

more particularly described in the attached Exhibit A-II, from 159,249 square feet to 138,169 square feet and an adjustment in the sales price from \$103,500 to \$89,810, with the commercial phase to remain unchanged.

Exhibit A-II

Land in the City of Detroit, County of Wayne and State of Michigan being part of Private Claims 22 and 248 (near the intersection of W. Grand River Avenue and Martin Luther King Boulevard) and also being part of the following (2) subdivisions;

"Re-Subdivision of Lots 20 to 30 (Both Inclusive) and vacated alley Hodges Bros' Subdivision of Out Lots 98, 99, 102 & 103 Woodbridge Farm; City of Detroit, Wayne Co., Mich." as recorded in Liber 27, Page 46, Plats; and the "Hodges Bros Subdivision of Out Lots 98, 99, 102 & 103 Woodbridge Farm" as recorded in Liber 1 Page 308, Plats, W.C.R.; and more particularly described as follows; Lots 15 through 17 inclusive; except a triangular portion of Lot 17 described as beginning at a point on the Northerly line of said Lot 17; said point being 38.96 feet Westerly measured along the Northerly line of Lots 16 and 17 from the Easterly line of said Lot 16 (Westerly of a public alley, 18 feet wide); thence Westerly along the Northerly line of said Lot 17, 5.04 feet to the Northwesterly corner of said Lot 17; thence Southerly along the line between Lots 17 and 18, 1.26 feet to a point; thence Easterly 6.08 feet to the place of beginning in said "Re-Subdivision of Lots 20 to 30 (Both Inclusive) and vacated alley Hodges Bros' Subdivision"; and also part of the remainder of Lot 29 of said "Hodges Bros Subdivision of Out Lots 98, 99, 102 & 103 Woodbridge Farm", said portion of Lot 29 also being excepted from and lying between Lots 16, 17, 18 and 19 of said "Re-Subdivision of Lots 20 to 30 (Both Inclusive) and vacated alley Hodges Bros' Subdivision", being more particularly described as beginning at a point on the Easterly line of said Lot 29 (Westerly line of a public alley 18 feet wide), said point being 4.94 feet Southerly measured along the Easterly line of said Lot 29, from the Southeasterly corner of Lot 19 of said "Re-Subdivision of Lots 20 to 30 (Both Inclusive) and vacated alley Hodges Bros' Subdivision", thence Southerly along the Easterly line of Lot 29, 5.06 feet to the Northerly line of Lot 16 of said "Re-Sub." Thence Westerly along the Northerly line of Lots 16 & 17 of said "Re-Sub."; 38.96 feet to a point; thence Easterly across said Lot 29, 39.29 feet to the place of beginning; and also, Lots 13 & 14, except a triangular portion of Lot 13 being the South 15.86 feet on the East Line and the East 12.78 feet on the South line; of said "Hodges Bros Subdivision of Out Lots 98,

99, 102 & 103 Woodbridge Farm"; and also, a triangular portion of Lots 10 through 12 being the North 64.24 feet on the West line and the West 51.76 feet on the North line of said lots in said "Re-Subdivision of Lots 20 to 30 (Both Inclusive) and vacated alley Hodges Bros' Subdivision"; and also Lots 20, 21 and the North 13.90 feet of Lot 22 of said "Re-Subdivision of Lots 20 to 30 (Both Inclusive) and vacated alley Hodges Bros' Subdivision"; and Lots 11, 12, 13, 17, 18, 19 and the North 13.6 feet of Lot 10 in said "Hodges Bros Subdivision of Out Lots 98, 99, 102 & 103 Woodbridge Farm". Also, Lots 13, 17, 18, 19, 45, 46, 47, 48, 49, 58, 85, 86, 91, the North 25 feet of Lot 12, Lots 56, 57 and the North 8 feet of Vacated Brainard Street, the North 25 feet of Lots 90 and 92, the North 39 feet of Lot 113, the North 45 feet of Lot 127 and the South 15 feet of Lot 128; "Hodges Bros. Subdivision" of Out Lots 98, 99, 102 & 103, Woodbridge Farm. Rec'd L. 1 P. 308 Plats, W.C.R.

DESCRIPTION CORRECT
ENGINEER OF SURVEYS
BY: DANIEL P. LANE
METCO Services, Inc.

