

June 6

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2007

**Department of Public Works
City Engineering Division**

May 21, 2007

Honorable City Council:

Re: Request for Adjustment of Special
Assessment for Sidewalk Replacement.

The assessment of the property located at 4152 Third Street was improperly assessed. The quantities have been adjusted resulting in an amount reduction of \$4,172.37.

We therefore, respectfully request that your Honorable Body authorize and direct the Board of Assessors to reduce the assessed amount from \$10,012.37 to \$5,840.00.

Respectfully submitted,
CATHY SQUARE

Director

Department of Public Works

By Council Member Watson:

Resolved, That your Honorable Body authorize and direct the Board of Assessors to reduce the assessed amount from \$10,012.37 to \$5,840.00 for the property located at 4152 Third.

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**

May 14, 2007

Honorable City Council:

Re: Petition No. 964 — Elim Restoration Center, request conversion to easement the alley in the area of Grand River, Forrer, Eaton, and Winthrop Avenues.

Petition No. 964 of "Elim Restoration Center" whose address is 15738-15620 Grand River Avenue, Detroit, Michigan 48219, request for the conversion of the East-West public alley, 18 feet wide, in the block bounded by Eaton Avenue, 50 feet wide, Grand River Avenue, 100 feet wide, Forrer Avenue, 100 feet wide, and Winthrop Avenue, 60 feet wide, into a private easement for utilities.

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 right-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 Watson:

Resolved, All that part of the East-West public alley, 18 feet wide, lying Southerly of and abutting the South line of Lots 119 and 120, an lying Northerly of and abutting the North line of Lots 328 through 340, both inclusive, all in the "Rugby Subdivision" of part of Section 24, T. 1 S., R. 10 E., Redford Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 29, Page 75, 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 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 easements, nor change of surface grade made, without prior approval of the City Engineering Division—DPW,

Fourth, That if the owners of any lots

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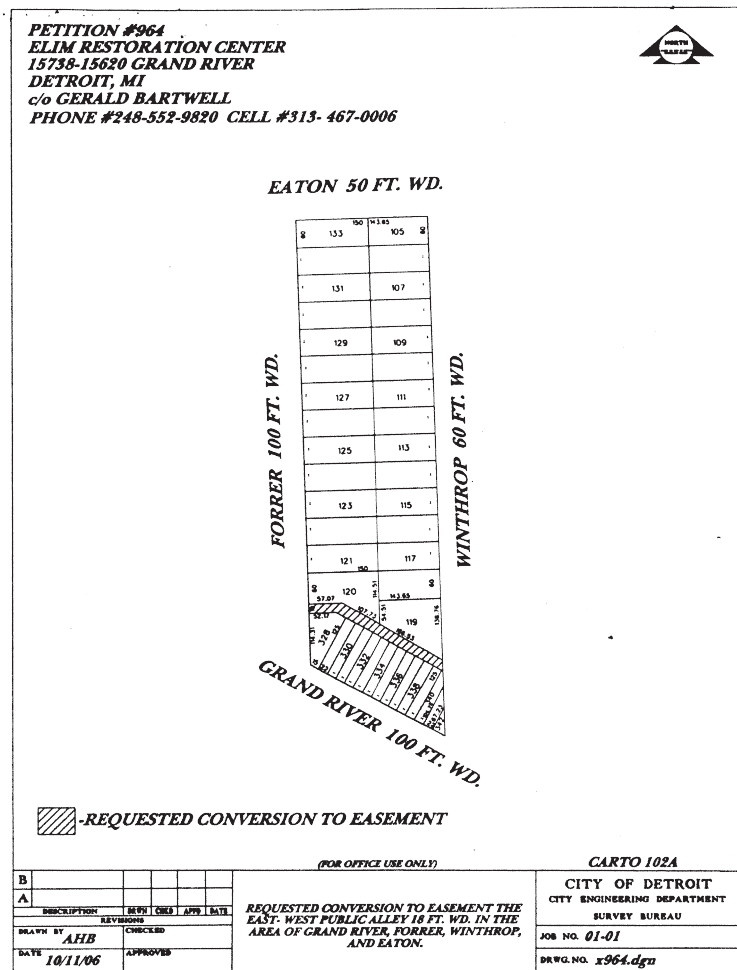
abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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 entrances (into Forrer Avenue and Winthrop 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.