

alley shall be built by private contract within property to be owned or controlled by the petitioner under City Engineering Division — DPW inspection and permits. When the alley is completed to city specifications, the petitioner shall deed the property to the city, and further

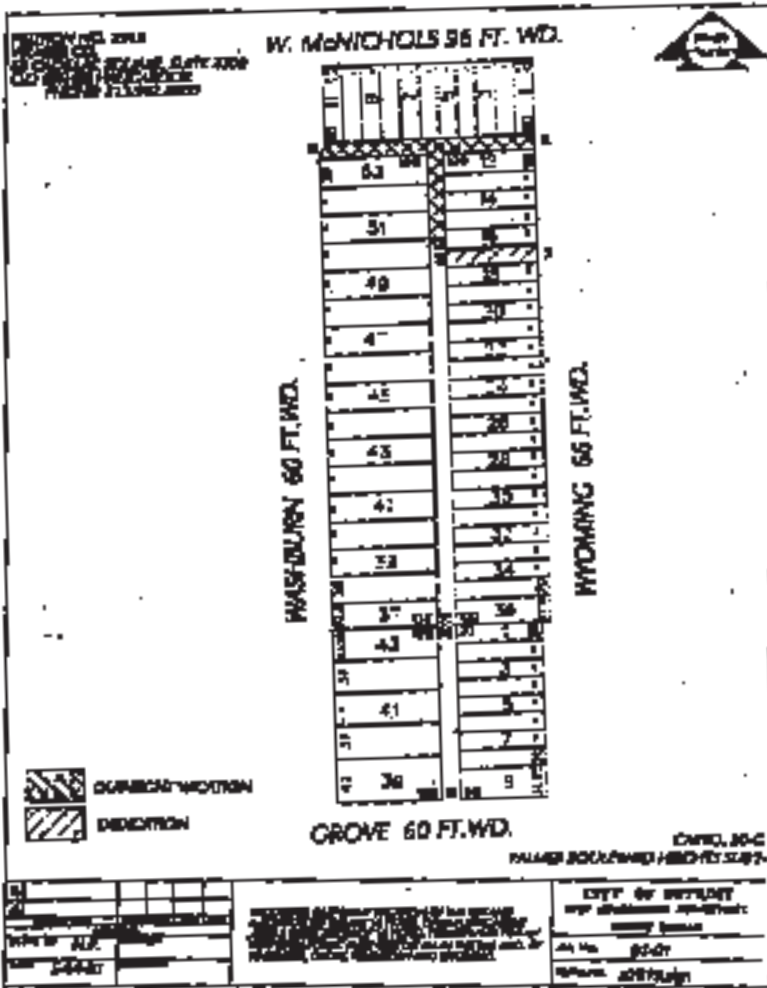
Provided, That the Detroit City Council approves the request to declare the city's 'intent' to accept the executable warranty deed and alley for public purposes; and further

Provided, Said property complies with the requirements of Detroit codes and ordinances, also known as the 'Environ-

mental Review Guidelines' and provided The Law Department concludes that the grantor possess the appropriate rights, title, and interest in properties to convey said land to the city for alley and other public purposes, and further

Provided, The dedication of the 18 feet wide east-west strip of land between Wyoming and the north-south alley must be completed before closing the alleys to avoid the creation of a dead-end alley, 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, Hood, Mahaffey, Scott, and President Hill — 7.
 Nays — None.

Department of Public Works
 City Engineering Division
 July 27, 2001
 Honorable City Council:
 Re: Petition No. 3911 — Hussein Bazzi

et. al., requesting for conversion of alley to easement in the area of Chicago, Schaefer and Carlin.

Petition No. 3911 of "Hussein Bazzi et. al.," request conversion of the easterly portion of the East-West public alley, 20 feet wide, in the block bounded by Chicago Avenue, 76 feet wide, Westfield Avenue, 60 feet wide, Carlin Avenue, 60 feet wide, and Schaefer Highway, 76 feet wide into a private easement for utilities.

The request was approved by th 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.

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Schaefer Highway), the petitioner shall pay all incidental removal cost.

