

television system in accord with Detroit Code Section 9.5.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

City Engineering Department

March 20, 1991

Honorable City Council:

Re: Petition No. 3529, Community and Economic Development Department, University City Rehabilitation Project No. 2, (Parcels 7, 8 and 9), Street and Alley Vacations in the area bounded by Lodge Freeway, Third, Forest and Warren.

To develop properties in University City Rehabilitation Project No. 2 it is necessary to vacate public streets and alleys in the area bounded by the John C. Lodge Freeway, Third Street, Forest and Warren Avenues.

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

Provisions protecting underground utility installations (in parts of Hancock and Fourth) are part of the resolution.

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 Ravitz:

Resolved, All that part of the north-south public alley, 16 feet wide, in the block bounded by the Lodge Freeway, Fourth Street, Hancock and Warren Avenues lying westerly of and abutting the west line of the south 174.49 feet of the northerly 184.49 feet of the easterly 99.50 feet of Lot 21 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lot 10 of "Duncan's Subdivision of the north 183.50 feet of Out Lot 14 of the Subdivision of the Forsyth Farm, north of Grand River Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 45, Plats, Wayne County Records (said public alley having been opened in 1879 by Rec. Ct., File #445); also

All of the north-south public alley, 16 feet wide, in the block bounded by the Lodge Freeway, Fourth Street, Forest and Hancock Avenues lying westerly of and abutting the west line of the south

15.51 feet of the easterly 99.50 feet of Lot 21, and the north 71.56 feet of the easterly 99.50 feet of Lot 18, and the easterly 99.50 feet of Lot 20 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lot 1, and the northerly half of the east-west public alley (within said block), 20 feet wide, of "Charles C. Hopkins Subdivision of the north part of Lot 13 and the south part of Lot 14, Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 14, Page 6, Plats, Wayne County Records; also lying easterly of and abutting the east line of the southerly half of the east-west public alley (within said block), 20 feet wide, and Lot 24 of the "Plat of Jeremiah Connor's Subdivision of Lots 11, 12 and 13 of the Subdivision of the Connor's Estate on the Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 69, Plats, Wayne County Records (said public alley having been opened in 1879 by Rec. Ct., File #445); also

All of the east-west public alley, 20 feet wide, in the block bounded by the Lodge Freeway, Fourth Street, Forest and Hancock Avenues lying southerly of and abutting the south line of Lots 1 to 3 of "Charles C. Hopkins Subdivision of the north part of Lot 13 and the south part of Lot 14, Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 14, Page 6, Plats, Wayne County Records; also lying northerly of and abutting the north line of the east 20.00 feet of Lot 22, and Lots 23 and 24 of the "Plat of Jeremiah Connor's Subdivision of Lots 11, 12 and 13 of the Subdivision of the Connor's Estate on the Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 4, Page 69, Plats, Wayne County Records; also

All of the north-south public alley, 16.90 feet wide, in the block bounded by Fourth and Third Streets, Forest and Hancock Avenues lying westerly of and abutting the west line of the easterly 100.00 feet of the southerly 15.51 feet of Lot 22 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 1 to 5, and the northerly half of Gold Street (west of Third Street), 50 feet wide, of the "Subdivision of Block 19, Crane Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1,

Page 252, Plats, Wayne County Records; also lying westerly of and abutting the west line of the southerly half of Gold Street (west of Third Street), 50 feet wide, and the northerly 6.95 feet of Lot 2, and Lot 1 of the "Plat of the Subdivision of part of the Crane Farm, being the rear concession of Private Claim 247, between Hancock and Brainard", City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 58, Deeds, Wayne County Records; also lying easterly of and abutting the east line of the westerly 95.00 feet of the southerly 15.51 feet of Lot 22 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying easterly of and abutting the east line of Lots 6 to 10, and the northerly half of Gold Street (east of Fourth Street), 50 feet wide, of the "Subdivision of Block 19, Crane Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 252, Plats, Wayne County Records; also lying easterly of and abutting the east line of the southerly half of Gold Street (east of Fourth Street), 50 feet wide, and the northerly 6.95 feet of Lot 15, and Lot 16 of the "Plat of the Subdivision of part of the Crane Farm, being the rear concession of Private Claim 247, between Hancock and Brainard", City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 58, Deeds, Wayne County Records; also

