

Nays — None.

**Department of Public Works
City Engineering Division**

April 30, 2004

Honorable City Council:

Re: Petition No. 682 — Shirley Zimberg et. al., requesting conversion of alley to easement in the area of James Couzens, Hartwell and Curtis.

Petition No. 682 of "Shirley Zimberg et. al.", request conversion of the North-South public alley, 18 feet wide, in the block bounded by James Couzens Service Drive, Curtis Avenue, 66 feet wide, Pickford Avenue, 50 feet wide, Snowden Avenue, 60 feet wide, and Hartwell 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.

If the petitioner at any time plans to discontinue use of the paved alley entrance (into Hartwell 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 right-of-way into private easement for utilities.

Provisions protecting utility installations are part of this resolution.

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW

By Council Member K. Cockrel, Jr.:

Resolved, All that part of the North-South public alley, 18 feet wide, lying Southerly of and abutting the South line of Lot 889, and lying Northerly of an abutting the North line of Lots 879 through 888, both inclusive, all in the "Blackstone Park Subdivision of the N.W. 1/4 of Section 8 — T.1 S. R.11E. Greenfield Township, now City of Detroit, Wayne County, Michigan" as recorded in Liber 45 Page 51, 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 if it becomes necessary to remove the paved return at the entrance (into Hartwell 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 with-

PETITION NO. 682
SHIRLEY ZIMBERG
19755 LAMES COUZENS
PHONE NO. 313-863-2020



PICKFORD 50 FT. WD.

HARTWELL 60 FT. WD.

SNOWDEN 60 FT. WD.

JAMES COUZENS SER. DR.

CURTIS 66 FT. WD.



REQUESTED CONVERSION TO EASEMENT

CARTO 57 D

12-12-03 12-12-03		REQUESTED CONVERSION TO EASEMENT A PORTION OF THE AS OPEN PUBLIC ALLEY IN THE AREA OF HARTWELL, PICKFORD, SNOWDEN, CURTIS, AND JAMES COUZENS SERVICE DR.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT HEYER BUREAU JOB NO. 01-01 DRAWING X682.dwg
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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, Watson and President Mahaffey — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

April 21, 2004

Honorable City Council:

Re: Petition No. 1933 — Delta Environmental Consultants Inc., requesting to install and maintain encroachment of (4) monitoring wells in the open public alley behind 1830 East Eight Mile Road, a Amoco Service Station.

Petition No. 1933 of "Delta Environ-

mental Consultants Inc.," requests permission to install and maintain four (4) monitoring wells within the Easterly portion of East-West open public alley, 20 feet wide, behind 1830 East Eight Mile Road, a Amoco Service Station. The purchase of the bored wells is to monitor the existence or extent of soil contamination.

The encroachment petition was referred to the City Engineering Division — DPW for investigation and report. This is our report.

Soil borings and monitoring wells installations are equivalent to an "open cut" in a public street or alley. Necessary permits will have to be obtained for any street or alley opening, backfill, or occupancy of the City rights-of-way to install monitoring wells.

The Water and Sewage Department (DWSD) will require a minimum vertical