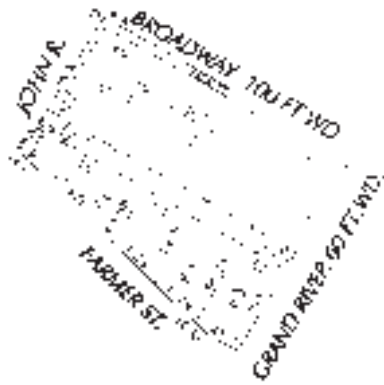


PETITION NO. 3134  
PLANNING AND DEVELOPMENT  
3300 CADILLAC TOWERS  
410 FORT BERNARD  
PHONE NO. 313 274-6380



THRU-RIGHT VACATION

ENCL. IS A

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CITY ENGINEERING DIVISION  
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CITY OF DETROIT  
NOV 28 2001  
CITY ENGINEERING DIVISION

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**

November 28, 2001

Honorable City Council:  
Re: Petition No. 3134 — Detroit Housing Commission, requesting to vacate certain public alleys in the area of the Jeffries Housing Development (Woodbridge Estates).

Petition No. 3134 of the Detroit Housing Commission request permission to change City rights-of-way in the Jeffries Housing Development, related to the Hope VI Project (Woodbridge Estates). The first Phase of the project will require

that two (2) public alleys be vacated, 1. A portion of the North-South public alley 20 Feet wide, in the block bounded by W. Alexandrine, Gibson, W. Willis and Brooklyn, 2. The North-South and East-West public alleys, 20 feet wide, in the block bounded by Gibson, W. Alexandrine, Selden and Brooklyn, in order to establish the proposed Condominium Units.

The request was approved by Planning and Development Department, 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:

All 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

City Engineering Division — DPW

By Council Member Hood:

Resolved, The remaining North-South public alley, 20 feet wide, in the block bounded by Willis Avenue, 50 feet wide, West Alexandrine Avenue, 50 feet wide, Gibson Avenue, 40 feet wide, and Brooklyn Avenue, 50 feet wide, lying Easterly of the East line of Lots 58 through 62, both inclusive, and lying Westerly of and abutting the West line of Lots 47 through 50, both inclusive, and the North 20 feet of Lot 51, of "Albert Crane's Section of the Labrosse and Baker Farm", as recorded in Liber 1, Page 123, Plats, Wayne County Records, and

All that part of the North-South And East-West public alleys, 20 feet wide, in the block bounded by Gibson Avenue, 40 feet wide, Brooklyn Avenue, 50 feet wide, Selden Avenue, 50 feet wide, and West Alexandrine Avenue, 50 feet wide, being the East-West public alley lying Southerly of and abutting the South line of Lot 16 (as opened) and being the North-South public alley (as widened) lying Easterly of and abutting the East line of Lots 3, 4, 9, 10, 15 and lying Westerly of and abutting the West line of Lots 2, 5, 8, 11, 14, and the South 20 feet of Lot 17 of "Albert Crane's Subdivision" of Lots 17, 18 & 19 Wesson's Sect. Of the Labrosse & Baker Farms, North of Grand River Road, as recorded in Liber 1, Page 2, Plats, Wayne County Records; Also, Lying Easterly of and abutting the East line of Lots 43 through 47, both inclusive, and lying Westerly of and abutting the West line of Lots 40, 41, 42, and the North 30 feet of Lot 39 of "Plat of Schultzes' Subdivision" of Lot 14, 15, and 16 & Lots 44 and 45 and the East 12 ft. of Lot 46 of Wesson Section of the Labrosse and Baker Farm, as recorded in Liber 3, Page 87, Plats, Wayne County Records;

Be and the same are hereby vacated as public alley rights-of-way to become part and parcel of the abutting property; and be it further

Resolved, All that part of the North-South public alley, 20 feet wide, in the block bounded by Gibson Avenue, 40 feet wide, Brooklyn Avenue, 50 feet wide, Selden Avenue, 50 feet wide, and West Alexandrine Avenue, 50 feet wide, lying Easterly of and abutting the East line of Lot 48 and lying Westerly of and abutting the West line of Lots 36, 37, 38, and the South 10.00 feet of Lot 39 of "Plat of Schultzes' Subdivision" of Lot 14, 15, and 16 & Lots 44 and 45 and the East 12 ft. of Lot 46 of Wesson Section of the Labrosse and Baker Farm, as recorded in Liber 3,

Page 87, 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, concrete slabs or driveways, 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,

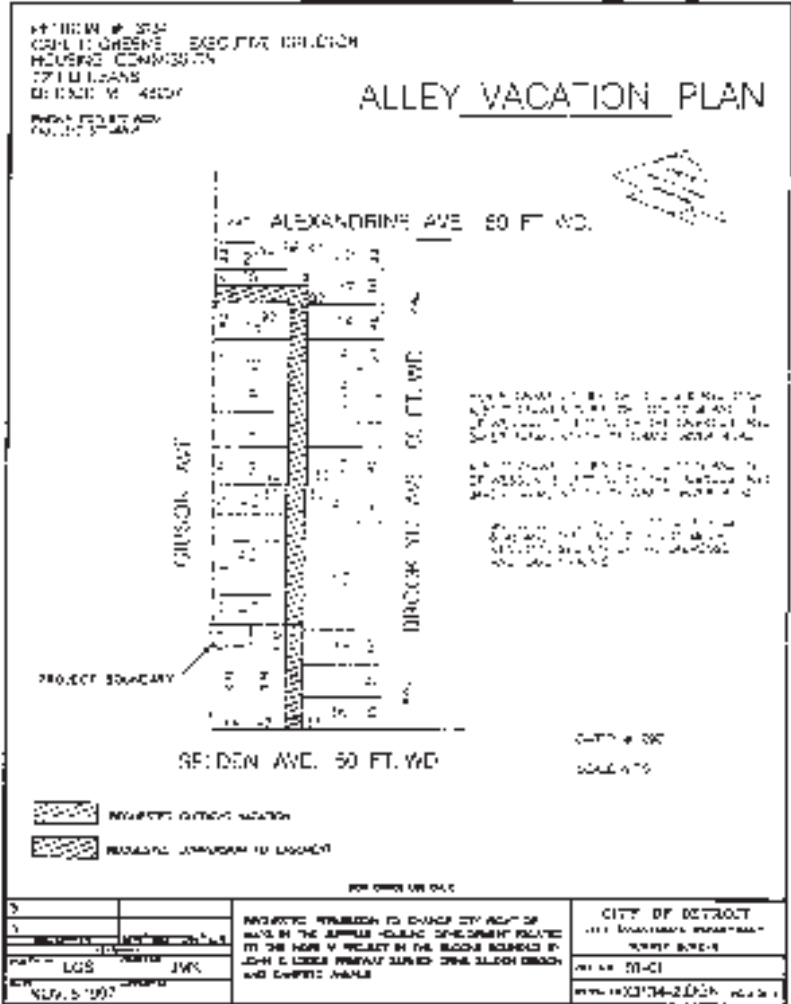
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of

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 alley return at the entrances (into Selden Ave.), 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 heir 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, Tinsley-Talabi, and President Hill — 9.  
Nays — None.

**From the Clerk**  
November 30, 2001  
Honorable City Council:  
This is to inform your Honorable Body

that I am in receipt of the following petitions since the last regular session and recommend their reference as follows:

Respectfully submitted,  
JACKIE L. CURRIE  
City Clerk

**GENERAL ORDER**  
4371—Eugene A. Williams, for hearing relative to acquiring City-owned property at 1257 Longfellow.