

October 9

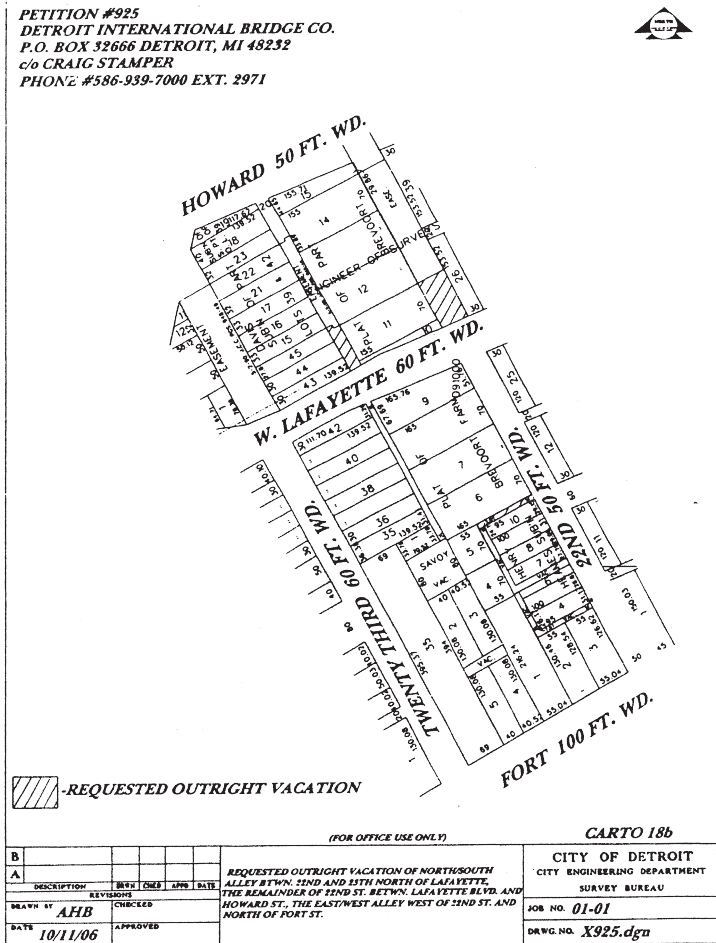
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Provided, That if it becomes necessary to remove the paved alley return at the entrances (into Twenty Second Street and West Lafayette Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering

Division — DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and 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 S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.
 Nays — None.

Department of Public Works
City Engineering Division
 September 5, 2007
 Honorable City Council:
 Re: Petition No. 1253 — Golder Associates, Inc. request for the alley closures in the area of Epworth, Milford and Tireman Avenues.

Petition No. 1253 of "Golder Associates, Inc.", whose address is 51229 Century Court, Wixom, Michigan 48393, request for the conversion of the North-South public alley, 20 feet wide, and two (2) East-West public alleys (Deeded to the City of Detroit on May 8, 1926 and May 26, 1942), 20 feet wide, in the area of Tireman Avenue, 66 feet wide, Milford Avenue, 60 feet wide, and Epworth Avenue, 80 feet wide into private easements for the utilities. The closure of the alleys will facilitate in the expansion of Parts Galore that originally opened in April of 2005.
 The request was approved by the Solid

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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 utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
JESSY JACOB
Interim City Engineer

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

Resolved, All that part of the North-South public alley, 20 feet wide, lying 20 feet Westerly of and abutting the West line of Lots 9 through 38, both inclusive, all in the "J. Mott William's Subdivision" of part of Fractional Section No. 3, Block 1, Springwells (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 5, Plats, Wayne County Register of Deeds;

Also, All that part of the East-West public alley, 20 feet wide, Deeded to the City of Detroit on May 26, 1942, being the Southerly 20.00 feet of Lot 38, also a triangular portion in the Northwest corner of said lot 38, being 10 feet on the Westerly line of said lot and 10 feet on the Northerly line of said Southerly 20 feet all in the "J. Mott William's Subdivision" of part of Fractional Section No. 3, Block 1, Springwells (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 5, Plats, Wayne County Register of Deeds;

