

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, Notwithstanding the fact that "Section 3" prohibits the building of any structures within four parts of vacated rights-of-way, described above, within this resolution; "Forest Park Properties, L.L.C." shall apply to the Buildings and Safety Engineering Department for a building permit. Simultaneously, "Forest Park Properties, L.L.C." shall submit said building plans to the Water and Sewerage Department (DWSD) for review and approval. The building plans shall include the following engineering details as required by DWSD:

The abutting owners, and/or their contractors shall cut and cap the existing 15-inches by 20 inches public sewer in Garfield Avenue between Dequindre Avenue (78 feet wide and the north-south public alley (15 feet wide; first west of Riopelle Street); [NOTES: DWSD plans to abandon the public sewer in said part of Garfield Avenue and the vacated north-south public alley. Generally, the DWSD provisions shall apply to "Forest Park Properties, L.L.C." within the boundaries of a city land sale parcel. However, the DWSD provisions can include "areas of influence" outside of said land parcel boundary as determined by DWSD. Nothing in this resolution shall imply a conflict with the terms and conditions of the development agreement between Planning and Development Department and "Forest Park Properties, L.L.C."];

All costs related to the cut-cap of abandoned water main(s) and/or sewer(s), including plan review, inspection and permits, shall be borne by the abutting owners at no cost to DWSD. The City Engineering Division — DPW shall be unable to sign building plans to build over

or nearby said DWSD facilities, unless plans are first reviewed and approved by DWSD; 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 Cleveland, Cockrel, Hill, Ravitz, Scott, and President Mahaffey — 6.

Nays — None.

#### City Planning Commission

November 12, 1997

Honorable City Council:

Re: Shopper's World (#3209), request to convert Anvil Ave. between Lappin and Pfent Avenues into a private easement (Recommend Approval).

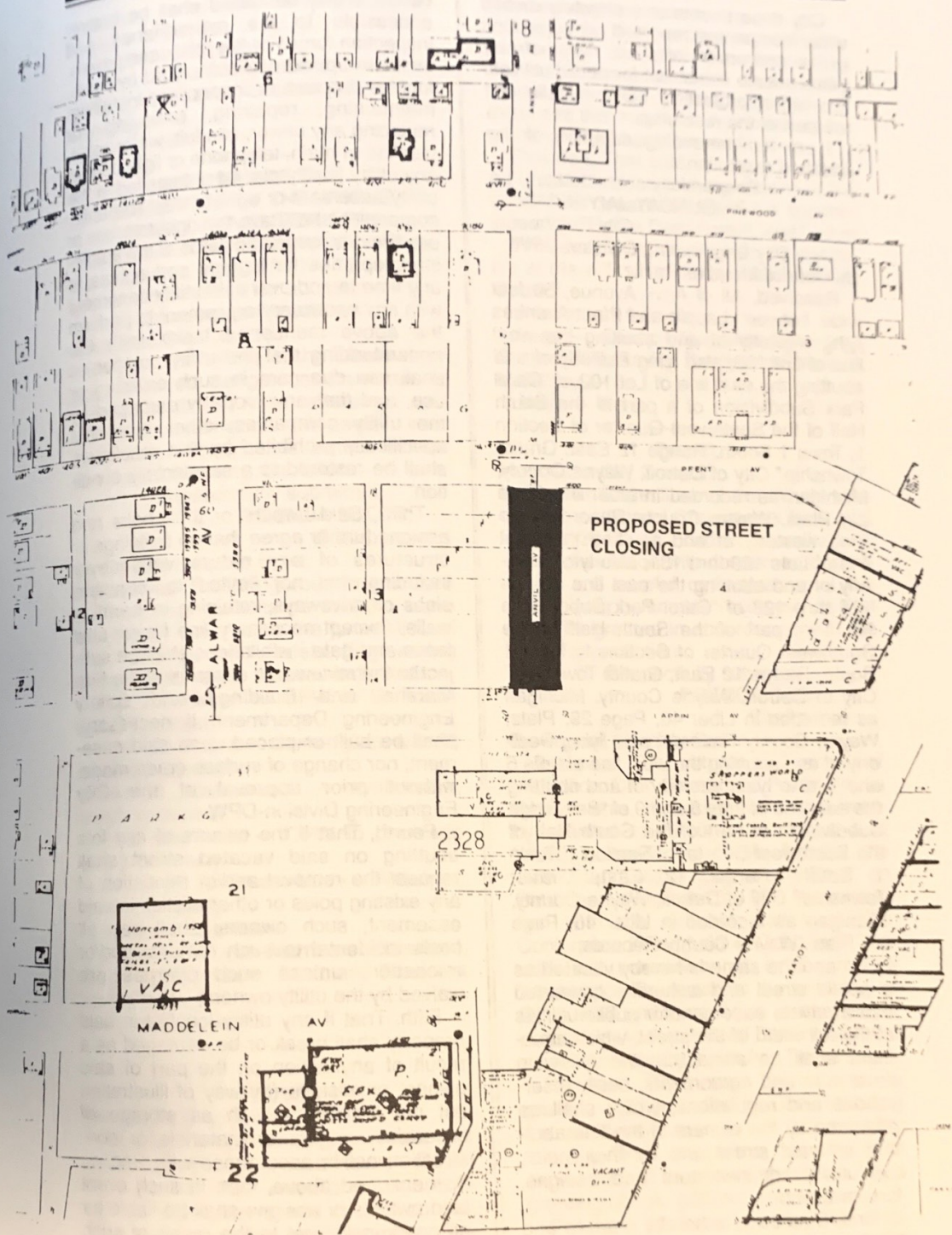
The petition, Shopper's World, is requesting the vacation and conversion to easement of Anvil Ave. between Lappin and Pfent Avenues (see attached map). Shopper's World is requesting this vacation to allow the construction of a State of Michigan Family Independence Agency office.

