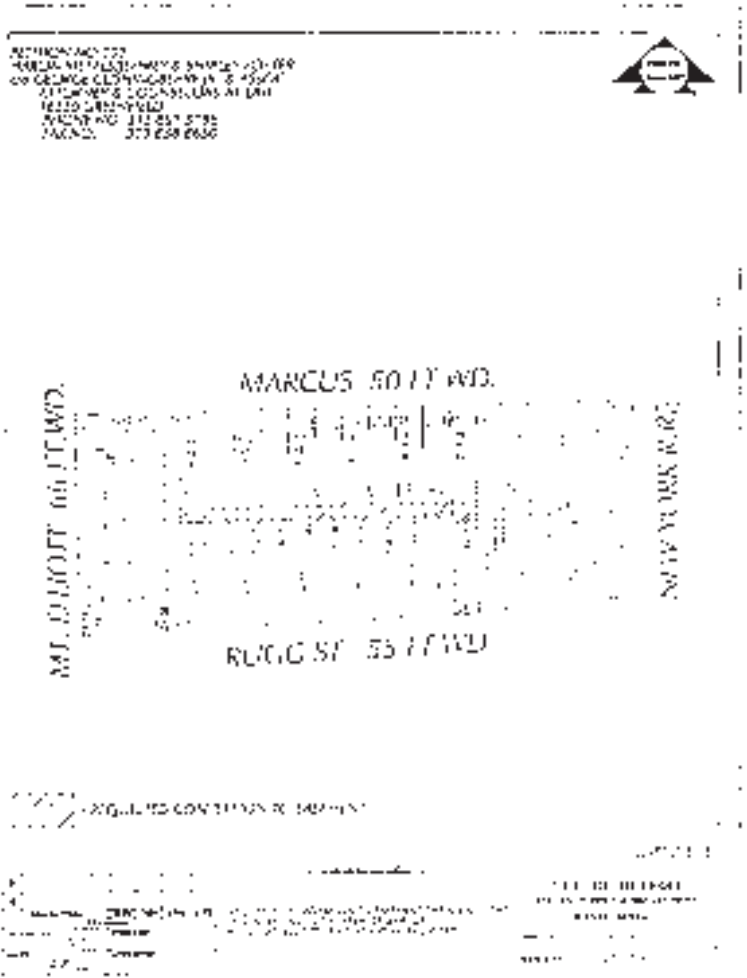


Division — DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and be it further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.



Adopted as follows:
Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Tinsley-Talabi, and President Mahaffey — 8.
Nays — None.

**Department of Public Works
City Engineering Division**

November 18, 2002

Honorable City Council:
Re: Petition No. 455 — Action Industries, LLC, et al., for conversion of alley to easement in the area of Carlin and West Chicago.

Petition No. 445 of "Action Industries, LLC, et. al." at 13648 West Chicago, Detroit, MI 48204, request the conversion

of the East-West open public alley, 20 feet wide, in the block bounded by Carlin Avenue, 60 feet wide, Schaefer Highway, 66 feet wide, Orangelawn Avenue, 60 feet wide, and West Chicago Avenue, 76 feet wide into 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.

This report addresses the change in public right-of-way for petition 3570 — Bearing Service and 455 — Action Industries Inc.

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Carlin 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 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 Bates:

Resolved, All that part of the East-West public alley, 20 feet wide, lying Northerly of and abutting the North line of Lots 57 through 62, both inclusive, and the West 4.00 feet of Lot 56, also lying Southerly of and abutting the South line of Lot 63 in the "Wark-Gibbon's Plymouth -Monnier Road Subdivision of Outlots 2 and 3 of the John Keel Estate Subdivision of the E. 1/2 of the NE 1/4 of Sec. 31" T.1S., R.11E. Greenfield Township, Wayne County Michigan as recorded in Liber 51 Page 39, 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 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.

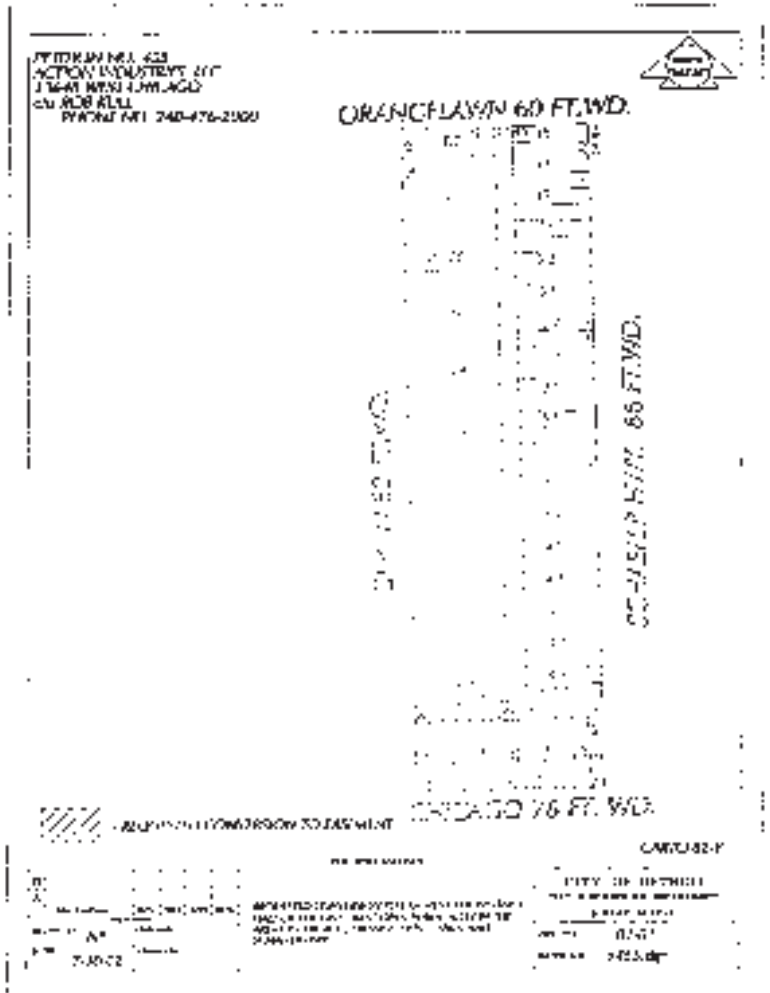
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

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 access is maintained to rear of existing buildings for firefighting purpose.

Provided, That if it becomes necessary to remove the paved return at the entrance (into Carlin 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 with all costs borne by the abutting owner, their heir or assigns; and the Detroit Fire Department's approval; 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 Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Tinsley-Talabi, and President Mahaffey — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

November 19, 2002

Honorable City Council:

Re: Petition No. 400 — Hall, Render, Killian, Heath and Lyman, Attorneys at Law et. al., for conversion of alley to easement in the area of Tacoma, State Fair, Monarch and Gratiot.

Petition No. 400 of "Hall, Render, Killian, Heath and Lyman, Attorneys at Law et. al.", at 201 West Big Beaver Road, Columbia Center, Suite 315, Troy Michigan 48084, request the conversion of the

remaining North-South open public alley, 18 feet wide, in the block bounded by Gratiot Avenue, 135 feet wide, Monarch Avenue, 60 feet wide, Tacoma Avenue, 60 feet wide and State Fair Avenue, 66 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 return entrance (into State Fair 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