

Provided, This resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment(s), and further, that the permittee acquires no implied or other privileges hereunder not expressly stated herein; and further

Provided, That the petitioner shall apply to and become a participating member of the "Miss Dig" organization; and further

Provided, The filing of the indemnity agreement and the securing of the necessary permit(s) referred to herein shall be construed as acceptance of this resolution by the permittee; and further

Provided, That the encroachment permit shall not be assigned or transferred without the written approval of the City Council; 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; and be it further

Resolved, The petitioner "Mobil Oil Corporation" and/or "O'Brien & Gere Engineers, Inc.", shall submit "as built" drawing(s) sealed by a professional engineer registered in the State of Michigan to the City Engineering Department within 30 days after the completion of construction. Said "as built" drawing(s) shall furnish a complete means of identifying and ascertaining the precise position of every part of the "encroachment" with courses, distances, and depth throughout (containing City of Detroit datum), so that it may be determined with certainty where any portion of the "encroachment" has been built. Copies of the certified "as built" map(s) and survey(s) shall be an "appendix" to this City Council resolution. Said "appendix" shall be recorded by the City Engineering Department in the Wayne County Register of Deeds.

Adopted as follows:

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

Nays — None.

**City Engineering Department**  
March 4, 1992

Honorable City Council:  
Re: Petition No. 1945 — Community and Economic Development Department. University City Rehabilitation Project No. 2. Easement to Vacation, part of Lincoln between Lysander and Forest.

Petition No. 1945 of the "Community and Economic Development Department" requests the outright vacation of part of the public utility easement

retained in the conversion of Lincoln Avenue, 70 feet wide, between Lysander and Forest Avenues. Provisions protecting utility installations were reserved within the (previous) vacating resolution adopted by City Council on November 27, 1991 (J.C.C. pages 2644-47).

The petition was referred to the City Engineering Department (on February 24, 1992 by the Community and Economic Development Department) for investigation (utility clearances) and report. This is our report:

Satisfactory arrangements have been made with the Public Lighting Department, Water and Sewerage Department, Barden Cablevision, Detroit Edison Company, Michigan Bell Telephone Company, and Michigan Consolidated Gas Company.

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 westerly 17.00 feet of (vacated) Lincoln Avenue, 70 feet wide, lying between and abutting the southerly line of Forest Avenue, 70 feet wide, and a line 20.00 feet southerly of and parallel to the northerly line of Lysander Avenue, 70 feet wide (said part of Lincoln Avenue having been vacated and converted into an easement for public utilities in the City Council resolution adopted on November 27, 1991 — J.C.C. pgs. 2644-47); also lying easterly of and abutting the east line of that part of the northerly 20.00 feet of Lysander Avenue, 70 feet wide (said part of Lysander Avenue having been vacated in the City Council resolution adopted on November 27, 1991 — J.C.C. pgs. 2644-47); also lying easterly of and abutting the east line of Lots 169 thru 175 of "Hodges Brothers Subdivision of Outlots 98, 99, 102, and 103, Woodbridge Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 308, Plats, Wayne County Records;

Be and the same is hereby vacated (outright) as a public utility easement to become part and parcel of the abutting property; and be it further

Resolved, 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, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.