

tioned property for the amount of \$15,000.00. This vacant commercial building is situated on an area of land which measures approximately 16,353 square feet and is zoned M-2.

The Offeror proposes to rehabilitate the existing facility in order to establish a testing laboratory. This use is permitted as a matter of right in a M-2 zone.

We, therefore, request that your Honorable Body authorize the sale and authorize the Finance Director to execute an agreement to purchase and develop this property with Charles W. Greening, a married man.

Respectfully submitted,  
JOSEPH J. VASSALLO  
Deputy Director

By Council Member Scott:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to execute an agreement to purchase and develop the following described property with Charles W. Geening, a married man for the amount of \$15,000.00.

Land in the City of Detroit, County of Wayne, State of Michigan being Lots 134, 135, 136, 137, 138, 139, 140 and 141, Blanck's Mt. Elliott Subdivision, a Re-Subdivision of Lots 1 to 160 of Wm. Blanck's Subdivision of S 1/2 of NW 1/4 of Sec. 4, T. 1 S., R. 12 E. (and vacated alleys), City of Detroit, Wayne Co., Michigan. Rec'd L. 55, P. 43 Plats, W.C.R. and be it further

Resolved, That this agreement be considered confirmed when executed by the Finance Director and approved by the Corporation Counsel as to form.

Adopted as follows:

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

Nays — None.

**Department Of Public Works**

June 16, 1997

Honorable City Council:

Re: Cancellation of Special Assessment for Demolition of 4660 St. Jean.

The Department of Public Works recommends the cancellations of the special assessment for the demolition of building at 4660 St. Jean, Ward 21, Item No. 43936 assessed on Roll 354, as part of the settlement agreement at Wayne Circuit Court Case #92-20911.

Respectfully submitted  
CLYDE D. DOWELL  
Director

Approved:

J EARL HANNAN  
Budget Director  
ROGER SHORT  
Deputy Finance Director

By Council Member Tinsley-Williams:

Resolved, That the special assessment

for demolition of a building at 4660 St. Jean, Ward 21, Item No. 43936, assessed on Roll 354 be cancelled by the Finance Director as part of the settlement agreement at Wayne County Circuit Court Case #92-20911.

Adopted as follows:

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

Nays — None.

**Department Of Public Works  
City Engineering Division**

June 19, 1997

Honorable City Council:

Re: Petition No. 3139 Goodwill Industries of Greater Detroit, Inc. Alley to Easement remaining part of north-south public alley in the block bounded by Trumbull, Brooklyn, Grand River, Elm and Ash.

Petition No. 3139 of "Goodwill Industries of Greater Detroit, Inc." requests the conversion of the remaining north[west]-south[east] public alley, 18 feet wide, north of Elm Street and west of Brooklyn Avenue into a private easement for public utilities. City Council approved the vacation of other public alleys in the block bounded by Trumbull, Brooklyn and Grand River Avenues, Elm and Ash Streets on October 2, 1996 (J.C.C. pages 2180-82).

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

In the October 1996 resolution City Council approved an interim temporary closing of that part of public alley behind 3121 and 3127 Grand River. "Goodwill Industries of Greater Detroit, Inc." is now the owner of 3121 and 3127 Grand River. Therefore, this petition requests the conversion of the remaining part of public alley into a private easement for public utilities.

Provisions to protect utilities are part of the vacating resolution.

"Goodwill" plans to use the paved public alley return (into Elm Street, first west of Brooklyn) and requests such remain in its present status. "Goodwill Industries of Greater Detroit, Inc." will pay all expenses to remove the paved public alley return whenever discontinuance of use makes removal necessary; subject to city specifications, permits and inspection.

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI,  
City Engineer

By Council Member Scott:

Whereas, City Council approved the vacation of other public alleys in the block bounded by Trumbull, Brooklyn and



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Grand River Avenues, Elm and Ash Streets on October 2, 1996 (J.C.C. pages 2180-82); and

Whereas, In the October 1996 resolution City Council approved an interim temporary closing of that part of public alley behind 3121 and 3127 Grand River. "Goodwill Industries of Greater Detroit, Inc." is now the owner of 3121 and 3127 Grand River. Therefore, Petition No. 3139 requests the conversion of the remaining part of public alley into a private easement for public utilities; therefore be it

Resolved, All of the remaining south part of the north[west]-south[east] public alley, 18 feet wide, north of Elm Street and west of Brooklyn Avenue lying southerly of and abutting the south line of Lots 24 thru 26; also lying northerly of and abutting the north line of the south[easterly] 65.44 feet of Lot 32 of the "Subdivision of Outlots 13,14,15 and 16, Baker Farm by the City Assessor," City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 285, Plats, 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 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 alley and by their heirs, executors, administrators and assigns, forever to wit:

FIRST, said owners hereby and grant to for the use of the public an easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, 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 wazzu nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls, (except necessary line fence; said fence and gate installations shall be subject to the review and approval of the Fire Marshal and Buildings and Safety Engineering Department, if necessary) 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 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 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 at its entrance (into Elm Street), 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 "Goodwill Industries of Greater Detroit, Inc." (the abutting owner), their heirs or assigns; and be it 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 Cleveland, Cockrel, Everett, Hill, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 8.

Nays — None.

**Department Of Public Works  
City Engineering Division**

June 23, 1997

Honorable City Council:

Re: Petition No. 2979, American Axle Manufacturing, Inc. Requesting permission to install and maintain a privately owned underground telecommunication cable system across St. Aubin between Holbrook and Faber.  
Petition No. 2979 of "American Axle Manufacturing, Inc." requests permission