

Adopted as follows:
 Yeas — Council Members S. Cockrel, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**
 March 21, 2007

Honorable City Council:
 Re: Petition No. 1030 — Tres Galanes Corporation, request for vacation of alley for property in the area of 3354-62 Bagley, bounded by West Vernor

Highway, Twenty-Third Street, Fisher Freeway Service Drive and Bagley Ave.

Petition No. 1030 of "Tres Galanes Corporation", request for the conversion of the North-South public alley, 10.00 feet wide, and the East-West public alley, 16.00 feet wide in the block bounded by West Vernor Highway, 66 feet wide, Bagley Avenue, 50 feet wide, Twenty-Third Street, 60 feet wide, and the Fisher Freeway into private easements for utilities. This request is to alleviate the parking problems that frequently exist in Mexican Town.

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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:

All City departments and privately owned utility companies have reported no objections to the conversion of public rights-of-way into private easements for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW

By Council Member Watson:

Resolved, All that part of the North-South public alley, 10.00 feet wide, lying Easterly of and abutting the East line of Lots 93 through 98, both inclusive, all in the "Subdivision of Lots 51, 50, 47 and the North Half of 46, Porter Farm" City of Detroit, recorded August 24, 1857 as recorded in Liber 1, Page 25, Plats Wayne County Records; and lying Easterly of and abutting the East line of Lot 1 in the "Subdivision of part of Bresler's Subdivision" of part of the Porter Farm between Leverette and Fabbriests, recorded August 19, 1882, Detroit, Wayne County, Michigan as recorded in Liber 7, Page 4, Plats, Wayne County Records;

Also, all that part of the East-West public alley, 16.00 feet wide, lying Southerly of and abutting the South line of Lot 1, and lying Northerly of and abutting the North line of Lots 14 through 18, both inclusive, all in the "Subdivision of Lots 51, 50, 47 and the North Half of 46, Porter Farm" City of Detroit, recorded August 24, 1857 as recorded in Liber 1, Page 25, Plats Wayne County Records;

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 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; and further

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; and further

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; and further

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; and further

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 Twenty-Third St. and West Vernor Highway), such removals and construction of new curb and sidewalk shall be done in accordance with "City of Detroit, City Engineering Division standard specification for paving and related construction" and as per "City of Detroit, Department of Public Works, City Engineering Division street and alley standard plans" and under city permit and Inspection with all costs borne by the abutting owner(s), their heir or assigns; and further

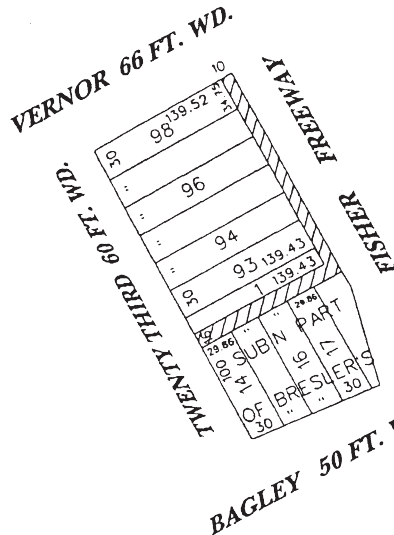
Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

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PETITION #1030
TRES GAINES CORPORATIO
3354-3362 BAGLEY
DETROIT, MI 48216
c/o JAMES GALANES
PHONE #313-554-4444
PHONE #313-520-0044



 **REQUEST CONVERSION TO EASEMENT**

(FOR OFFICE USE ONLY)

CARTO 18c

B				CITY OF DETROIT			
A				CITY ENGINEERING DEPARTMENT			
DESCRIPTION				SURVEY BUREAU			
DRAWN BY				JOB NO.			
DATE				DRWG. NO.			
APPROVED				01-01			
10/31/06				x1030.dgn			
REQUESTED CONVERSION TO EASEMENT THE NORTH / SOUTH AND EAST / WEST PUBLIC ALLEYS IN THE AREA OF FISHER FREEWAY SERVICE DRIVE BTWN. VERNOR, BAGLEY AND TWENTY THIRD.							

Adopted as follows:
 Yeas — Council Members S. Cockrel, Conyers, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.
 Nays — None.

Department of Public Works
City Engineering Division
 March 20, 2007

Honorable City Council:
 Re: Petition No. 4354 and 1125. Trilogy Finishing request for vacation and conversion to easement of the alleys located at 4651 Beaufait Avenue.

Petition No.4354 and 1125 of "Trilogy Finishing" whose address is 4651 Beaufait Avenue, Detroit, Michigan-48207 request for outright vacation of a portion of the East-West public alley, 20 feet wide, (with a portion converted into an ease-

ment on Oct. 20, 1979) and the North-South public alley, 20 feet wide, (Deeded to City on Oct. 10, 1979); also request conversion to easement the East-West public alleys, 18 and 20 feet wide, and the North-South public alley, 18 feet wide all in the block bounded by East Forest Avenue, 70 feet wide, Garfield Avenue, 60 feet wide, Meldrum Avenue, 60 feet wide, and Beaufait Avenue, 70 feet wide. This request is to facilitate the construction of Trilogy Finishing expansion/addition to fit the needs of their customers. This expansion will create more job opportunity.

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.

Trilogy Finishing (petitioner) sent out