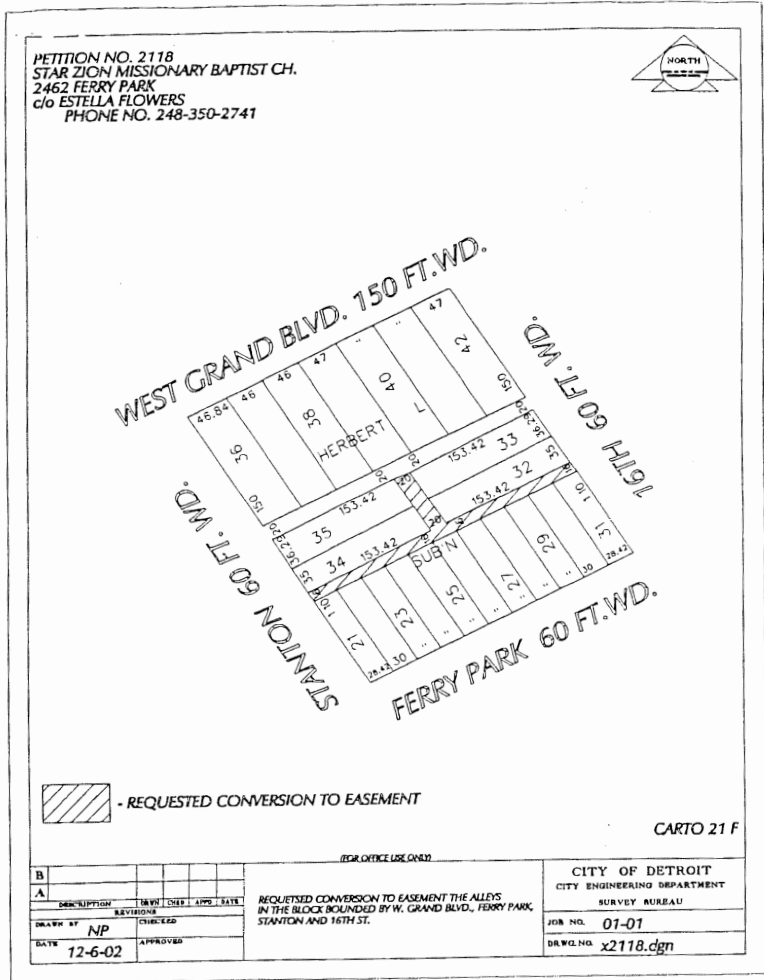


by the abutting owner(s), their heir or assigns; and be it further Provided, That the City Clerk shall with-

in 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, McPhail, Tinsley-Talabi, and President Mahaffey — 7.  
Nays — None.

**Department of Public Works  
City Engineering Division**  
February 20, 2003

Honorable City Council:  
Re: Petition No. 241 — Steve Oram, requesting for conversion of alleys to easement in the area of Michigan, Lumley, Elmer and Edsel Ford Expressway.  
Petition No. 241 of "Steve Oram", request conversion of the East-West and

North-South public alleys, 18 and 20 feet wide, with a portion being deeded to City of Detroit on June 21, 1921 all in the block bounded by Edsel Ford Expressway, Michigan Avenue, 113 feet wide, Elmer Avenue, 50 feet wide and (vacated) Lumley Avenue, 50 feet wide into private easements 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 entrances (into Elmer 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 easements 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 S. Cockrel:

Resolved, All that part of the East-West public alley, 18 feet wide, lying Southerly of and abutting the South line of lot 9, and lying Northerly of and abutting the North line of lots 4 through 8, both inclusive, all in the "Elsie L. Beatcher's Subdivision of Part of O.L.'s 5 and 7 P.C. 543 North of Michigan Avenue, City of Detroit, Wayne County Michigan" as recorded in Liber 30 Page 63, Plats, Wayne County Records; and the West 8.00 feet of lot 10 in the Plat of Latham and Quinn's Subdivision, Lot 6 and Easterly 22.13 feet of Lot 5 H. Haggerty's Subdivision of Part of Private Claim 543 and Lots 14 and 15 Private Claim 60" as recorded in Liber 21 Page 79, Plats, Wayne County Records (with a portion being Deeded to City of Detroit on June 21, 1921); Also all that part of the East-West public alley, 20 feet wide, lying Southerly of and abutting the South property line of Edsel Ford Expressway (I-94), and lying Northerly of and abutting the North line of lots 6 through 10, both inclusive, in the "Plat of Latham and Quinn's Subdivision, Lot 6 and Easterly 22.13 feet of Lot 5 H. Haggerty's Subdivision of Part of Private Claim 543 and Lots 14 and 15 Private Claim 60" as recorded in Liber 21 Page 79, Plats, Wayne County Records (with a portion being Deeded to City of Detroit on June 21, 1921); Also all that part of the North-South public alley, 18 feet wide, lying Easterly of and abutting the East line of lot 9 and the South 20.00 feet of lot 10 in the "Elsie L. Beatcher's Subdivision of Part of O.L.'s 5 and 7 P.C. 543 North of Michigan Avenue, City of Detroit, Wayne County Michigan" as recorded in Liber 30 Page 63, Plats, Wayne County Records, and lying Westerly of and abutting the West line of lot 10 in the "Plat of Latham and Quinn's Subdivision, Lot 6 and Easterly 22.13 feet of Lot 5 H. Haggerty's Subdivision of Part of Private Claim 543 and Lots 14 and 15 Private Claim 60" as recorded in Liber 21 Page 79, Plats, Wayne County Records (with a portion being Deeded to City of Detroit on June 21, 1921);