All other city departments and private utility companies have reported no objection to the conversion of public rights-of-way into private easement for utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
SUNDAY JAIYESIMI
City Engineer

City Engineering Division — DPW

By Council Member K. Cockrel, Jr.:

Resolved, All that part of the East-West public alley, 20 feet wide, lying Northerly of and abutting the North line of the easterly 106.00 feet of lot 13, and lying Southerly of and abutting the South line of 8 through 12, both inclusive, in the "Plymouth-Monnier Heights Sub." of part of the E. 1/2 of th S. E. 1/4 of Section 31, T.1S., R.11E., Greenfield Twp., Wayne Co. Mich. as recorded in Liber 49, Page 50 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,

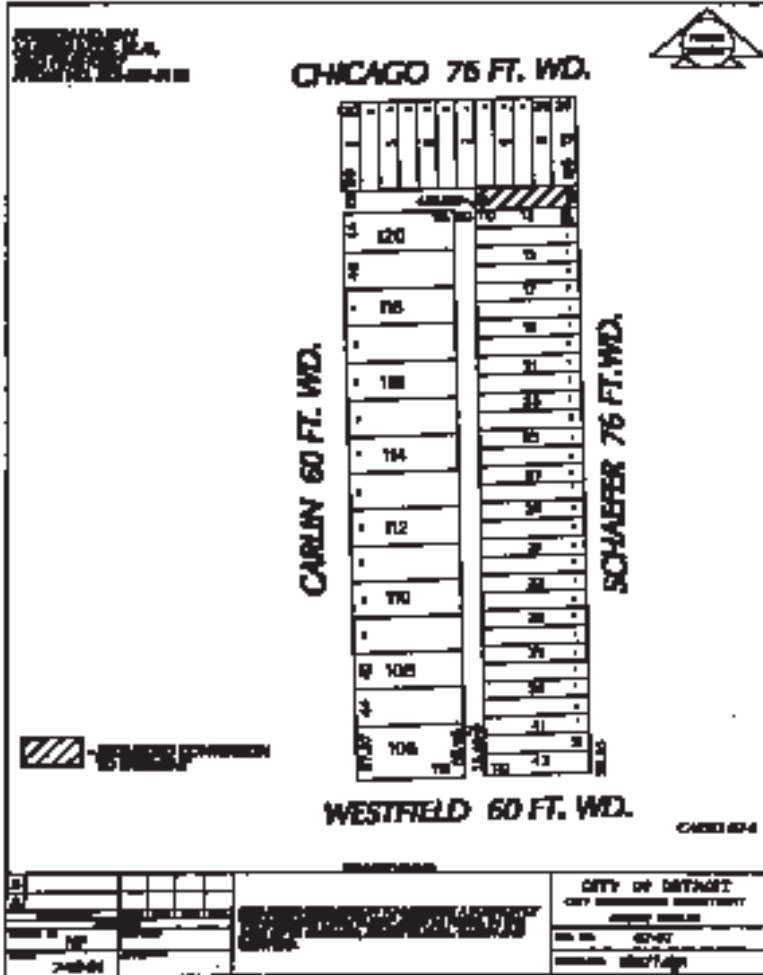
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering 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 return at the entrance (into Schaefer Highway), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specification with all cost borne by the abutting owner(s), 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, Hood, Mahaffey, Scott, and President Hill — 7.
Nays — None.

**Department of Public Works
City Engineering Division**

July 19, 2001

Honorable City Council:

Re: Detroit Downtown Development Authority/Premier Parking Garage addendum to Petition No. 1237, requesting four public right-of-way easements.

Petition No. 1237 of the "Detroit Downtown Development Authority" was previously adopted by your Honorable Body on May 5, 1999, J.C.C. Pgs. 1195-1198. The property is now under the control of the Detroit Building Authority (DBA) to build a four level underground parking

garage for the Municipal Parking Department.

This addendum to Petition No. 1237 by the Detroit Building Authority (DBA) is requesting four easement(s) into the public street rights-of-way adjacent to the Premier Parking Garage property in the block of Woodward Avenue, Gratiot Avenue, East Grand River Avenue and Farmer Street in order to install and maintain four (4) garage exhaust shafts. Two (2) — 12 ft. x 10 ft. shafts are into Woodward Ave., one (1) — 28 ft. x 10 ft. shaft is into Gratiot Ave., and one (1) — 28 ft. x 5 ft. shaft into E. Grand River Ave. The Woodward shafts will have exhaust grating approximately 15 feet beyond the property line, the Gratiot and E. Grand River shafts have grating that abuts the property line. All four (4) shafts have ADA approved grating that is flush with the sidewalk.