

Adopted as follows:  
 Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 8.  
 Nays — None.

**Department of Public Works  
 City Engineering Division**

November 3, 2023

Honorable City Council:

Re: **Petition Number x2023-375** — General Services Division request to vacate to utility easement the public alley bounded by Smith Street, Beaubien Street, Bethune Street, and Brush Street.

**Petition No. x2023-375** — General

Services Division request to vacate to utility easement the public alley, 20 ft. wide, bounded by Smith Street, 60 ft. wide, Beaubien Street, 60 ft. wide, Bethune Street, 80 ft. wide, and Brush Street, 60 ft. wide.

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

The request was approved by the Solid Waste Division — DPW, and Traffic Engineering Division — DPW, and City Engineering — DPW.

Detroit Water and Sewerage Department (DWSD) has no objection provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments,

and privately owned utility companies have reported no objections. 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 Santiago-Romero:

Resolved, The public alley, 20 ft. wide, bounded by Smith Street, 60 ft. wide, Beaubien Street, 60 ft. wide, Bethune Street, 80 ft. wide, and Brush Street, 60 ft. wide, further described as land in the City of Detroit, Wayne County, Michigan being: the public alley, 20 ft. wide, lying northerly of and adjacent to lots 191 through 200 and southerly of and adjacent to lot 113 through 122 of "WM Y Hamlin & S J Browns Subdivision" as recorded in Liber 8, Page 72 of Plats, Wayne County Records.

Be and the same is hereby vacated as 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 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 understanding that the utility companies, other than that specifically prohibited by this resolution, shall restore the easement surface 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 (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 alleys 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 property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bulldozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, 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 the Detroit Water and Sewerage Department equipment including the use of backhoes, bulldozers, 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

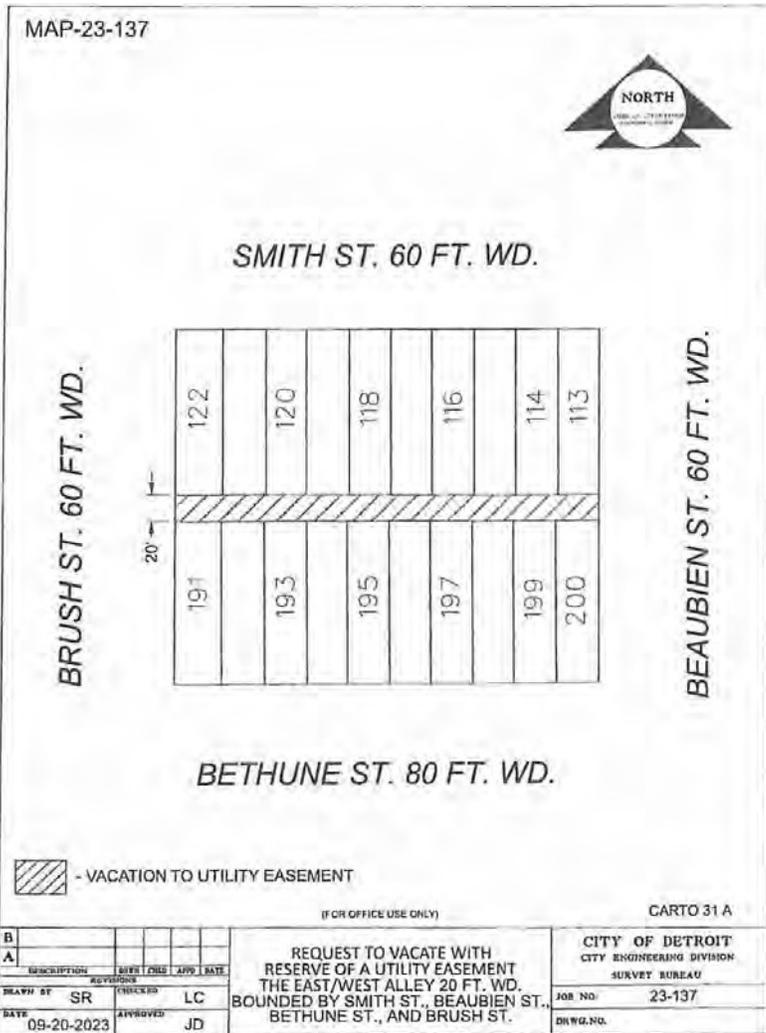
Provided, That said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water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

Provided, That if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, 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 the 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

Provided, That if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specification 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.



