

Planning & Development Department
October 19, 1994

Honorable City Council:

Re: Offer to Reacquire, (S) side of Wils-
hire, between Newport and Coplin.

The City of Detroit acquired from the
State of Michigan, as a tax reverted par-
cel Lot 457 located on the S. side of Wils-
hire, between Newport and Coplin, a/k/a
13388 Wilshire.

The property in question is a single
family residence located in an area
zoned R-1.

Our investigation reveals cancelled or
unlevied City taxes for the years
1985-1993 and County taxes for the
years 1985-1993 plus interest on said
taxes, in the amount of \$13,617.00. In
reacquisition situations, it is the policy of
the Planning and Development Depart-
ment to add a ten percent (10%) penalty
for the cost involved due to this fore-
closure action. Further, since this prop-
erty was owned by the City of Detroit on
Dec. 31, 1993, it was exempt for taxes
for the fiscal year 1994 and an amount
equivalent to the taxes that would have
been assessed must be added. Consid-
ering all these facts, the cost for reac-
quisition would be \$15,500.00.

Diane Hoye, a married woman, has
submitted an Offer to Reacquire in the
amount of \$15,500.00 on a cash basis.

Your Honorable Body's approval to
accept this Offer to Reacquire is hereby
requested.

Respectfully submitted,
GLORIA W. ROBINSON
Director

By Council Member Scott:

Resolved, That the Offer to Reacquire
property described on the tax rolls as:

Lot 457, Steven's Estate Sub. #2 of
part of P.C. 389, lying E. of Conners
Creek Rd., City of Detroit, Wayne Co.,
Mich. Rec'd L. 48, P. 43 Plats, W.C.R.

submitted by Diane Hoye, a married
woman, for the sum of \$15,500.00 on a
cash basis, plus a \$13.00 deed recording
fee, be accepted and be it further

Resolved, That the Planning and
Development Department Director be
authorized to issue a Quit Claim Deed
upon receipt of payment in full.

Adopted as follows:

Yeas — Council Members Cockrel,
Everett, Hill, Hood, Ravitz, Scott, Tins-
ley-Williams and President Mahaffey —
8.

Nays — None.

Public Works Department
City Engineering Division
November 2, 1994

Honorable City Council:

Re: Petition No. 1681. Cruz Associates,
et al MichCon — Guardian Building
Alley to Easement in the block

bounded by Griswold, Woodward,
Larned and Congress.

Petition No. 1681 of "Cruz Associates,
et al" requests the conversion of the
north-south public alley, 20 feet wide, in
the block bounded by Griswold Street,
Woodward Avenue, Larned and Con-
gress Streets into a private easement for
public utilities.

The requested conversion was
approved by the Planning and Develop-
ment Department and the Traffic Engi-
neering Division — DPW. The petition
was referred to the City Engineering Divi-
sion — DPW for investigation and report.
This is our report:

If it becomes necessary to remove the
alley return entrances (into Larned and
Congress), Michigan Consolidated Gas
Company shall pay all incidental removal
costs.

The city is owner in fee of the public
alley within the "Governor and Judges"
Plan. Therefore, the Finance Director
must execute a quit-claim deed to trans-
fer the vacated and converted public
right-of-way.

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

The adoption of the attached resolu-
tion is recommended.

Respectfully submitted,
SUNDAY JAIYESIMI
Acting City Engineer

By Council Member Ravitz:

Resolved, All of the north-south public
alley, 20 feet wide, in the block bounded
by Griswold Street, Woodward Avenue,
Larned and Congress Streets lying west-
erly of and abutting the west line of Lots
58 thru 62, also lying easterly of and
abutting the east line of Lots 99 thru 103
of the "Plan of Section Numbered Two of
the City of Detroit, in the Territory of
Michigan, confirmed by the Governor of
Judges", as recorded in Liber 34, Page
549, Deeds, Wayne County Records;

Be and the same is hereby vacated as
a public alley and is hereby converted
into a private easement for public utilities
of the full width of the alley, which ease-
ment shall be subject to the following
covenants and agreements, uses, reser-
vations and regulations, which shall be
observed by the owners of the lots abut-
ting 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 pur-
poses of maintaining, installing, repair-
ing, 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 change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, that if the owners of any lots abutting on said vacated alley shall request the removal and/or location 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 further

Provided, That if it becomes necessary to remove the paved alley return(s) at the entrances (into Larned and Congress), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abut-

ting owner(s), 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; 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 alley right-of-way to the "Cruz Associates, a Connecticut Limited Partnership, 500 Griswold Street, Detroit, MI 48226" for the fair market value and/or other valuable considerations:

"Land in the City of Detroit, Wayne County, Michigan being all of the north-south public alley, 20 feet wide, in the block bounded by Griswold Street, Woodward Avenue, Larned and Congress Streets lying westerly of and abutting the west line of Lots 58 thru 62, also lying easterly of and abutting the east line of Lots 99 thru 103 of the "Plan of Section Numbered Two of the City of Detroit, in the Territory of Michigan, confirmed by the Governor and Judges", as recorded in Liber 34, Page 549, Deeds, Wayne County Records; containing 5,400 square feet or 0.1240 acre, more or less; subject to a private easement for public utilities"; and be it further

Resolved, the Director of the Planning and Development Department is hereby authorized and requested to adjust Zoning Map No. 1 to reflect the PCA zoning district classification on that land previously indicated as unzoned public alley, as described above, and shall cause such revision of Zoning Map No. 1 to be duly noted in the Detroit Legal News; and be it further

Resolved, That the City Clerk shall within 30 days forward a certified copy of this resolution to the Planning and Development Department Director.

Adopted as follows:

Yeas — Council Members Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 8.

Nays — None.

**Public Works Department
City Engineering Division**

November 2, 1994

Honorable City Council:

Re: Petition No. 366, Enecotech Midwest, Inc. (together with Total Petroleum, Inc.) Requesting permission to install and maintain one permanent monitoring well encroaching within public right-of-way in the vicinity of a Total Retail Facility #2524 located at 5960 Chene; southeast corner of Chene and Harper.