

borne by the petitioner, their heirs or assigns; 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, Everett, Hill, Hood, Kelley, Ravitz, and President Mahaffey — 9.

Nays — None.

City Engineering Department

April 1, 1992

Honorable City Council:

Re: Petition No. 572 (A & B) General Services Administration (GSA), Region 5 Cargo Inspection Facility Expansion Project — Ambassador Bridge, Streets and Alleys to Easement (Phase II) in the area bounded by 22nd, Ste. Anne, W. Fort, and Porter.

The remainder of Petition No. 572 (A & B) of "GSA" requests the conversion of portions of public streets and alleys in the area bounded by Twenty-Second, Saint Anne (19th), W. Fort, and Porter Streets into an easement for "existing" public utilities.

This is Phase II of the GSA plan to expand the U.S. Customs Cargo Facility at the Ambassador Bridge.

The requested (Phase II) public street and alley closings were approved by the Community and Economic Development Department and the Department of Transportation. The petition was referred to the City Engineering Department for investigation and report. This is our report:

An agreement between GSA and the "Detroit International Bridge Company" has been executed.

Further, the City is owner in fee of part of Howard Street (50 feet wide; west of 21st), part of Lafayette Avenue (70 feet wide, east of 20th), and the east-west public alley (20 feet wide; west of 20th, and south of Porter), said streets and alley having been acquired by deed and/or court condemnation. Therefore, the Finance Director must execute a quit-claim deed to transfer the vacated and converted parts of public rights-of-way.

City departments and privately-owned utility companies have reported no objections to the conversion of public rights-of-way into a utility easement. Provisions protecting existing utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS,
Director

By Council Member Eberhard:

Resolved, All of the remaining part of the north-south public alley, 20 feet wide, in the block bounded by Twenty-First, Twentieth, Howard and Porter Streets lying westerly of and abutting the west line of the northerly 20.00 feet of Lot 88, and Lots 89, 92, 93, and 96; also lying easterly of and abutting the east line of Lots 87, 90, 91, 94, and 95 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All of the east-west public alley, 20 feet wide, in the block bounded by Twenty-First, Twentieth, Howard, and Porter Streets having been platted as the northerly 20.00 feet of Lot 88 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records (said public alley having been deeded to the City of Detroit on January 13, 1925 — J.C.C. pgs. 33-34); also

All that part of Lafayette Avenue, 70 feet wide, east of Twentieth Street (having been opened as a public street in 1886; Rec. Ct. File No. 584); said portion of Lafayette Avenue having been platted as the southerly 26.00 feet of Lot 28, and the northerly 44.00 feet of Lot 29, Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records; also

All that part of Twentieth Street, 50 feet wide, between W. Fort and Howard Streets lying westerly of and abutting the west line of Lots 21 thru 36 as platted in Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records; also lying easterly of and abutting the east line of the northerly 12.00 feet of the (vacated) east-west public alley (20 feet wide, in the block bounded by 21st, 20th, W. Fort, and Lafayette; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying easterly of and abutting the east line of Lots 5, 8, 9, 12, 13, 16, 17, 20, 21, 24, 25, and 28; also lying easterly

of and abutting the east line of (vacated) Lafayette Avenue (70 feet wide; said part of public street having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying easterly of and abutting the east line of Lots 29, 32, 33, 36, 37, 40, 41, 44, 45, 48, and 49 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All that part of Twentieth Street, 50 feet wide, between Howard and Porter Streets lying westerly of and abutting the west line of the southerly 19.15 feet of Lot 23, and Lots 24 thru 38 as platted in Block 2, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474" City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records; also lying easterly of and abutting the east line of Lots 52, 53, 56, 57, 60, 61, 64, 65, 68, 69, 72, 73, 76, 77, 80, 81, 84, 85, 88, 89, 92, 93, and 96 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also

