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gation (utility review) and report. This is our report.

The Public Lighting Department (PLD) will require 24-hr. UN-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement. Any damage done to existing PLD facilities by the proposed construction must be repaired at project cost.

The Detroit Water and Sewer Department (DWSD) have reported no objections to the requested conversion to easement, provided that an easement of the full width of the alley is reserved.

All City departments and privately owned 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,

JESSY JACOB

Interim City Engineer

City Engineering Division — DPW

By Council Member S. Cockrel:

Resolved, All that part of the easterly portion of the east-west public alley, 20 feet wide, in the block bounded by Sheridan Avenue, 60 feet wide, Townsend Avenue, 60 feet wide, Gratiot Avenue, 120 feet wide, and Frederick Avenue, 60 feet wide, lying northerly of and abutting the north line of the easterly 10.43 feet of Lot 281, and the north line of Lots 282-285, inclusive, and lying southerly of and abutting the south & southeasterly lines of Lot 286 of "William Tait's Subdivision of part of the Church Farm (P.C. 16)" North of Gratiot Avenue, City of Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 87, 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 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 a 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 an 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 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

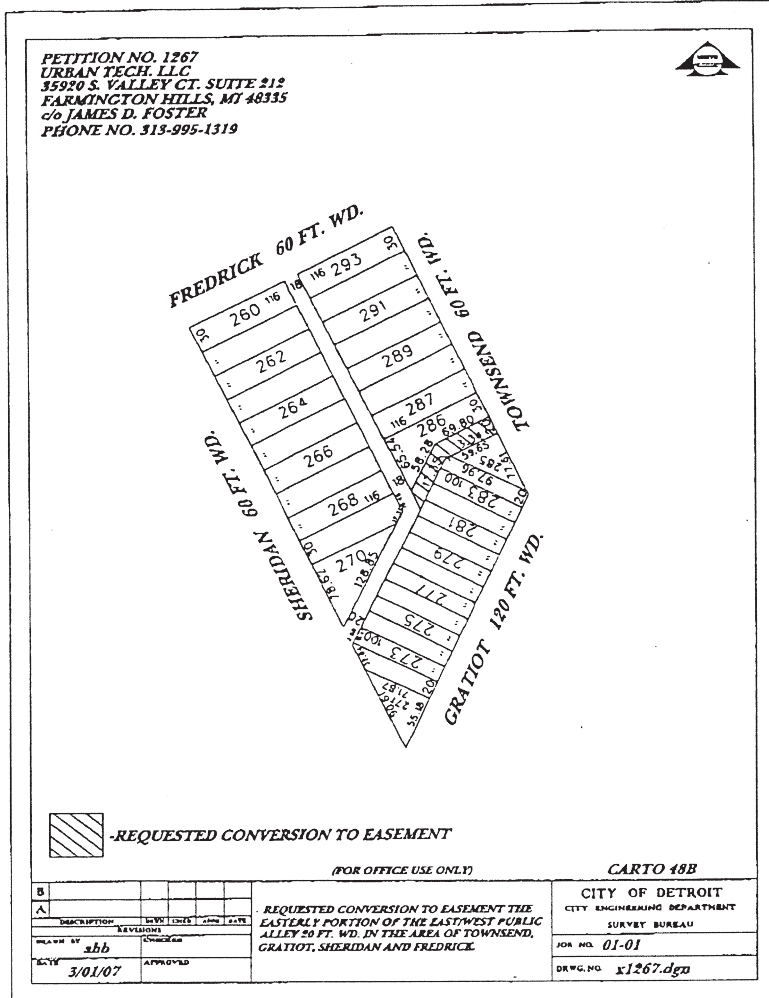
Provided, That if it becomes necessary to remove the paved return at the entrance (into Townsend Ave.), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting 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.

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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
 April 25, 2007

Honorable City Council:
 Re: Petition No. 2280 — Detroit Department of Transportation, requesting approvals in connection with the construction of the Downtown Detroit Rosa Parks Transit Center, Corrections are needed for the Legal Description, Provisions, and Deed language.
 Petition No. 2280 of the "Detroit Department of Transportation (DDOT)" (outright vacation and closure of State

Street, 60 feet wide, and the east-west public alley, 20 feet wide, first south of said State St., between Cass Avenue (variable width) and Park Place, 60 feet wide,) was granted by your Honorable Body on January 10, 2007 and the first correction was granted by your Honorable Body on February 14, 2007.

However, the resolution and/or provisions, deed language, and legal description have been revised which will require corrections (**all corrections in bold print and underlined**).

An appropriate resolution, correcting the provisions, legal descriptions and deed language, is attached for consideration by your Honorable Body.

Respectfully submitted,
 JESSY JACOB
 Interim City Engineer
 City Engineering Division—DPW