Parcel 447

A/K/A 1352 Brainard; 3448, 3508, 3520 Grand River; 3466, 3475, 3481, 3490, 3491, 3501, 3605, 3606, 3618, 3689, 3697, 3701, 3707, 3713, 3907, 3915, 4158 Lincoln; 3940, 3946, 3956, 4232, 4238 Trumbull

Ward 06 Items 896, 897, 898, 964-77, 5417, 5418, 5421, 5422, 5448, 5777, 5778, 5779, 5780, 5781, 5782, 5783, 5790, 5792, 5793, 5794, 5795-6, 5924, 5925, 5927, 5942 & 5943 and be it further

Resolved, That the Planning and Development Department's Deputy, Director, or her authorized designee is hereby authorized to execute an agreement to purchase and develop Parcel 447 with Clark Estates, Inc., a Michigan Corporation, together with a deed to the property and such other documents as may be necessary to effect the sale, for the amount of \$89,810.

Adopted as follows:

Yeas — Council Members S. Cockrel, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 7.
Nays — None.

**Department of Public Works
City Engineering Division**

June 18, 2009

Honorable City Council:
Re: Petition No. 3101 — Southwest Housing Solutions request for the conversion to easement of the alleys north of Michigan Avenue, east of Campbell, and west of 35th Street.
Petition No. 3101 of "Southwest

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Housing Solutions" request for the conversion of the North-South public alley, 16 feet wide, and the East-West public alley, 20 feet wide, in the block bounded by Jackson Street, 60 feet wide, Michigan Avenue, 120 feet wide, Campbell Avenue, 60 feet wide, and 35th Street, 50 feet wide into public easements for utilities. This request is needed for the installation of a security fence and card reader to provide secured parking to the tenants of 5617 Michigan Condominium.

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.

Southwest Housing Solutions (the Petitioner) attempted to secure the signature from the abutting property owner at 3847 35th Street for the closure of the North-South public alley in said area. The petitioner has on record with City Engineering Division — DPW a copy of the letter and certified mailing receipt sent to the abutting property owner for the consent of the North-South public alley. The petitioner allowed for a 30-day turn around for a response to the closure. The letter was not returned with or without consent to the petitioner request within the 30-day period.

The Supervisor of Maps and Records for the City Engineering Division — DPW conducted a site investigation on June 4, 2009 to check the condition of the alley and to determine if the property owner at 3847 35th Street needs access from the alley. The findings were that the property at 3847 35th Street has a garage, but the garage is in disrepair and the property owner has access from 35th street to the garage.

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

This resolution is attached for your Honorable body for consideration.

Respectfully submitted,
JESSY JACOB, P.E.

City Engineer
City Engineering Division — DPW
By Council Member Reeves:

Resolved, All that part of the East-West public alley, 20 feet wide, lying Northerly of and abutting the North line of Lots 6 through 14, both inclusive, and lying Southerly of and abutting the South line of Lots 5 and 15; Also all that part of the North-South public alley, 16 feet wide, lying Westerly of and abutting the West line of Lots 15 through 21, both inclusive, and lying Easterly of and abutting the East line of Lots 1 through 5, both inclu-

sive, of Block A, all in the "Brush's Subdivision" of that part of P.C. 260 Lying between Michigan Avenue (and the North line of) Horatio Street except the Easterly 550 feet as recorded in Liber 16, Page 24, Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are 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 easement or right-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 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 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 alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs

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incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

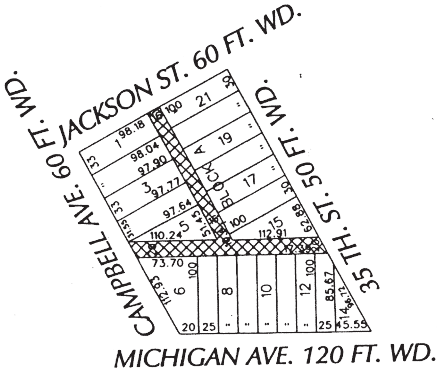
Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, 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 return at the entrances (into Campbell Avenue, Jackson Street, and 35th Street), 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.

PETITION NO. 3101
SOUTHWEST HOUSING SOLUTIONS
 1920 25th STREET, SUITE A
 DETROIT, MI. 48216-1435
 C/O STEVE GABRYS
 PHONE NO. 313 841 3727
 FAX NO. 313 841 3734





 - AREA OF EASEMENT

(FOR OFFICE USE ONLY)

CARTO 13 E

B		REQUEST FOR CONVERSION TO EASEMENT	
A		20 FT. WD. EAST WEST ALLEY	CITY OF DETROIT
	DESCRIPTION	REVISED	DATE
	DRAWN BY	CHECKED	DATE
	DATE	APPROVED	DATE
	KM		04-01-09
		16 FT. WD. NORTH SOUTH ALLEY	CITY ENGINEERING DEPARTMENT
		IN AREA BOUND BY	SURVEY BUREAU
		MICHIGAN AVE., 35TH ST., JACKSON AND CAMPBELL	JOB NO. 01-01
			DRWG. NO. x3101.dgn

Adopted as follows:
 Yeas — Council Members S. Cockrel, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 7.
 Nays — None.