Be and the same is hereby vacated as public alleys and is hereby converted into private easements for public utilities of the full width of the alleys, which easements 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 alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, Said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public alleys 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 the public alleys in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

Second, Said utility easements or rights-of-way in and over said vacated alleys 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 easements or rights-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 easements 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 easements, 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 alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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

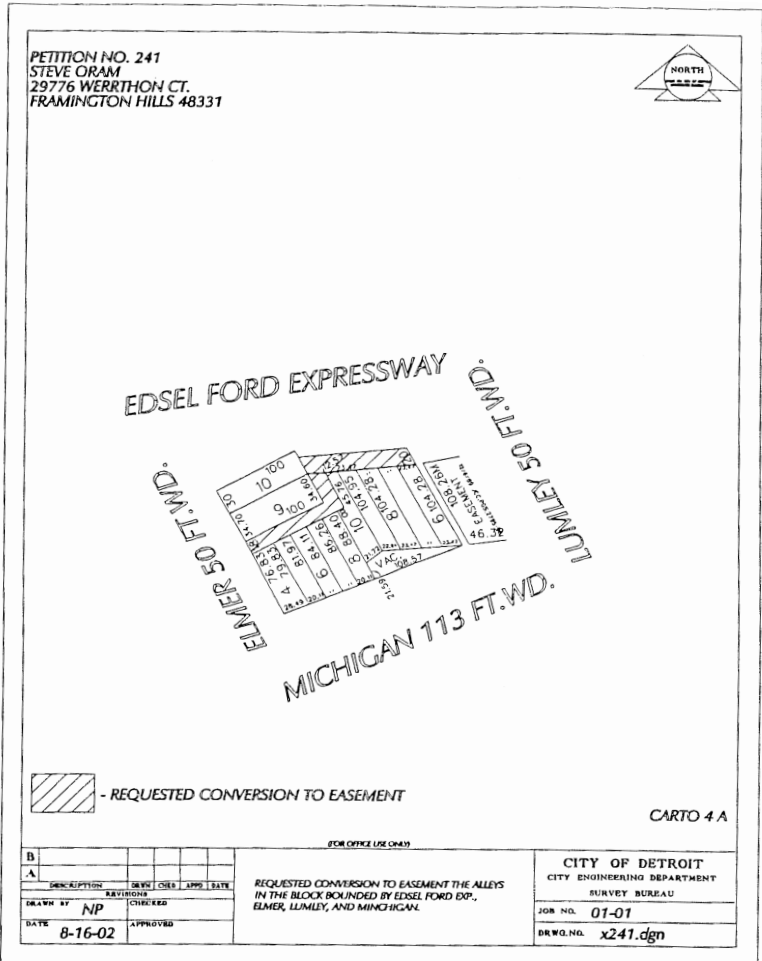
Provided, That if it becomes necessary to remove the paved return at the entrances (into Elmer Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(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.

Resolved, The Planning and Development Department Director is hereby authorized to issue a quit-claim deed to transfer the following vacated public rights-of-ways for the fair market value and/or other valuable consideration:

Land in the City of Detroit, County of Wayne, State of Michigan: All that part of lots 6 to 10, both inclusive, Plat of Latham

and Quinn's Subdivision, Lot 6 and Easterly 22.13 feet of Lot 5 H. Haggerty's Subdivision of Part of Private Claim 543 and Lots 14 and 15 Private Claim 60" as recorded in Liber 21 Page 79, Plats, Wayne County Record, described as follows; Beginning at the Northeast corner of Lot 6 of last mentioned subdivision, thence along the South line of the alley first north of Michigan Avenue, south 82 degrees 30' West 117.35 feet to the Northwest corner of Lot 10 of last mentioned subdivision; thence South 31 degrees east 54.47 feet along said line, to a point. Thence North 59 degrees East 10 feet along a line to a point. Thence North 31 degrees West 45.76 feet along a line to a point; thence North 82 degrees 30' East 98.35 feet along a line to a point on the East line of Lot 6 of last mentioned subdivision; thence North 31 degrees West 4.36 feet along said line to the place of beginning;



PETITION NO. 241  
 STEVE ORAM  
 29776 WERRTHON CT.  
 FRAMINGTON HILLS 48331



EDSEL FORD EXPRESSWAY  
 ELMER 50 FT.WD.  
 LUMLEY 50 FT.WD.  
 MICHIGAN 113 FT.WD.

- REQUESTED CONVERSION TO EASEMENT

CARTO 4 A

FORM OFFICE USE ONLY

B					
A					
DESCRIPTION	DEVS	CHK	APPR	DATE	
DRAWN BY	REVISION	CHANGED			
DATE	8-16-02	APPROVED			

REQUESTED CONVERSION TO EASEMENT THE ALLEYS  
 IN THE BLOCK BOUNDED BY EDSEL FORD EXP.,  
 ELMER, LUMLEY, AND MICHIGAN.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU  
 JOB NO. 01-01  
 DRWG. NO. x241.dgn