

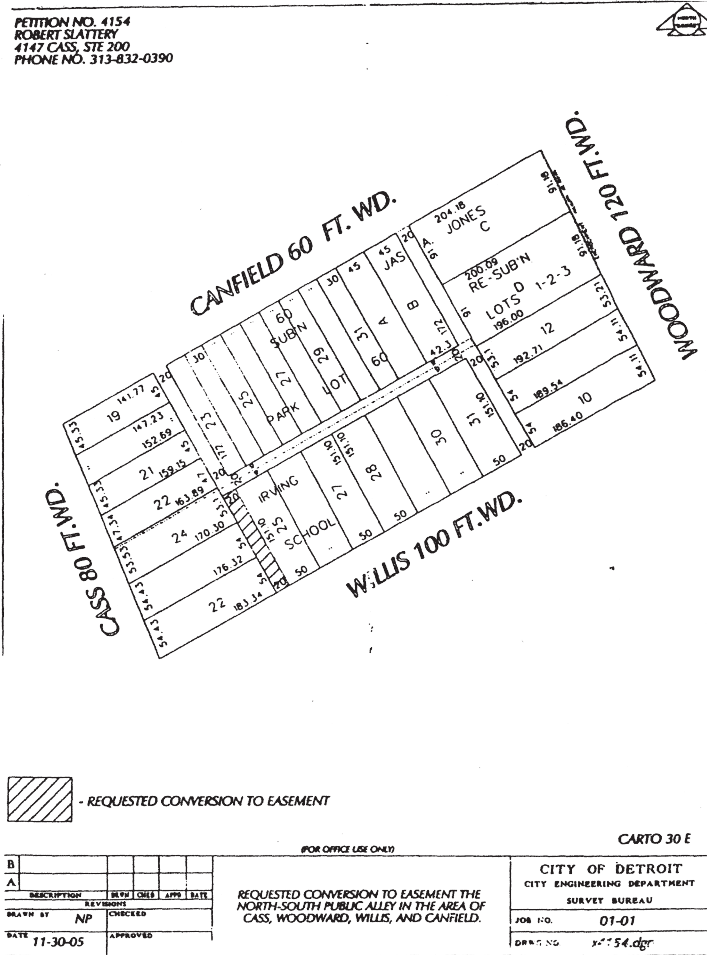
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and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heir or assigns; and further

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. 925 — Detroit International Bridge Company, request for the conversion to easement of certain rights-of-way in the area of Twenty-Second, Twenty-Third, Fort, and Howard.

Petition No. 925 of "Detroit International Bridge Company" request for certain rights-of-way to be converted into easements for utilities all in the block bounded by Howard Avenue, 50 feet wide, Fort Street, 100 feet wide, Twenty Third Street, 60 feet wide, and Twenty Second Street, 50 feet wide.

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

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rights-of-way into a private easement 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 Tinsley-Talabi:

Resolved, All that part of the East-West public alley, 10 feet wide, in the block bounded by West Lafayette Avenue, 60 feet wide, Fort Avenue, 100 feet wide, Twenty Third Street, 60 feet wide, Twenty Second Street, 50 feet wide, lying Northerly of and abutting the North line of Lot 10 in the "Henry Heames Subdivision" of Lots 2 and 3 and East part of 4 and 5 Brevoort Farm North of Fort Street, October 19, 1893 as recorded in Liber 19, Page 20, Plats, Wayne County Records; and lying Southerly of and abutting the South line of Lot 6 in the "Plat of the Subdivision of Easterly Part of P.C. 20" May 19, 1853 as recorded in Liber 48 Page 569, Deeds;

Also, All that part of the North-South public alley, 20 feet wide, in the block bounded by Howard Avenue, 50 feet wide, West Lafayette Avenue, 60 feet wide, Twenty Second Street, 50 feet wide, and Twenty Third Street, 60 feet wide, lying Westerly of and abutting the West line of the North 6.91 feet of Lot 10 and Lot 11 in the "Plat of the Subdivision of Easterly Part of P.C. 20" May 19, 1853 as recorded in Liber 48 Page 569, Deeds; and lying Easterly of and abutting the East line of Lots 43 through 45, both inclusive, in the "Subdivision of Lots 32, 33, 34, 36, and 38 G.B. Porter Farm" August 20, 1857 as recorded in Liber 1, Page 21, Plats, Wayne County Records;

Also, All that part of Twenty Second Avenue 50 feet wide, between West Lafayette Avenue, 60 feet wide, and Howard Avenue, 50 feet wide, lying Westerly of and abutting the West line of the South 87.41 feet of Lot 26 in the "J.W. Johnston's Subdivision" of the East part of the Brevoort Farm north of Fort Street being part of P.C. 20 December 16, 1869 as recorded in Liber 1 Page 257, Plats, Wayne County Records; and lying Easterly of and abutting the East line of the North 17.41 feet of Lot 10 and Lot 11 in the "Plat of the Subdivision of Easterly Part of P.C. 20" May 19, 1853 as recorded in Liber 48 Page 569, Deeds;

Be and the same is hereby vacated as a public street and alleys and is hereby converted into private easements for public utilities of the full width of the streets and 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 street

and 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 street and 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 street and 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 street and 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 easement 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 street and alleys 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

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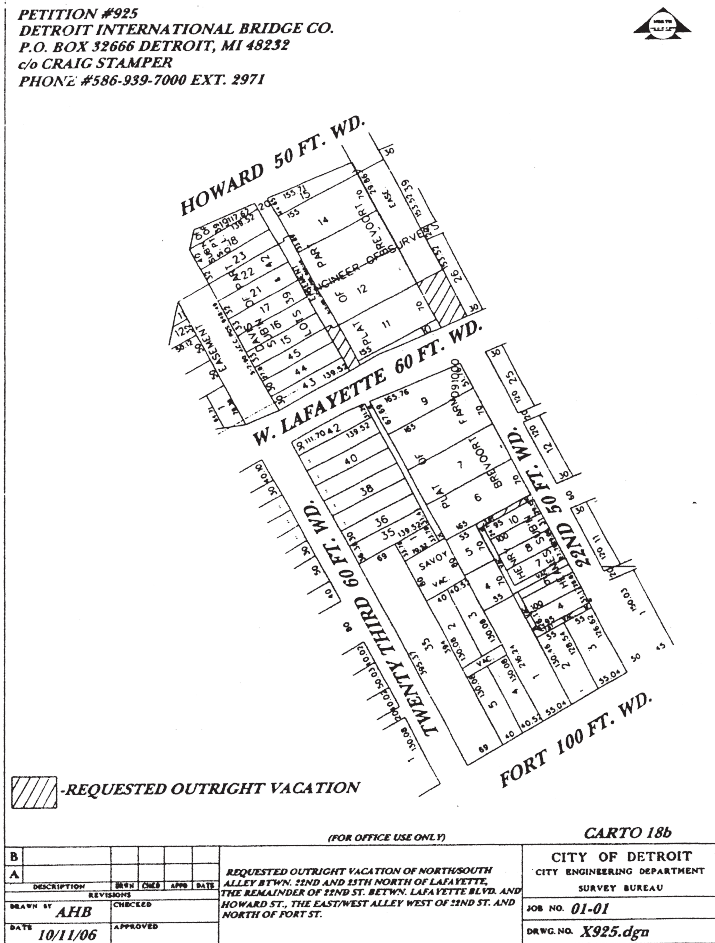
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Provided, That if it becomes necessary to remove the paved alley return at the entrances (into Twenty Second Street and West Lafayette Avenue), such removal and construction of new curb and sidewalk shall be done under city permit and inspection according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