South Side of Melville bounded by Crossley, Fort, and West Jefferson (Part of P.C. 67, South of Melville West of Crossley, East of Wabash, Mc Millians Sub., 7751 Melville).

We are in receipt of an offer from the Recycling Corporation of American, a Michigan Corporation in the amount of \$345,000.00 to purchase and develop the captioned property under the terms of a three year land contract. This property is vacant land, measuring approximately 10.64 square feet, and is zoned M-4.

The Offeror proposes to use this property for the construction of a word processing and recycling facility.

We, therefore, request that your Honorable Body authorize the sale and authorize the Finance Director to execute a land contract to purchase and develop this property with Recycling Corporation of America, a Michigan Corporation in the amount of \$345,000.00.

Respectfully submitted,

DALE SAUNDERS

Director

By Council Member Eberhard:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to execute a Land Contract to purchase and develop the following described property with Recycling Corporation of American a Michigan Corporation in the amount of \$345,000.00:

Land in the City of Detroit, County of Wayne being part of P.C. 67 lying South of Melville, West of Crossley, East of Wabash R.R., N., S., Line of Vacated Gould Street Exit and vacated Anderson Avenue and alleys adjacent, McMillians Sub. L. 13 P. 55 Plats, W.C.R.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Collins, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

Community & Economic Development Department

February 22, 1990

Honorable City Council:

The Community and Economic Development Department recommends acceptance of offers to purchase City-owned property in accordance with the following resolutions.

Respectfully submitted,

THOMAS C. CUNNINGHAM

Assistant Director

By Council Member Hood:

Re: Sale of Property — vacant lot — (E) Van Dyke, between Charlevoix and Vernor, a/k/a 2432 Van Dyke.

Whereas, The Community & Economic Development Department (CEDD) has received and recommends acceptance of, an Offer to Purchase in the amount of \$300.00 cash, plus a deed recording fee in the amount of \$9.00 cash, from Alfred