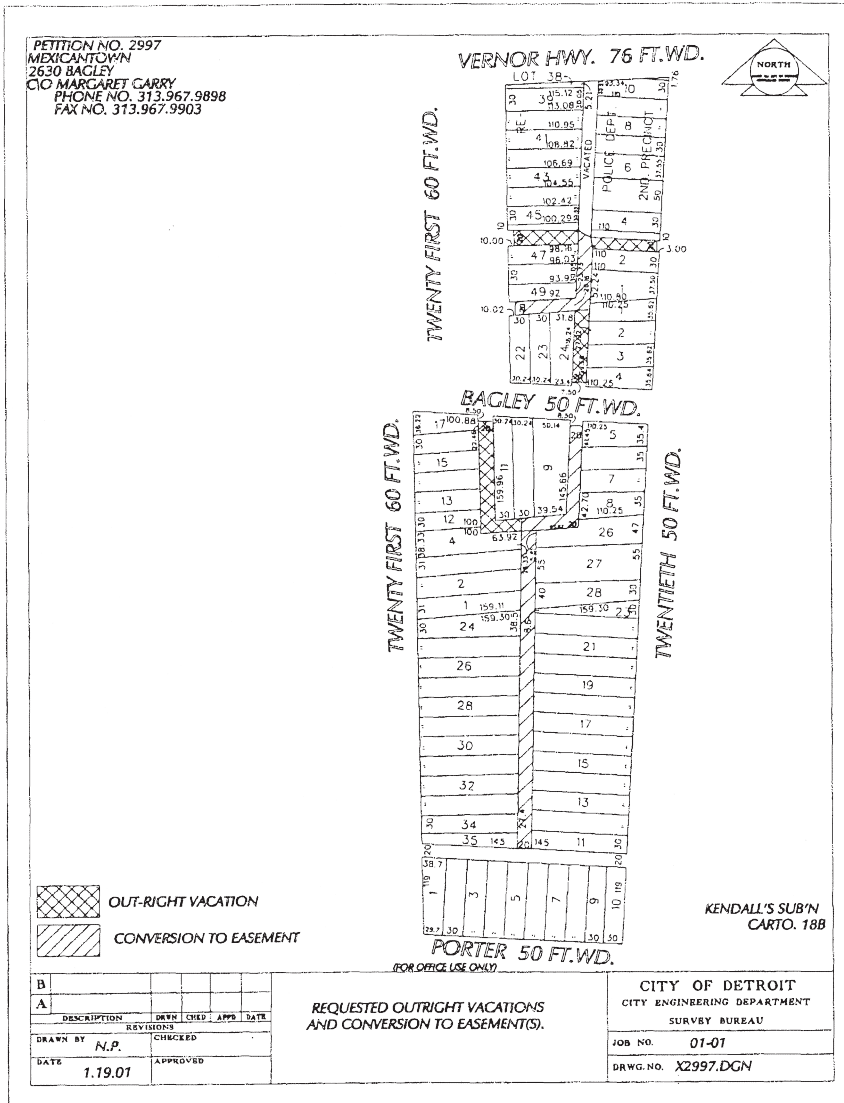


tion of any existing poles or other utilities in said easements, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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

Resolved, 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, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Pro Tem K. Cockrel, Jr. — 7.
 Nays — None.

Department of Public Works
City Engineering Division
 January 13, 2005
 Honorable City Council:

Re: Petition No. 2429 — Our Lady of Good Counsel Catholic Church, requesting for partial vacation of alley in the area of McNichols, Annott Street and Bradford Street.

Petition No. 2429 of "Our Lady of Good Counsel Catholic Church", at 17142 Rowe Avenue, Detroit, Michigan 48205, request conversion to easement the Westerly portion of the East-West public

alley, 20 feet wide, in the block bounded by Annott Street, 60 feet wide, Bradford Street, 60 feet wide, Sauer Avenue, 60 feet wide, and East McNichols Avenue, 76 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 Annott Street), the petitioner shall pay all incidental removal costs.

All other city departments and private utility companies have reported no objections to the conversion of the public right-of-way into a private easement for utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
WILLIAM TALLEY
Head Engineer

City Engineering Division — DPW
By Council Member Tinsley-Talabi:

Resolved, All that part of the East-West public alley, 20 feet wide, lying Southerly of and abutting the South line of Lot 113, and lying Northerly of and abutting the North line of Lots 114 through 119, both inclusive, and the West 7.32 feet of Lot 120 all in the "Jeremiah Trombly's Gratiot Lawn Subdivision" of part of Lot 3 and part of Lot 4 of Trombly's Subdivision of part of fractional Section II, T. 1 S., R. 12 E., as recorded in Liber 55 Page 42, 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 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 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 alley 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 entrance (into Annott Street), 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.



Adopted as follows:

Yeas — Council Members Bates, S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Pro Tem K. Cockrel, Jr. — 7.

Nays — None.

Recreation Department

November 15, 2004

Honorable City Council:

Re: Authorization to accept a Grant from the Michigan Department of Natural Resources Trust Fund for Belle Isle Improvements.

The Detroit Recreation Department is hereby requesting the authorization of your Honorable Body to accept and expend \$322,000 from the Michigan Department of Natural Resources Trust Fund to make improvements on Belle Isle Park. The Department is further requesting your authorization to expend

\$250,000 from Capital dollars as the Recreation Department's matching funds. The total project, in the amount of \$572,000 will enable the Department to renovate the Woodside Comfort Station, construct a new picnic shelter on the banks of Lake Okonoka and build accessible pathways from the comfort stations and picnic shelter to the road.

With your authorization, the Department set up Appropriation No. 11148 for this grant project. Within that Appropriation, the Grant of \$322,000 will be received in Organization No. 398418. The matching funds of \$250,000 will be drawn from Capital dollars and received in Organization No. 398419.

The project will renovate the Woodside Comfort Station, including making it barrier free according to the Americans with Disabilities Act guidelines. It will also