All that part of Howard Street, 50 feet wide, west of Twenty-First Street (having been opened as a public street in 1880), Rec. Ct. File No. 468; Sept. 28, 1880 — J.C.C. pg. 547); said portion of Howard Street having been platted as parts of Lots 18, 19, and 20 of "Holbrook's Subdivision of Lots 1, 2, 3, and 4 of the Subdivision or Private Claim No. 727, between Fort Street and Michigan Central Railroad (as recorded in Liber 99, Page 411, Deeds, Wayne County Records)," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 202, Plats, Wayne County Records; said parts of lots being more particularly described (within the resolution of public necessity) as follows: Beginning at the north-easterly corner of said Lot 18 of "Holbrook's Sub'n.,"; thence S26°52'E., along the easterly line of said Lot 18, 19.20 feet; thence S.67°13'W., to a point on the westerly line of said Lot 18, 148.37 feet; thence N.26°52'W., to a point on the westerly line of said Lot 20 of "Holbrook's Sub'n." 50.15 feet; thence N.67°13'E., to a point on the easterly line of said Lot 19 of "Holbrook's Sub'n.", 148.37 feet; thence S.26°52'E., along the easterly line of said Lot 19, 30.95 feet to the point of beginning, containing 7,440 square feet more or less; also

All that part of Howard Street, 50 feet

wide, west of Saint Anne Street lying southerly of and abutting the south line of (vacated) Twenty-First Street (60 feet wide; said public street, between Howard and Porter, having been previously vacated by City Council on February 3, 1989 — J.C.C. pgs. 216-17); also lying northerly of and abutting the north line of (vacated) Twenty-First Street (60 feet wide; said public street, between W. Fort and Howard, having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying southerly of and abutting the south of Lot 51; also lying southerly of and abutting the south line of the (vacated) north-south public alley (20 feet wide, in the block bounded by 21st, 20th, Howard, and Porter; said part of public alley having been previously vacated by City Council on November 25, 1924 and August 10, 1965 — J.C.C. pg. 1970); also lying southerly of and abutting the south line of Lot 52; also lying southerly of and abutting the south line of the westerly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of the westerly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of Lot 49; also lying northerly of and abutting the north line of the (vacated) north-south public alley (20 feet wide, in the block bounded by 21st, 20th, Lafayette, and Howard; said public alley having been previously vacated by City Council on July 31, 1991 — J.C.C. pgs. 1752-56); also lying northerly of and abutting the north line of Lot 50 of the "Subdivision of part of Private Claim 729, North of Fort Street," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 265, Plats, Wayne County Records; also lying southerly of and abutting the south line of Lot 38 (Block 2); also lying southerly of and abutting the south line of the easterly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of the easterly half of Twentieth Street, 50 feet wide; also lying northerly of and abutting the north line of Lot 21 (Block 1) of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," City of Detroit, Wayne County, Michigan as recorded in Liber 56, Page 269, Deeds, Wayne County Records;

Be and the same are hereby vacated as public streets and alleys and are hereby converted into a public easement of the full width of the streets and alleys, 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 streets and alleys 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 streets and alleys herein above described for the purposes of maintaining, installing, repairing, removing, or replacing existing 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 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 utility easement or right-of-way in and over said vacated streets and alleys 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 existing 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 (except necessary line fence) shall be built or placed upon said easement, nor 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 streets and alleys 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 existing 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 whole or part of any remaining public street and/or alley return(s) at the entrance(s), such removal and construction of new curb, pavement, 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, 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 Finance Director is hereby authorized and directed to issue a quit-claim deed to transfer the following vacated public (street and alley) rights-of-way to the "United States of America and its assigns, Washington, D.C. (property is being acquired for the U.S. Customs Expanded Cargo Inspection Facility — Ambassador Bridge Border Station, Detroit, MI by the General Services Administration, Region 5)", for the fair market value and/or other valuable considerations:

(1) "Land in the City of Detroit, Wayne County, Michigan being all of the east-west public alley, 20 feet wide, in the block bounded by Twenty-First, Twentieth, Howard, and Porter Streets (said public alley having been deeded to the City of Detroit on January 13, 1925 — J.C.C. pp. 33-34); said public alley having been platted as the northerly 20.00 feet of Lot 88 of the "Subdivision of part of Private Claim 729, North of Fort Street," as recorded in Liber 1, Page 265, Plats, Wayne County Records, containing 2,667 square feet or 0.0612 acres more or less; subject to an easement for existing public utilities;" also