City Planning Commission staff has conducted a site visit to review the requested closing of the above mentioned street. It appears that Anvil does not carry a significant amount of traffic and that its closing will not negatively impact the surrounding neighborhood. The street does not appear to be necessary for emergency access. Anvil currently terminates at Lappin and the portion proposed to be vacated is abutted on the east and west by parking lots.

The closing of Anvil Ave. will allow the construction of a new office building and will not significantly disrupt vehicular or pedestrian circulation. Therefore, the City Planning Commission staff recommends that the petition be approved.

Respectfully submitted,  
MARSHA S. BRUHN  
Director  
GREGORY MOOTS  
Staff





**Department of Public Works  
City Engineering Division**

November 7, 1997

Honorable City Council:  
Re: Petition No. 3209, Shopper's World, Inc., Street to Easement, Anvil between Lappin and Pfent.

Petition No. 2962 of "Shopper's World, Inc." requests the conversion of Anvil Avenue, 50 feet wide, between Lappin and Pfent Avenues into a private easement for public utilities.

The petition was referred to the City

Engineering Division-DPW for investigation (utility review) and report. This is our report:

The requested street closing was approved by Solid Waste Division-DPW, and Traffic Engineering Division-DPW.

"Shopper's World, Inc." plans to use the paved street return entrances (into Lappin and/or Pfent Avenues) and requests such remain in their present status. "Shopper's World, Inc." shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.



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

I am recommending adoption of the attached resolution.

