

Adopted as follows:  
 Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Everett, Scott, Tinsley-Talabi, and President Mahaffey — 7.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

April 22, 2002

Honorable City Council:  
 Re: Petition No. 0515, (June 10, 1998) — Lawrence J. Slusarczyk, et al, requesting alley closure in the area of Dolphin and W. Warren.  
 Petition No. 0515 of "Lawrence J. Slusarczyk, et al," requests the conversion of a portion of the east-west public alley, 18 feet wide, in the block bounded by Dolphin Avenue, 60 feet wide, Rockdale Avenue, 60 feet wide, West Warren

Avenue, 100 feet wide and Majestic 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.

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 S. Cockrel:

Resolved, All that part of the east-west public alley, 18 feet wide, in the block bounded by Dolphin Avenue, 60 feet wide, Rockdale Avenue, 60 feet wide, West Warren Avenue, 100 feet wide and Majestic Avenue, 60 feet wide, lying southerly of and abutting the south line of Lot 645 and lying northerly of and abutting the north line of Lots 646-651, both inclusive, of "Frischkorn's Park View Subdivision of Part of Lots 3, 4 and 5 of Joseph Coon's Farm Sub" of Fractional Sections 3 and 4 and the north part of P.C. 615, T. 2S., R. 10E., Dearborn Twp., Wayne County, Michigan, as recorded in Liber 41, Page 95 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,

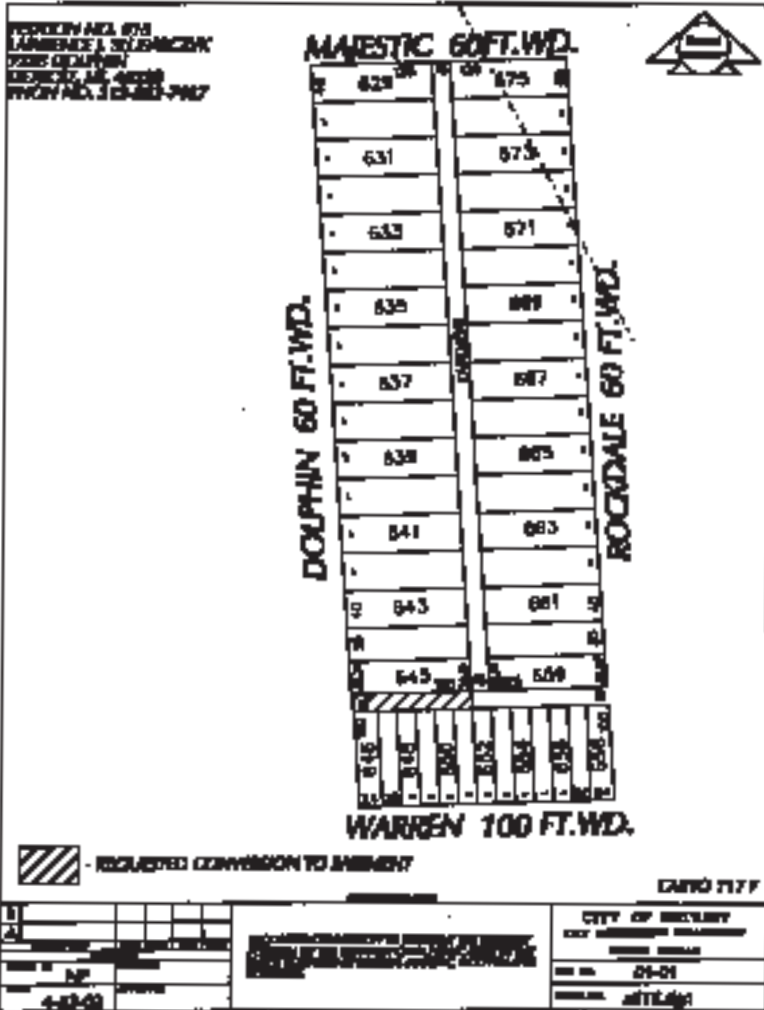
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering 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 street return at the entrance (into Dolphin 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 Bates, K. Cockrel, Jr., S. Cockrel, Everett, Scott, Tinsley-Talabi, and President Mahaffey — 7.  
 Nays — None.

**Department of Public Works**

April 18, 2002

Honorable City Council:

Re: Cancellation of Special Assessments for weed cutting on vacant lots on Roll RUC 362.

The Department of Public Works recommends the cancellation of the following list of Special Assessments for weed cutting charges on vacant lots which were billed in error.

Address	Roll	Year	Ward	Item	SADT	Amount
14214 Ardmore	RUC330WL	2001SA	22	34544	199203	\$105.00
14224 Ardmore	RUC358WL	2001SA	22	34545	199511	\$105.00

Assessed total amount: \$210.00.

Respectfully submitted,  
 ULYSSES S. BURDELL  
 Interim Deputy Director