(2) "Land in the City of Detroit, Wayne County, Michigan being all that part of Lafayette Avenue, 70 feet wide, east of Twentieth Street (having been opened as a public street in 1886, Recorder's Court File No. 584; resolution of necessity adopted by City Council on May 26, 1885 — J.C.C. pp. 244-47); said portion of Lafayette having been platted as the southerly 26.00 feet of Lot 28, and the northerly 44.00 feet of Lot 29, Block 1, of the "Plat of Whitewood and Cargill's Subdivision of the West Half of the Loranger Farm, in the Township of Springwells, Wayne County, Michigan, North of Fort Street and South of the Michigan Central Railroad, being part of Private Claim 474," as recorded in Liber 56, Page 269, Deeds, Wayne County Records, containing 7,000 square feet or 0.1607 acres more or less; subject to an

easement for existing public utilities;" also

(3) "Land in the City of Detroit, Wayne County, Michigan being all that part of Howard Street, 50 feet wide, west of Twenty-First Street (having been opened as a public street by Recorder's Court File No. 468 on August 27, 1880, and referred to City Council on September 28, 1880 — J.C.C. p. 547); said portion of Howard Street having been platted as parts of Lots 18, 19, and 20 of "Holbrook's Subdivision of Lots 1, 2, 3, and 4 of the Subdivision of Private Claim No. 727, between Fort Street and Michigan Central Railroad (as recorded in Liber 99, Page 411, Deeds, Wayne County Records)," (as recorded Liber 1, Page 202, Plats, Wayne County Records; said parts of lots being more particularly described (within the resolution of public necessity adopted by City Council on March 30, 1880 — J.C.C. p. 132) as follows: Beginning at the north-easterly corner of said Lot 18 of "Holbrook's Sub'n.;" thence S.26°52'E., along the easterly line of said Lot 18, 19.20 feet; thence S.67°13'W., to a point on the westerly line of said Lot 18, 148.37 feet; thence N.26°52'W., to a point on the westerly line of said Lot 20 of "Holbrook's Sub'n.," 50.15 feet; thence N.67°13'E., to a point on the easterly line of said Lot 19 of "Holbrook's Sub'n.," 148.37 feet; thence S.26°52'E., along the easterly line of said Lot 19, 30.95 feet to the point of beginning, containing 7,440 square feet or 0.1708 acres more or less; subject to an easement for existing public utilities."

Adopted as follows:

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

Nays — None.

City Planning Commission

April 4, 1992

Honorable City Council:

Re: Resolution requesting that the Department of Public Works disburse funds from the Volunteer-based Recycling Center Subsidy to Rosedale Recyclers.

On March 10, 1992, City Council received a report from the Volunteer-based Recycling Center Subsidy Task Force which detailed their recommendations for criteria for the granting of subsidies to volunteer-based drop-off recycling centers. The Task Force also recommended that Council support Rosedale Recyclers by requesting that some of the subsidy money appropriated in DPW's budget for this fiscal year be allocated to Rosedale Recyclers to help them stay in operation. Council directed

the City Planning Commission staff to draw up a resolution to be forwarded to DPW.

City Planning Commission staff is submitting the attached resolution requesting DPW to reimburse Rosedale Recyclers for costs of up to \$5,000 and incurred (or to be incurred) from July 1, 1991 through the end of this fiscal year, as described in the Task Force report detailing the criteria. The CPC staff can work with DPW and Rosedale Recyclers to help facilitate the reimbursement process.

Respectfully submitted,
MARSHA S. BRUHN
 Director
KATHRYN LYNCH
 Staff

By Council Member Butler:

Whereas, The City of Detroit became a part of the Wayne County Solid Waste Management Plan, when the Plan was accepted by City Council in 1990; and

Whereas, The Plan sets a waste reduction goal of 75% for the County, to be achieved by the year 2000; and

Whereas, The City Council agrees that recycling is an essential component of solid waste reduction; and

Whereas, Community-based drop-off centers for recyclables are consistent with solid waste reduction goals; and

Whereas, Rosedale Recyclers, although now experiencing financial difficulty, has been successfully operating a community drop-off center for recyclables for almost two years; and

Whereas, The City Council appropriated \$20,000 in the Department of Public Works budget to be used as a subsidy to offset some of the costs associated with operating a community-based drop-off center for recyclables;

Now, Therefore, Be It Resolved, That City Council requests the Department of Public Works to reimburse Rosedale Recyclers up to \$5,000 for the cost of trucks which receive and haul recyclables collected, including newspaper, and the cost of publicity incurred from July 1, 1991 through the end of fiscal year 1991-92; and

Be It Further Resolved, That the City Planning Commission staff is directed to work with the Department of Public Works and Rosedale Recyclers to help facilitate the reimbursement process as soon as possible; and

Be It Further Resolved, That this resolution be forwarded to the Mayor and the Department of Public Works.

Adopted as follows:

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

Nays — None.