

Department of Public Works

November 4, 2003

Honorable City Council:

Re: Request for Cancellation of Special Assessments for Weed Cutting for: 7757 Girardin, Ward 15, Item 12619.

Upon our investigation, the Department of Public Works concurs that the above properties were billed in error.

We, therefore, respectfully request that your Honorable Body authorize and direct the Board of Assessors to cancel the stated assessed amount against the property in question.

Respectfully submitted,
ULYSSES BURDELL
Deputy Director, DPW

By Council Member Watson:

Resolved, That in accordance with the above communication, the Finance Director is authorized to cancel the listed special assessments for weed cutting charges on vacant lots.

7757 Girardin, Ward 15, Item 12619.

Be It Further Resolved, That the Finance Director is hereby authorized to remove the above from the various tax rolls in the total amount of \$71.00 (Principal).

Adopted as follows:

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

Nays — None.

**Department of Public Works
City Engineering Division**

October 30, 2003

Honorable City Council:

Re: Petition No. 1318 — Ruby Lucille Beatty, requesting outright vacation and conversion to easement a portion of Santa Clara in the area of Parkside and Fairway Drive.

Petition No. 1318 of "Ruby Lucille Beatty", at 17410 Parkside, Detroit, MI 48221, request to outright vacation and convert to easement the South 10.00 feet of Santa Clara Avenue, 50 feet wide, between Parkside Avenue, 60 feet wide and Fairway Drive (private right-of-way), 45 feet wide 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 clearances) and report. This is our report:

The Detroit Water and Sewerage Department (DWSD) reported involvement, but no objection to the proposed change in property.

All other city departments and privately owned utility companies have reported no involvement to the requested right-of-way changes or that satisfactory arrangements have been made. Provisions pro-

tecting utility installations (if necessary) 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 Tinsley-Talabi:

Resolved, All that part of the South 10.00 feet of Santa Clara Avenue, 50 feet wide, East of Parkside Avenue, 60 feet wide, lying Northerly of and abutting the West 129.00 feet of Lot 641 in the "Golf Club Addition Subdivision" a part of the west 1/2 of Section 10 T1S. R.11E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 37 Page 1, Plats, Wayne County Records;

Be and the same is hereby vacated as a public right-of-way to become part and parcel of the abutting property; and be it further

Resolved, All of that part of the South 10.00 feet of Santa Clara Avenue, 50 feet wide, East of Parkside Avenue, 60 feet wide, lying Northerly of and abutting the remaining Easterly 6.00 feet of Lot 641 in the "Golf Club Addition Subdivision" a part of the west 1/2 of Section 10 T1S. R.11E., Greenfield Township, Wayne County, Michigan, as recorded in Liber 37 Page 1, Plats, Wayne County Records;

Be and the same is hereby vacated as a public street and is hereby converted into a private easement for public utilities of the full width of the street, 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 easement or right-of-way over said vacated public street 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 street 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 street 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 adjoin-

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