Respectfully submitted,  
SUNDAY JAIYESIMI  
City Engineer

City Engineering Division-DPW

By Council Member Ravitz:

Resolved, All of Anvil Avenue, 50 feet wide, between Lappin and Pfent Avenues lying westerly of and abutting the west line of Lot 103; also lying easterly of and abutting the east line of Lot 102 of "Carol Park Subdivision of a part of the South Half of the Southwest Quarter of Section 1, Town 1 South, Range 12 East, Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 43, Page 23, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 129 thru 131; also lying easterly of and abutting the east line of Lots 126 thru 128 of "Carol Park Subdivision No. 1 of part of the South Half of the Southwest Quarter of Section 1, Town 1 South, Range 12 East, Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 46, Page 29, Plats, Wayne County Records; also lying westerly of and abutting the west line of Lots 6 and 7; also lying easterly of and abutting the east line of Lots 8 and 9 of "Bell Ridge Subdivision of part of the South Half of the Southwest Quarter of Section 1, Town 1 South, Range 12 East, Gratiot Township," City of Detroit, Wayne County, Michigan as recorded in Liber 46, Page 37, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities of the full width of the street, 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 street 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 street 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 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 utility easement or right-of-way in and over said vacated street

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 or 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; 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 street 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 street returns at their entrances (into Lappin and/or Pfent Avenues), 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 "Shopper's World, Inc.", the abutting 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.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hill, Ravitz, Scott, and President Mahaffey — 6.  
Nays — None.

**REPORTS OF THE COMMITTEE OF THE WHOLE FRIDAY, NOVEMBER 14TH**

Chairperson Scott submitted the following committee reports for the above date and recommended their adoption:

**Dangerous Structures**

Honorable City Council:

To your Committee of the Whole were again referred dangerous structures at various locations. After rehearings and further consideration of same, your Committee recommends action as set forth in the following resolution.

Respectfully submitted,  
**BRENDA SCOTT**  
Chairperson

By Council Member Scott:

Resolved, That dangerous structures at the following locations be and the same are hereby returned to the jurisdiction of the Buildings and Safety Engineering Department for the reasons indicated:

- 20022 Andover — DPW to barricade (NAO Contract);
- 1040 Chalmers — Owner given two (2) weeks to barricade;
- 2441-3 Hazelwood — Withdrawn, dwelling secure;
- 6432 Seminole — DPW to barricade (NAO Contract);
- 17124-80 W. Seven Mile — Withdraw, notify new party.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hill, Ravitz, Scott, and President Mahaffey — 6.  
Nays — None.

**Permit**

Honorable City Council:

To your Committee of the Whole was referred petition of Helene Howlett (3609) for a permit. After consultation with concerned departments and careful consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
**BRENDA SCOTT**  
Chairperson

By Council Member Scott:

Resolved, That subject to approval of the Department of Public Works and Transportation Department, permission be and is hereby granted to Helene Howlett (3609) to park a 20 foot U-Haul truck at Woodward and Fort, Thursday, November 27, 1997 to view the

Thanksgiving Day parade.

Provided, That such permission is granted with the distinct understanding that petitioners assume full responsibility for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That said activity is conducted under the rules and regulations of the concerned departments and the supervision of the Police Department, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hill, Ravitz, Scott, and President Mahaffey — 6.  
Nays — None.

**Permit**

Honorable City Council:

To your Committee of the Whole was referred petition of Groundwork for a Just World, (3644) to conduct a walkathon. After consultation with concerned departments and careful consideration of the matter, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
**BRENDA SCOTT**  
Chairperson

By Council Member Scott:

Resolved, That subject to approval of the Police, Civic Center and Public Works Departments, permission be and is hereby granted to Groundwork for a Just World to conduct a "Walk Against the Tide: Stand with Those Made Poor" on Saturday, November 15, 1997, in conjunction with the national Call to Action Conference being held at Cobo Hall. The walk will commence at 6:15 p.m. on Washington Boulevard at the entrance to Cobo Hall and proceed in a candlelight procession to the Federal Building along a route approved by the Police Department.

Provided, That such permission is granted with the distinct understanding that petitioners assume full responsibility for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That said activity is conducted under the rules and regulations of the concerned departments and the supervision of the Police Department, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Hill, Ravitz, Scott, and President Mahaffey — 6.  
Nays — None.

\*ON WAIVERS OF RECONSIDERATION Council Member Cleveland moved to