

Zone	Address	Application Number
Garden Court Apartments	2900 East Jefferson, Unit 37	04-61-37
Garden Court Apartments	2900 East Jefferson, Unit 38	04-61-38
Garden Court Apartments	2900 East Jefferson, Unit 39	04-61-39
Garden Court Apartments	2900 East Jefferson, Unit 40	04-61-40
Garden Court Apartments	2900 East Jefferson, Unit 41	04-61-41
Garden Court Apartments	2900 East Jefferson, Unit 42	04-61-42
Garden Court Apartments	2900 East Jefferson, Unit 43	04-61-43
Garden Court Apartments	2900 East Jefferson, Unit 44	04-61-44
Garden Court Apartments	2900 East Jefferson, Unit 45	04-61-45
Garden Court Apartments	2900 East Jefferson, Unit 46	04-61-46
Garden Court Apartments	2900 East Jefferson, Unit 47	04-61-47
Garden Court Apartments	2900 East Jefferson, Unit 48	04-61-48
Garden Court Apartments	2900 East Jefferson, Unit 49	04-61-49
Garden Court Apartments	2900 East Jefferson, Unit 50	04-61-50
Garden Court Apartments	2900 East Jefferson, Unit 51	04-61-51
Garden Court Apartments	2900 East Jefferson, Unit 52	04-61-52
Garden Court Apartments	2900 East Jefferson, Unit 53	04-61-53
Garden Court Apartments	2900 East Jefferson, Unit 54	04-61-54
Garden Court Apartments	2900 East Jefferson, Unit 55	04-61-55
Garden Court Apartments	2900 East Jefferson, Unit 56	04-61-56
Garden Court Apartments	2900 East Jefferson, Unit 57	04-61-57
Garden Court Apartments	2900 East Jefferson, Unit 58	04-61-58
Garden Court Apartments	2900 East Jefferson, Unit 59	04-61-59
Garden Court Apartments	2900 East Jefferson, Unit 60	04-61-60
Garden Court Apartments	2900 East Jefferson, Unit 61	04-61-61
Garden Court Apartments	2900 East Jefferson, Unit 62	04-61-62
Garden Court Apartments	2900 East Jefferson, Unit 63	04-61-63
Garden Court Apartments	2900 East Jefferson, Unit 64	04-61-64
Garden Court Apartments	2900 East Jefferson, Unit 65	04-61-65
Garden Court Apartments	2900 East Jefferson, Unit 66	04-61-66

**Department of Public Works
City Engineering Division**

June 27, 2006

Honorable City Council:

Re: Petition No. 4466 — Zeimet Wozniak & Associates for vacation of public alley and conversion to easement in the area of St. Paul Avenue, Belvidere Avenue, Agnes Avenue and Holcomb Avenue.

Petition No. 4466 of “Zeimet Wozniak & Associates”, request the conversion of the East-West public alley, 12.50 feet wide, in the block bounded by St. Paul Avenue, 60 feet wide, Agnes Avenue 50 feet wide, Holcomb Avenue, 60 feet wide, and Belvidere Avenue, 60 feet wide into a private easement for the public utility companies.

The request was approved by the Solid Waste Division—DPW, and Traffic Engineering Division—DPW. The petition was referred to the City Engineering Division—DPW for investigation (utility review) and report. This is our report.

All City departments and privately owned utility companies have reported no objections to the conversion of the public rights-of-way into a private easement for the public 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 S. Cockrel:

Resolved, All that part of the East-West public alley, 12.50 feet wide, lying Southerly of and abutting the South line of Lots 86 through 89, both inclusive, and lying Northerly of and abutting the North line of Lots 90 through 93, both inclusive, all in the “Holcomb and Sears Subdivision” of Lots 1, 2, 3, 11, 12, 13, and North half of Lot 19 of the Subdivision of P.C. No. 10 Robert Beaubien Farm and Part of P.C. No. 644, Hamtramck, (now City of Detroit) Wayne County, Michigan as recorded in Liber 7 Page 74, 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

And Be It Further Resolved, That the City Clerk shall forward each tax exemption certificate application to the State Tax Commission.

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No.7), per Motions before Adjournment.

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, concrete slabs or driveways, 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,

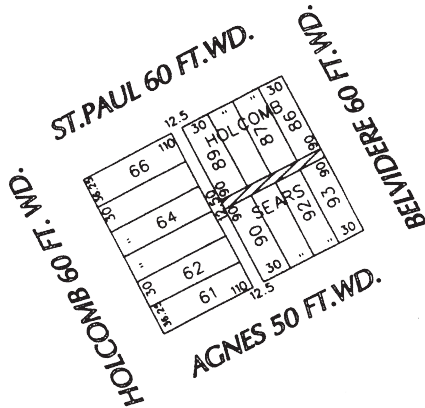
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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 alley return at the entrances (into Belvidere Ave.), 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 further

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

PETITION NO. 4466
FBI/NET WOZNIAK & ASSOC.
23450 FRANKLIN RD.
SOUTHFIELD, MI 48034
GO JULIAN WARGO
PHONE NO. 1-248-352-1346



REQUESTED CONVERSION TO EASEMENT

FOR OFFICE USE ONLY

CARTO 54 C

B									
A									
DESCRIPTION		REVISED	DATE	APPROVED		DATE		REVISIONS	
DRAWN BY		NP		CHECKED					
SCALE		2-9-06		APPROVED					
REQUESTED CONVERSION TO EASEMENT THE EAST-WEST PUBLIC ALLEY IN THE AREA OF ST. PAUL, AGNES, HOLCOMB, AND BELVIDERE					CITY OF DETROIT CITY ENGINEERING DEPARTMENT SURVEY BUREAU				
					JOB NO. 01-01				
					DRAW. NO. x4466.dgn				

Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 9.
 Nays — None.
 *WAIVER OF RECONSIDERATION (No. 8), per Motions before Adjournment.

From the Clerk
 September 13, 2006

This is to report for the record that, in accordance with the City Charter, the portion of the proceedings of July 26, 2006, on which reconsideration was waived, was presented to His Honor, the Mayor, for approval on July 27, 2006, and same was approved on August 3, 2006.

Also, That the balance of the proceedings of July 26, 2006 was presented to His Honor, the Mayor, on August 1, 2006 and same was approved on August 8, 2006.

Also, That my office was served with the following papers issued out of Wayne Circuit Court, and same were referred to the Law Department:

International Metals & Energy Technology, Ltd. (pl.) vs. City of Detroit, a municipal corporation (df.). Case No. 06-625417 CZ. Summons and Return of Service.

Rodney Drain (pl.) vs. City of Detroit, Department of Transportation, a Municipal corporation and Lawrence Hinton, Jointly and Severally (dfs.). Case No. 06-622314 NI. Summons and Return of Service.

Placed on file.

From The Clerk
 September 13, 2006

Honorable City Council:
 This is to inform your Honorable Body that I am in receipt of the following peti-