Also, All that part of the East-West public alley, 20 feet wide, Deeded to the City of Detroit on May 8, 1926, being the Southerly 20 feet of Lot 8 all in the "J. Mott William's Subdivision" of part of Fractional Section No. 3, Block 1, Springwells (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 5, Plats, Wayne County Register of Deeds;

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 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 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 a public alley 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,

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,

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 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,

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 returns at the entrances (into Epworth 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 further

Provided, That the City Clerk shall

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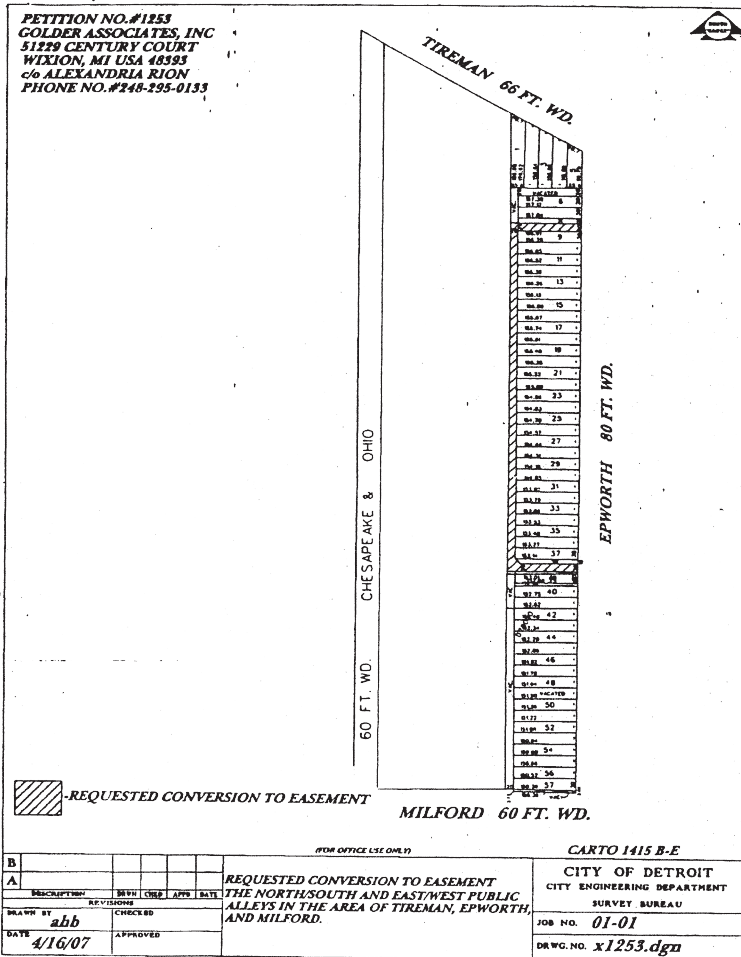
within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Resolved, The Planning and Development Department Director is hereby authorized to issue quit-claim deeds to transfer the following described parcels of land for the fair market value and/or other valuable consideration:

Land in the City of Detroit, Wayne County, Michigan being the Southerly 20.00 feet of Lot 38, also a triangular portion in the Northwest corner of said lot 38, being 10 feet on the Westerly line of said lot and 10 feet on the Northerly line

of said Southerly 20 feet all in the "J. Mott William's Subdivision" of part of Fractional Section No. 3, Block 1, Springwells (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 5, Plats, Wayne County Register of Deeds;

Land in the City of Detroit, Wayne County, Michigan being the Southerly 20 feet of Lot 8 all in the "J. Mott William's Subdivision" of part of Fractional Section No. 3, Block 1, Springwells (now City of Detroit), Wayne County, Michigan as recorded in Liber 34, Page 5, Plats, Wayne County Register of Deeds.



Adopted as follows:
 Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, Conyers, and President K. Cockrel, Jr. — 9.
 Nays — None.

Detroit Department of Transportation
 August 29, 2007
 Honorable City Council:
 Re: Acceptance of Federal Transit Administration (FTA) CMAQ Grant MI-95-X006 and Michigan Depart-