



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

I am recommending adoption of the attached resolution.

Respectfully submitted,  
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division — DPW  
By Council Member Benson:

Resolved, That all of east-west alley, 20 feet wide, in the block of Marlowe Avenue, 60 feet wide, Hubbell Avenue, 66 feet wide, Clarita Avenue, 50 feet wide, and West 7 Mile Road, 100 feet wide. Further described as: Land in the City of Detroit, Wayne County, Michigan being the east-west alley, 20 feet wide, lying northerly of and adjoining the northerly line of Lots 1504 and 1582 and the vacated alley adjoining said Lots; also lying southerly of and adjoining the southerly line of Lots 1490 through 1503, both inclusive "Blackstone Park Subdivision No. 2 of the N 1/2 of the NW 1/4 of Section 7, T.1S., R.11E. Greenfield Township, Wayne County, Michigan" as recorded in Liber 49, Page 47 of Plats, Wayne County Records.

Be and the same is hereby vacated as a public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, 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 right-of-way 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 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 right-of-way 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 adjoin-

ing 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 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 or 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 (except necessary line fences or gates), shall be built or placed upon said easement, 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

Provided, That the petitioner maintain Fire Department vehicle access to all buildings, structures, fire hydrants, and fire department connections, and further

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 easement 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 easement 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



Adopted as follows:  
Yeas — Council Members Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Tate and President Jones — 7.  
Nays — None.

### NEW BUSINESS

#### Permit

Honorable City Council:

To your Committee of the Whole was referred Petition of The Annex Group and JAJ Good Cycle Works Inc. (#628), request to hold "Detroit Irish Fest" at 700 Randolph on March 16 and 17, 2019 from 7:00 p.m. - 2:00 a.m. on 3-16-19 and 10:00 a.m. to 10:00 p.m. on 3-17-19. Set up begins 3-11-19, tear down ends 3-19-19. After consultation with the Mayor's Office and all other concerned City Departments, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
SCOTT BENSON  
Chairperson

By Council Member Benson:

Resolved, That permission be and is hereby granted to Petition of The Annex Group and JAJ Good Cycle Works Inc. (#628), request to hold "Detroit Irish Fest" at 700 Randolph on March 16 and 17, 2019 from 7:00 p.m. - 2:00 a.m. on 3-16-19 and 10:00 a.m. to 10:00 p.m. on 3-17-19. Set up begins 3-11-19, tear down ends 3-19-19, and further

Provided, That the Buildings and Safety Engineering Department is hereby authorized and directed to waive the zoning restrictions on said property during the period of the festival, and further

Provided, That petitioner secures a temporary use of land permit, which includes the erection of any mechanical devices and temporary structures, and further

Provided, That petitioner has an inspection of electrical work prior to opening the facility to the public, and further

Provided, That the sale of food and soft drinks is held under the direction and inspection of the Health Department, and further

Provided, That permission for the sale of alcoholic beverages is granted contingent upon petitioner obtaining approval of the Michigan Liquor Control Commission and complying with applicable City Ordinances in connection with this activity, and further

Provided, That the petitioner complies with the provisions of Ordinance 503-H regarding festival permits and carnival licenses, and further

Provided, That the required permits be secured should any tents or temporary installations such as Liquefied Petroleum Gas Systems be used, and further

Provided, That if tents are to be used, the petitioner shall comply with all sections of Fire Marshal Division Memorandum #3.2 regarding "Use of Tents for Public Assembly," and further

Provided, That said activity is conducted under the rules and regulations of the concerned departments, and the supervision of the Police Department, and further

Provided, That such permission is granted with the distinct understanding that petitioner assumes full responsibility for any and all claims, damages or expenses that may arise by reason of the granting of said petition, and further

Provided, That site be returned to its original condition after said activity, and further

Provided, That this resolution is revocable at the will, whim or caprice of the City Council.

Adopted as follows:

Yeas — Council Members Benson, Castaneda-Lopez, Leland, McCalister, Jr., Sheffield, Tate and President Jones — 7.  
Nays — None.

\*WAIVER OF RECONSIDERATION  
(No. 20) Per motions before adjournment.

#### Permit

Honorable City Council:

To your Committee of the Whole was referred Petition of The Annex Group LLC and JAJ Good Cycle Works Inc. (#629), request to hold "Corktown Paddy's Parade Party" at 2014 Michigan Ave. on March 10, 2019 from 9:00 a.m. to 9:00 p.m. with set up to begin 3-3-19 and tear down to be complete on 3-15-19. After consultation with the Mayor's Office and all other concerned City Departments, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,  
SCOTT BENSON  
Chairperson

By Council Member Benson:

Resolved, That permission be and is hereby granted to Petition of The Annex Group LLC and JAJ Good Cycle Works Inc. (#629), request to hold "Corktown Paddy's Parade Party" at 2014 Michigan Ave. on March 10, 2019 from 9:00 a.m. to 9:00 p.m. with set up to begin 3-3-19 and tear down to be complete on 3-15-19, and further

Provided, That the Buildings and Safety Engineering Department is hereby authorized and directed to waive the zoning restrictions on said property during the period of the festival, and further

Provided, That petitioner secures a temporary use of land permit, which includes the erection of any mechanical devices and temporary structures, and further