All that part of the north 15.00 feet of Hancock Avenue, 70 feet wide, between the Lodge Freeway and fourth Street lying southerly of and abutting the south line of the south 174.49 feet of the northerly 184.49 feet of the easterly 99.50 feet of Lot 21, and the easterly half of the north-south public alley (within the block bounded by the Lodge Freeway, Fourth, Hancock, and Warren), 16 feet wide, of "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying southerly of and abutting the south line of the westerly half of the north-south public alley (within the block bounded by the Lodge Freeway, Fourth, Hancock, and Warren), 16 feet wide, and Lots 8 to 10 of "Duncan's Subdivision of the north 183.50 feet of Out Lot 14 of the Subdivision of the Forsyth Farm, north of Grand River Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 45, Plats, Wayne County Records (said part of public street having been opened in 1887 by Rec. Ct., File #612); also

All that part of the west 5.00 feet of Fourth Street, 50 feet wide, between Forest and Hancock Avenues lying easterly of and abutting the east line of the south 15.51 feet of the easterly 99.50 feet of Lot 21, and the north 71.56 feet of the easterly 99.50 feet of Lot 18, and the easterly 99.50 feet of Lot 20 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also

All that part of the east 5.00 feet of Fourth Street, 50 feet wide, between Forest and Hancock Avenues lying westerly of and abutting the west line of the westerly 95.00 feet of the southerly 15.51 feet of Lot 22 of the "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 6 to 10, and the northerly half of Gold Street (east of Fourth Street), 50 feet wide, of the "Subdivision of Block 19, Crane Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 252, Plats, Wayne County Records; also lying westerly of and abutting the west line of the southerly half of Gold Street (east of Fourth Street), 50 feet wide, and the northerly 6.95 feet of Lot 15, and Lot 16 of the "Plat of the Subdivision of part of the Crane Farm, being the rear concession of Private Claim 247, between Hancock and Brainard", City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 58, Deeds, Wayne County Records; also

All that part of Gold Street, 50 feet wide, between Fourth and Third Streets lying southerly of and abutting the south line of the west 19.00 feet of Lot 5, and Lot 6 of the "Subdivision of Block 19, Crane Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 252, Plats, Wayne County Records; also lying northerly of and abutting the north line of the west 19.00 feet of Lot 1, and Lot 16 of the "Plat of the Subdivision of part of the Crane Farm, being the rear concession of Private Claim 247, between Hancock and Brainard", City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 58, Deeds, 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 the south 55.00 feet of Hancock Avenue, 70 feet wide, lying between the easterly line of

the limited access right-of-way of the John C. Lodge Freeway, and the westerly line of Fourth Street (50 feet wide); also

All that part of the east 40.00 feet of the west 45.00 feet of Fourth Street, 50 feet wide, lying between the southerly line of Hancock Avenue (70 feet wide), and the northerly line of Forest Avenue (70 feet wide);

The above parts of streets appear in the following subdivision(s) and/or court file:

(1) "Plat of Subdivision of the Crane Farm being the rear concession of Private Claim 247 known as the Jones Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 117, Plats, Wayne County Records; also

(2) "Charles C. Hopkins Subdivision of the north part of Lot 13 and the south part of Lot 14, Forsyth Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 14, Page 6, Plats, Wayne County Records; also

(3) "Duncan's Subdivision of the north 183.50 feet of Out Lot 14 of the Subdivision of the Forsyth Farm, north of Grand River Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 45, Plats, Wayne County Records; also

(4) Said part of Hancock Avenue (70 feet wide) having been opened on August 25, 1887 by Recorder's Court, File #612; also