Adopted as follows:

Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Tate, Waters, Young, II and President Sheffield — 8.

Nays — None.

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**RESOLUTION CALLING FOR A  
 CEASEFIRE IN GAZA AND IMMEDIATE  
 RELEASE OF ALL HOSTAGES**

By Council Member Santiago-Romero:

WHEREAS, On October 7, 2023, Hamas launched an unprecedented attack against Israel, taking over 200 hostages and resulting in the deaths of 1,200 Israelis; and

WHEREAS, The Cabinet of Israel subsequently formally declared war against Hamas, and the Israeli Defense Minister ordered a "complete siege" on Gaza; and

WHEREAS, Since the war began, Gaza has endured "collective punishment" and been largely cut off from humanitarian aid. According to the United Nations Human Rights Council, 1.5 million Palestinians have been internally displaced, and the lack of safe drinking water, food, fuel, electricity, and medical care has created a humanitarian disaster; and

WHEREAS, As of November 12, the war against Hamas has destroyed much of the civilian infrastructure within Gaza, including hospitals, and resulted in the deaths of over 11,000 Palestinians, with roughly 68% of the casualties being women and children, according to the United Nations Office for the Coordination of Humanitarian Affairs; and

WHEREAS, The current war between Israel and Hamas marks the most significant escalation in decades, and continued escalation could result in a larger regional conflict with devastating consequences; and

WHEREAS, The Detroit City Council believes all sovereign nations in pursuit of self-defense must comply with international humanitarian law regardless of geographic context; and

WHEREAS, The Detroit City Council agrees that no human should be deprived of water, food, healthcare and medical supplies, energy (e.g. fuel and electricity), and other basic needs, and decries the deprivation thereof; and

WHEREAS, The Detroit City Council condemns all acts of violence aimed at Israeli and Palestinian civilians, and mourns the loss of all civilian lives and hostages; and

WHEREAS, The Detroit City Council is gravely concerned and recognizes that a lasting resolution can only be achieved by peaceful means and diplomacy; NOW, THEREFORE BE IT

RESOLVED, The Detroit City Council calls for an immediate, durable, and sustained ceasefire to protect and save human lives, which allows for humanitarian aid and the unhindered provision of goods to civilians throughout Gaza which are indispensable to their survival as

required by international humanitarian law; NOW, BE IT FURTHER

RESOLVED, As part of the ceasefire, the Detroit City Council also calls for the unconditional release of all civilians who are being illegally held hostage, demanding their safety, well-being, and humane treatment in compliance with international law; NOW, BE IT FINALLY

RESOLVED, That the Detroit City Clerk's Office provide a copy of this resolution the Mayor, the Detroit delegations in the Michigan legislature, and the United States Congressional delegations from Michigan.

Adopted as follows:

Yeas — Council Members Benson, Durhal, III, Johnson, Santiago-Romero, Waters and President Sheffield — 6.

Nays — Council Members Tate and Young, II — 2.

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**RESOLUTION RECOGNIZING NATIVE  
 AMERICAN HERITAGE MONTH**

By Council Member Santiago-Romero:

WHEREAS, Indigenous people have resided in Detroit for centuries. The Anishinaabe, or the "Three Fires People," composed of the Ojibwe, Ottawa, and Potawatomie tribes resided on this land before it become known as the City of Detroit; and

WHEREAS, Because of Detroit's proximity to large bodies of water, indigenous people have always relied upon this land as a place for hunting, fishing, trading, transporting, and fellowshipping. This is their ancestral homeland, and their alliance was formed in spite of the unjust treaties and forced relocations conducted by French and British colonizers; and

WHEREAS, According to the U.S. Census Bureau, there are more than 30,000 people who identify as full or half Native American currently living in metro Detroit; and

WHEREAS, Since long before European colonization, Native communities have passed down rich cultures, knowledge, traditions, and ways of life. Native Americans have continued to make valuable contributions to all aspects of society, and they remain committed to the stewardship of the natural world; and

WHEREAS, Detroit is a diverse city, and must practice solidarity with all historically and currently oppressed communities; and

WHEREAS, The recognition of Native American Heritage Month is a commitment to truth, justice, and reconciliation, as well as a time to remember centuries of colonization, forced relocation, and marginalization. It is an opportunity to honor and to establish a deeper understanding of the rich and diverse contributions of Indigenous communities to the City of Detroit; and

WHEREAS, Native American Heritage Month is also a time to celebrate Native American communities, which have served as the foundation of this country for centuries; NOW, THEREFORE BE IT