

Adopted as follows:
 Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Scott, Tinsley-Talabi, and President Mahaffey — 9.
 Nays — None.

Department of Public Works
 City Engineering Division
 May 29, 2002
 Honorable City Council:
 Re: Petition No. 3069 — Conant Avenue
 United Methodist Church, request-

ing for conversion of alley to easement in the area of Conant, Hildale and Robinwood.

Petition No. 3069 of "Conant Avenue United Methodist Church", request conversion the North-South public alley, 18 feet wide, in the block bounded by Conant Avenue, 66 feet wide, Charest Avenue, 50 feet wide, Robinwood Avenue, 50 feet wide, and Hildale Avenue, 50 feet wide into a private easement for 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:

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

All other city departments and private utility companies have reported no objections 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 Collins:

Resolved, All that part of the North-South public alley, 18 feet wide, lying East of and abutting the East line of the south 6.80 feet of lot 12, and lots 13 through 21, both inclusive, also, lying West of and abutting the West line of the south 13.70 feet of lot 65, and lots 66 through 70, both inclusive, in the "Ford Conant Park Subdivision" on the N.E. 1/4 of Sec. 7 T.1S.R.12E. Hamtramck Twp. Wayne County Michigan as recorded in Liber 30 Page 12, 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 street 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 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,

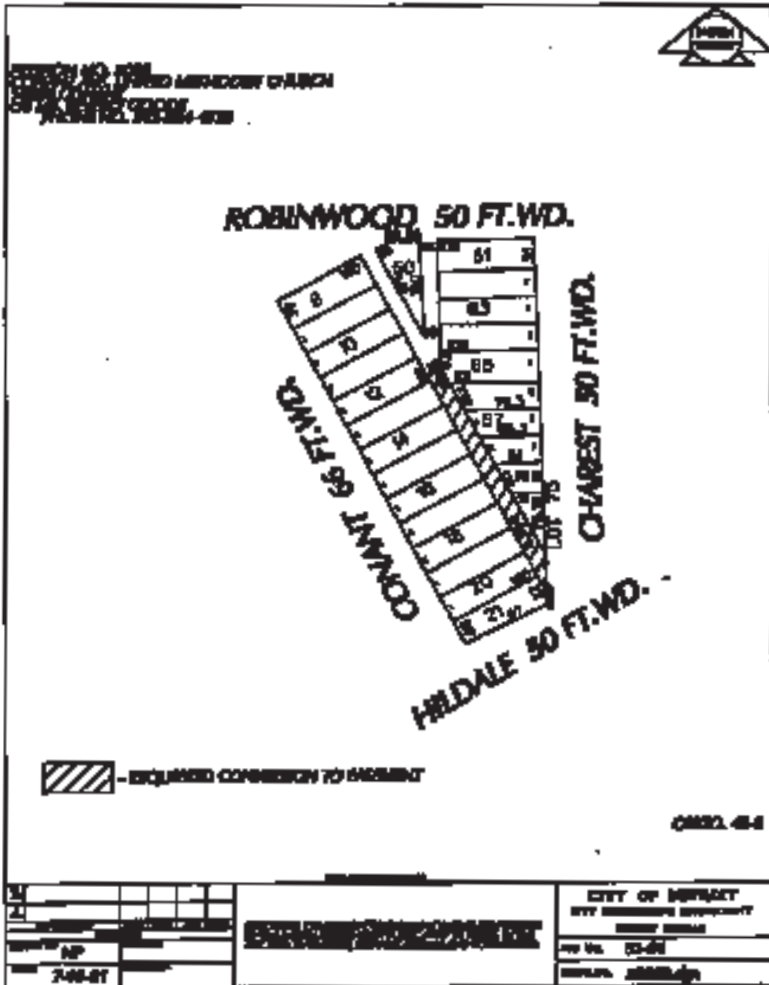
Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering 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 entrance (into Hildale 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, and MDOT, if necessary, with all costs 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; and be it further



Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Scott, Tinsley-Talabi, and President Mahaffey — 9.

Nays — None.

**Department of Public Works
City Engineering Division**

May 14, 2002

Honorable City Council:

Re: Petition No. 3132 — Leroy Moon et. al., requesting for conversion of alley to easement in the area of Gratiot, Troester and Cedar Grove.

Petition No. 3132 of "Leroy Moon et. al.", request conversion the North — South public alley, 18 feet wide, in the block bounded by Troester Avenue, 60 feet wide, Cedar Grove Avenue, 60 feet wide, Grover Avenue, 50 feet wide, and

Gratiot Avenue, 129 feet wide into a private easement for 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.

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Cedar Grove Avenue), 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.