

8480 Vanderbilt, 16143 West Parkway and 18910 Westmoreland — Withdrawn.

Adopted as follows:

Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Watson, and President Pugh — 8.
Nays — None.

Dangerous Structures

Honorable City Council:

To your Committee of the Whole were again referred dangerous structures at various locations. After rehearings and further consideration of same, your Committee recommends action as set forth in the following resolution.

Respectfully submitted,

GARY BROWN

Chairperson

By Council Member Brown:

Resolved, That dangerous structure at the following location be and the same is hereby returned to the jurisdiction of the Buildings, Safety Engineering and Environmental Department for the reason indicated:

15601 Normandy — Withdraw.

Adopted as follows:

Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Watson, and President Pugh — 8.
Nays — None.

Department of Public Works City Engineering Division

January 13, 2012

Honorable City Council:

Re: Petition No. 807 — Crystal Curry, requesting permanent closure of alley along property located at 18031 Dequindre.

Petition No. 807 of "Crystal Curry" request to the conversion of the easterly portion of the east-west alley, 17.00 feet wide, in the area North of Nevada Avenue, 70 feet wide, and between Marx Avenue, 75 feet wide, and Dequindre Avenue, 66 feet wide, into an easement for public utilities. This closure will provide better security, stop of illegal dumping, and unwanted traffic in said alley.

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 the public rights-of-way into private easement for public utilities. Provisions protecting utility installations are part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

RICHARD DOHERTY

Head Engineer

City Engineering Division — DPW

By Council Member Brown:

Resolved, All that part of the East-West public alley, 17.00 feet wide, in the area North of Nevada Avenue, 70 feet wide, and between Marx Avenue, 75 feet wide, and Dequindre Avenue, 66 feet wide, lying Southerly of and abutting the South line of Lot 1357 of the "Cadillac Height's Subdivision" of Northeast 1/4 of Section 12, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 33, Page 81, Plats, Wayne County Records; and lying Northerly of and abutting the north line of Lot 8 of the "Leland Height's Subdivision" of the easterly 492 feet of the Southeast 1/4 of Section 12, T.1S., R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 35, Page 14, 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 easement 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:

Provided, That an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easements for the purpose above set forth; and be it further

Provided, That free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easements is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

Provided, That the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection, and be it further

Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including fences, porches, patios, balconies, etc., shall be built upon or over said easements, or that no grade changes or storage of materials shall be made within said easements without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

Provided, That if any time in the future, the owners of any lots abutting on said alley shall request the removal and/or relocation of the aforementioned utilities in said easements, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

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 and over said utility easement with any necessary equipment to perform the above mentioned task, with the under-

standing 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,

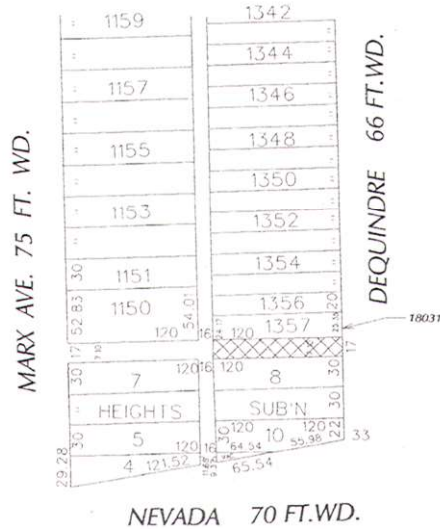
Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

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 Dequindre 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 heirs 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. 807
 CRYSTAL CURRY
 18031 DEQUINDRE
 DETROIT, MICHIGAN 48234
 CELL NO.: 313 739 0174



- CONVERT TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 36 A

B				REQUEST CONVERSION TO EASEMENT EAST PORTION OF EAST/WEST ALLEY IN AREA BOUND BY NEVADA, MARX, E. GRIXDALE AND DEQUINDRE		CITY OF DETROIT	
A						CITY ENGINEERING DEPARTMENT	
DESCRIPTION		DESK	CHIEF	APP'D	DATE	SURVEY BUREAU	
DRAWN BY		CHECKED				JOB NO.	01-01
DATE		APPROVED				DRWG. NO.	X807.dgn
3-29-11							

Adopted as follows:
 Yeas — Council Members Brown, Cockrel, Jr., Jenkins, Jones, Kenyatta, Spivey, Watson, and President Pugh — 8.
 Nays — None.

**Department of Public Works
 City Engineering Division**

January 12, 2011

Honorable City Council:
 Re: Petition No. 759 — UrbanTECH, request for the closure of the remaining public alleys in the block bounded by Calvary, Campbell, West Vernor and Newberry.

Petition No. 759 of "UrbanTECH", on behalf of Ryan's Food Center request permission to temporarily close the remaining public alleys in the block bounded by Newberry Avenue, 50 feet wide, West

Vernor Highway, 66 feet wide Campbell Avenue, 66 feet wide, and Cavalry Avenue, 50 feet wide.

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

The City Engineering Division — DPW's investigation requires for the petitioner to obtain the consents of abutting property owners for the closure of the remaining alleys in said area. There are six (6) different property owners that need to consent to the petitioner's request. The petitioner was able to obtain three (3) consents from abutting property owners. Two property owners have not replied back to the certified mailing sent on or mailed on June 16, 2011, copies of the certified mail receipts are on file with the City