

By Council Member K. Cockrel Jr.:  
 Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Planning and Development Department Director be and is hereby authorized to issue a Quit Claim Deed for the following described property to Tina M. Powell-Yancey for the amount of \$3,700.

Land in the City of Detroit, County of Wayne and State of Michigan being Lot 174 Marshland Boulevard Sub'n. Of part of Private Claim 321, Detroit, Wayne County, Mich. Rec'd L. 26, P. 92 Plats, W.C.R.

Adopted as follows:

Yeas — Council Members Cleveland, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, and President Hill — 8.

Nays — None.

**Planning & Development Department**

May 19, 1999

Honorable City Council:

Re: Surplus Property Sale By Development Agreement. Land Disposition: 19501, 19507, 19511, 19533, 19538, 19542, 19546 & 19550 Schoolcraft.

We are in receipt of an offer from Solomon's Temple Annex, a Michigan Ecclesiastical Corporation to purchase the above-captioned property for the amount of \$36,000.00 and to develop such property. This vacant land measures approximately 36,000 square feet and is zoned B-4.

The Offeror proposes to construct a church facility with a social hall, administration office, meeting room, service area and a paved surface parking lot for the storage of licensed operable vehicles. This use is permitted as a matter of right in a B-4 zone.

We, therefore, request that your Honorable Body adopt the sale and authorize the Finance Department Director to execute an agreement to purchase and develop this property with Solomon's Temple Annex, a Michigan Ecclesiastical Corporation.

Respectfully submitted,  
 PAUL A. BERNARD  
 Director

By Council Member Everett:

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 Solomon's Temple Annex, a Michigan Ecclesiastical Corporation for the amount of \$36,000.00.

Land in the City of Detroit, County of Wayne and State of Michigan being Lots 34 thru 38 B. E. Taylor's Brightmoor-Vetal Subdivision, lying South of Grand River Ave., being part of the SW 1/4 of Sec. 23,

T.1S., R.10E., Redford Twp., Wayne Co., Michigan. Rec'd L. 51, P. 51 Plats, W.C.R.; also Lots 92 thru 104 B. E. Taylor's Brightmoor-Carlins Subdivision, lying South of Grand River Ave., being part of the NW 1/4 of Sec. 26, T.1S., R.10E., Redford Twp., Wayne Co., Michigan. Rec'd L. 51, P. 50 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, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, and President Hill — 8.  
 Nays — None.

**Department of Public Works City Engineering Division**

May 28, 1999

Honorable City Council:

Re: Petition No. 4128 — Victoria and Wally Banka, et al., requesting alley closure in the area of Robinwood, E. Seven Mile, Gable and Dwyer.

Petition No. 4128 of "Victoria and Wally Banka, et al", request for the conversion of a portion of the east-west public alley, 18 feet wide, in the block bounded by Gable Avenue, 50 feet wide, Dwyer Avenue, 50 feet wide, Robinwood Avenue, 50 feet wide and East Seven Mile Road, 66 feet wide, 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 Public Lighting Department (PLD) has an overhead street lighting wire (duplex) in the proposed portion of alley on the east and feeding the light on Dwyer Street. PLD requires 24 hour access to the area by our crews and heavy vehicles for the maintenance of the installations. PLD has no objection.

The Detroit Water and Sewerage Department (DWSD) reports there is an existing 12" sewer in the east-west portion of the alley abutting lots 212-218 in the area bounded by Gable, East Seven Mile Road, Dwyer and Robinwood. DWSD has no objection.

Other 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

By Council Member Mahaffey:

Resolved, That part of the east-west public alley, 18 feet wide, in the block



bounded by Gable Avenue, 50 feet wide, Dwyer Avenue, 50 feet wide, Robinwood Avenue, 50 feet wide and East Seven Mile Road, 66 feet wide; lying northerly of and abutting the north line of lot 218 and lying southerly of and abutting the south line of lots 213-217, inclusive, and the east 9 feet of lot 212 of "Kern Heights — Louis N. Hilsendegen's Subdivision", of a part of the N. W. 1/4 of the N. W. 1/4 of Section 9, T. 1, S. R. 12 E., Hamtramck Township, Wayne County, Michigan, as recorded in Liber 36, Page 24, 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 by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public 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 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; 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 the entrance (into Dwyer Avenue), 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 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, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, and President Hill — 8.

Nays — None.

#### Department of Public Works City Engineering Division

May 27, 1999

Honorable City Council:

Re: Petition No. 1246 — Elite Design & Development, Inc., et al., Requesting conversion of commercial alley to easement in the area of W. Seven Mile Rd., Southfield Expressway and Fenmore.

Petition No. 1246 of "Elite Design & Development, Inc., et al, requests the conversion of an east-west public alley, 16 feet wide, in the block bounded by W. Seven Mile Rd., Cambridge Ave., Southfield Freeway Ser. Dr. and Fenmore Ave. 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 alley closing was approved by the Solid Waste Division —