

July 7

1551

2009

Resolution shall be recorded with the Office of the Register of Deeds for Wayne County by and the "permittees" expense;

Adopted as follows:

Yeas — Council Members S. Cockrel, Collins, Jones, Kenyatta, Reeves, Tinsley-Talabi, Watson, and President K. Cockrel, Jr. — 8.

Nays — None.

**Department of Public Works
City Engineering Division**

June 16, 2009

Honorable City Council:

Re: Petition No. 3296 — Metco Services, Inc., request the conversion to easement, of all of the north-south and east-west public alley(s) 16 feet wide, in the block bounded by Cass, Woodward, W. Baltimore, and W. Milwaukee Avenues.

METCO Services, Inc., at 1274 Library, Ste. 400, Detroit, Michigan 48226, on behalf of College of Creative Studies ("CCS"), a Michigan nonprofit corporation, 2101 East Kirby, Detroit, Michigan 48202, att: Ann Beck, Vice President of Administration and Finance, the developer, request the conversion of all of the north-south and east-west public alley(s), 16 feet wide, in the block bounded by Cass Avenue, 80 feet wide, Woodward Avenue, 120 feet wide, W. Baltimore Avenue, 60 feet wide, and W. Milwaukee Avenue, 60 feet wide, into a private easement(s) for public utilities.

CCS has recently acquired all vacant parcels of land abutting said public alleys. In connection with the CCS renovation of the adjacent Argonaut Building, and the proposed 450 to 500 car parking structure, an additional supplemental highly landscaped 178 space surface parking lot is proposed on said vacant land.

The request was approved by the Solid Waste Division — DPW and the Planning and Development Department. 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 public utilities. Provisions protecting utility installations are part of the resolution.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
JESSY JACOB, P.E.

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

Resolved, All of the north-south and east-west public alley(s), 16 feet wide, in the block bounded by Cass Avenue, 80 feet wide, Woodward Avenue, 120 feet wide, W. Baltimore Avenue, 60 feet wide, and W. Milwaukee Avenue, 60 feet wide,

lying in the City of Detroit, Wayne County, Michigan, being more particularly described as:

The East-West public alley 16 feet wide, lying Northerly of and abutting the North line of Lots 15-20, both inclusive, and lying Southerly of and abutting the South line of Lots 21-26, both inclusive, of "Leavitt's Subdivision of that part of Fractional Section 31, Town 1 South, Range 12 East, bounded by Milwaukee and Woodward Avenues, Grand Trunk Railroad and Rear Line of Private Claims and West Line of said Fractional Section 31, Also Lots 8 to 17, both inclusive, Part of Block 5 of Henry Webers Subdivision of Part of Fractional Sections 31 and 36, Town 1 South, Range 11 and 12 East, and Part of the Baker and Forsyth Farms", City of Detroit, Wayne County, Michigan, as recorded in Liber 9, Page 17, of Plats, Wayne County Records; Also, the North-South public alley, 16 feet wide, lying Westerly of and abutting the West Line of Lots 1-5, both inclusive, and lying Easterly of and abutting the East Line of said Lots 20 and 21 of said "Leavitt's Subdivision of that part of Fractional Section 31, Town 1 South, Range 12 East, bounded by Milwaukee and Woodward Avenues, Grand Trunk Railroad and Rear Line of Private Claims and West Line of said Fractional Section 31, Also Lots 8 to 17, both inclusive, Part of Block 5 of Henry Webers Subdivision of Part of Fractional Sections 31 and 36, Town 1 South, Range 11 and 12 East, and Part of the Baker and Forsyth Farms", City of Detroit, Wayne County, Michigan, as recorded in Liber 9, Page 17, of Plats, Wayne County Records;

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 said 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 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 an easement 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 public alleys 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 compa-