(5) "Subdivision of Block 19, Crane Farm" City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 252, Plats, Wayne County Records; also

(6) "Plat of the Subdivision of part of the Crane Farm, being the rear concession of Private Claim 247, between Hancock and Brainard", City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 58, Deeds, Wayne County Records;

Be and the same are hereby vacated as public streets and are hereby converted into a public subsurface easement of said 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 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 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 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 broke 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. However, prior to the processing of bills, the Community and Economic Develop-

ment Department shall consult with the Law Department to determine which utility removal and/or relocation costs incidental to this urban renewal project are obligatory under current Michigan court rulings; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz and President Mahaffey—8.

Nays — None.

Community & Economic Development Department
May 30, 1991

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,
DEBORAH E. FISHER
Assistant Director

By Council Member Ravitz:

Re: Sale of Property — vacant lot — (E) Culver, between Georgia and Marcus, aka 8992 Culver.

Whereas, The Community & Economic Development Department (CEDD) has received and recommends acceptance of an Offer to Purchase in the amount of \$250.00 cash, plus a deed recording fee in the amount of \$9.00 cash, from Sharon Estes, adjoining owner, for the purchase of property described on the tax rolls as:

Lot 132, Burton and Dolbys Gratiot Avenue Subdivision of part of Sections 22 and 23 known as Private Claim 12, T.1S., R.12E., Hamtramck and Gratiot Twp., Wayne County, MI. Rec'd L. 29, P. 96 Plats, W.C.R. which is a vacant lot measuring 30' x 100' and zoned R-2.

Now, Therefore Be It Resolved, That, in accordance with the Offer to Purchase, the CEDD Director be authorized to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price.

Recommended:
DEBORAH E. FISHER
Assistant Director

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

By Council Member Ravitz:

Re: Sale of Property — vacant lot — (N) Gladstone, between Third and Second, aka 712 Gladstone.

Whereas, The Community & Economic Development Department (CEDD) has received and recommends acceptance of an Offer to Purchase in the amount of \$275.00 cash, plus a deed recording fee in the amount of \$13.00 cash, from Rogers Stark and Ruth Stark, his wife, adjoining owners, for the purchase of property described on the tax rolls as:

East 16 ft. of Lot 28, West 22 ft. of Lot 27, Fisher's Subdn. of O. L. 5 and 6 of ¼ Sec. 45 in 10,000 A.T., T.1S., R.11E., Wayne County, Michigan. Rec'd L. 14, P. 31 of Plats, W.C.R.

which is a vacant lot measuring 38' x 142.09A' and zoned R-5.

Now, Therefore Be It Resolved, That, in accordance with the Offer to Purchase, the CEDD Director be authorized to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price.

Recommended:

DEBORAH E. FISHER
Assistant Director

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.

By Council Member Ravitz:

Re: Sale of Property — vacant lot — (W) Townsend, between Lambert and Medbury, aka 5937 Townsend.

Whereas, The Community & Economic Development Department (CEDD) has received and recommends acceptance of an Offer to Purchase in the amount of \$250.00 cash, plus a deed recording fee in the amount of \$9.00 cash, from Duncan Able, a single man and Vivian Able, a single woman, as joint tenants with full rights of survivorship, adjoining owners, for the purchase of property described on the tax rolls as:

Lot 356, William Tait's Subdivision of part of the Church Farm (P.C. 16) North of Gratiot Avenue, Detroit, Wayne County, Michigan. Rec'd L. 16, P. 87 Plats, W.C.R.

which is a vacant lot measuring 30' x 116' and zoned R-2.

Now, Therefore Be It Resolved, That, in accordance with the Offer to Purchase, the CEDD Director be authorized to issue a Quit Claim Deed for the described property to purchaser upon payment of the purchase price with the Deed to include an attachment clause.

Recommended:

DEBORAH E. FISHER
Assistant Director

Adopted as follows:

Yeas — Council Members Butler, Cleveland, Eberhard, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 8.

Nays — None.