

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 Everett:

Resolved, All that part of the north-south public alley, 18 feet wide, in the block bounded by Delmar Avenue, 50 feet wide, Westminster Avenue, 50 feet wide, Owen Avenue, 60 feet wide, Cardoni Avenue, 50 feet wide and the Chrysler Freeway Service Drive, described as; lying easterly of and abutting the east line of Lots 240, 115-134, both inclusive, and lying westerly of and abutting the west line of Lots 241, 95-114, both inclusive, as platted in "Ranney & Butterfield's Sub'd'n of Lots 17 & 24 of 1/4 Sec. 38 and N. 30 ft. of Lot 1, 1/4 Sec. 43, 10,000 A.T., City of Detroit and Village of Hamtramck (now Detroit), Wayne County, Michigan, as recorded in Liber 26, Page 94 Plats, Wayne County Records; Also, lying easterly of and abutting the east line of Lots 27-32, both inclusive, and lying westerly of and abutting the west line of Lots 21-26, both inclusive, as platted in "Reed Subdivision of Lot 2 of the Sub'd'n of the W. 1/2 of 1/4 Section 43, 10000 A.T., City of Detroit, Wayne County, Michigan, as recorded in Liber 27, Page 18 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 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 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 task, 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, retaining or partition walls, 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 returns at the entrances (into Westminster and Owen 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 the abutting owners, their heir 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, K. Cockrel, Jr., S. Cockrel, Everett, Hood, Mahaffey, Scott, Tinsley-Talabi, and President Hill — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

July 18, 2000

Honorable City Council:

Re: Petition No. 2309 — Riviera Grand Properties, L.L.C., request for conversion of alley to easement in the

area of Grand River, Riviera and Ravenswood.

Petition No. 2309 of "Riviera Grand Properties, L.L.C.," requests the conversion of a portion of the north-south public alley, 20 & 30 feet wide, in the block bounded by Grand River Avenue, 100 feet wide, Yosemite Avenue, 50 feet wide, Ravenswood Avenue, 70 feet wide and Riviera Avenue, 60 feet wide into a private easement for public utilities.

The request was approved by the Solid Waste Division - DPW, and the Traffic Engineering Division - DPW. The petition was referred to the City Engineering Division - DPW for investigation (utility review) and report. This is our report.

The Detroit Water and Sewerage Department (DWSD) reports there is an existing 15" sewer in the portion of the alley abutting lot 5, vacated portion of alley, lots 9, 10, 11, 12 and 13 in the area bounded by Grand River Avenue, Yosemite Avenue, Ravenswood Avenue and Riviera Avenue. DWSD has no objection to the requested conversion to easement provided that the provisions of the attached resolution are followed.

All other 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 utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

By Council Member Everett:

Resolved, That portion of the north-south public alley, 20 & 30 feet wide, in the block bounded by Grand River Avenue, 100 feet wide, Yosemite Avenue, 50 feet wide, Ravenswood Avenue, 70 feet wide and Riviera Avenue, 60 feet wide described as, lying easterly of and abutting the east line of Lots 10, 11 and the south 10.00 feet of Lot 14; also, lying westerly of and abutting the west line of Lot 9, 12, the south 10.00 feet of Lot 13 and the vacated alley, 20 feet wide; also, lying northerly of and abutting the north line of Lot 5 as platted in "Ravenswood Subdivision of Quarter Sections No. 30 & 31 of the Ten Thousand Acre Tract in T. 1 S., R. 11 E., of Meridian, Wayne County, Michigan as recorded in Liber 10, Page 81 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 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 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,

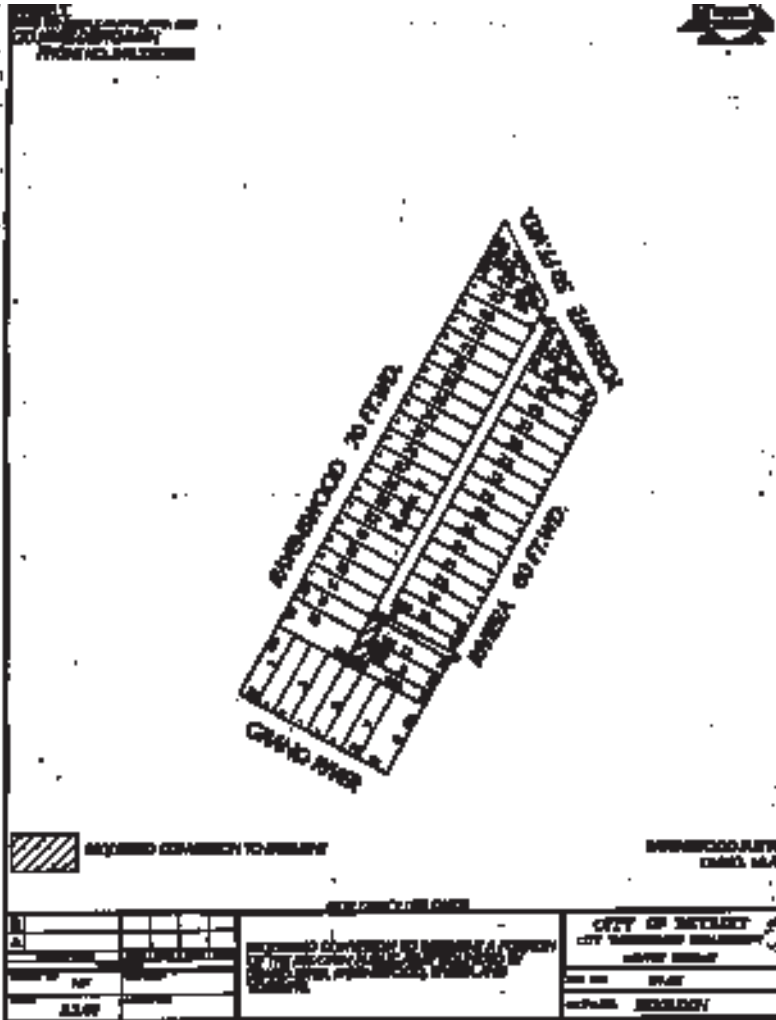
Second, Said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, 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 task, 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, retaining or partition walls, 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 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, Tinsley-Talabi, and President Hill — 9.
 Nays — None.

Water and Sewerage Department

July 17, 2000

Honorable City Council

Re: Approval and Authorization to Purchase Property in the City of Detroit

The Detroit Water and Sewerage Department (DWSD) requests your approval and authorization to purchase two parcels of land totaling 1.72 acres in the City of Detroit at a cost of \$797,500.00. These parcels will be incorporated with 1.80 acres of land owned by

the City of Detroit, creating a site approximately 3.5 acres, which is property sufficient to accommodate construction of a new Administration Building.

Due to increased demand for fresh water and sewerage treatment services resulting from regional growth and rapidly changing technological requirements, DWSD facility needs have outgrown the existing administration building. Consequently, DWSD undertook a study to analyze its facility needs and operating efficiencies. The analysis was completed in June 1998.

The preliminary facility operating analysis and pro forma for the new Administrative facility identified areas where substantial overhead reduction would result from this initiative. This analysis also concluded that the con-