

City Engineering Department

April 2, 1990

Honorable City Council:

Re: Petition No. 1898. Community and Economic Development Department. Alley to Easement portion of

north-south public alley in the (triangular) block bounded by Gratiot, Chene and Hunt.

Petition No. 1898 of the Community and Economic Development Department (C&EDD) requests the conversion of a portion of the north-south public alley (first westerly of and parallel to Chene Street), 18 feet wide, in the (triangular) block bounded by Gratiot Avenue, Chene and Hunt Streets into an easement for public utilities.

The C&EDD has received approval (for the public alley closing) from the McDougall-Hunt Citizens District Council. The requested conversion was approved by the Department of Transportation. The petition was referred to the City Engineering Department for investigation (utility clearances) and report. This is our report:

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

The adoption of the attached resolution is recommended.

Respectfully submitted,

CLYDE R. HOPKINS

City Engineering Dept.

By Council Member Hill:

Resolved, All that part of the north-south public alley (first westerly of and parallel to Chene Street), 18 feet wide, in the (triangular) block bounded by Gratiot Avenue, Chene and Hunt Streets lying westerly of and abutting the west line of Lots 8 to 10, and the south 7.75 feet of Lot 11; also lying easterly of and abutting the east line of Lot 7 as platted in the "Subdivision of part of James Campau Farm, East Half of Private Claim 91, Block 24," City of Detroit, Wayne County, Michigan as recorded in Liber 2, Page 17, Plats, Wayne County Records;

Be and the same is hereby vacated as public alley and is hereby converted into a public easement 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:

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 alley in the City of Detroit, with the right to ingress and

egress at any time to an 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 tasks, 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 (except necessary line fence) shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Department.

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 if it becomes necessary to remove the paved alley return at the entrance (into Hunt Street), such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the (reversionary interests) owner, their heirs or assigns; and

Provided Further, That a certified copy of this resolution shall be recorded with

the Wayne County Register of Deeds. The Community and Economic Development Department shall pay all incidental recording costs.

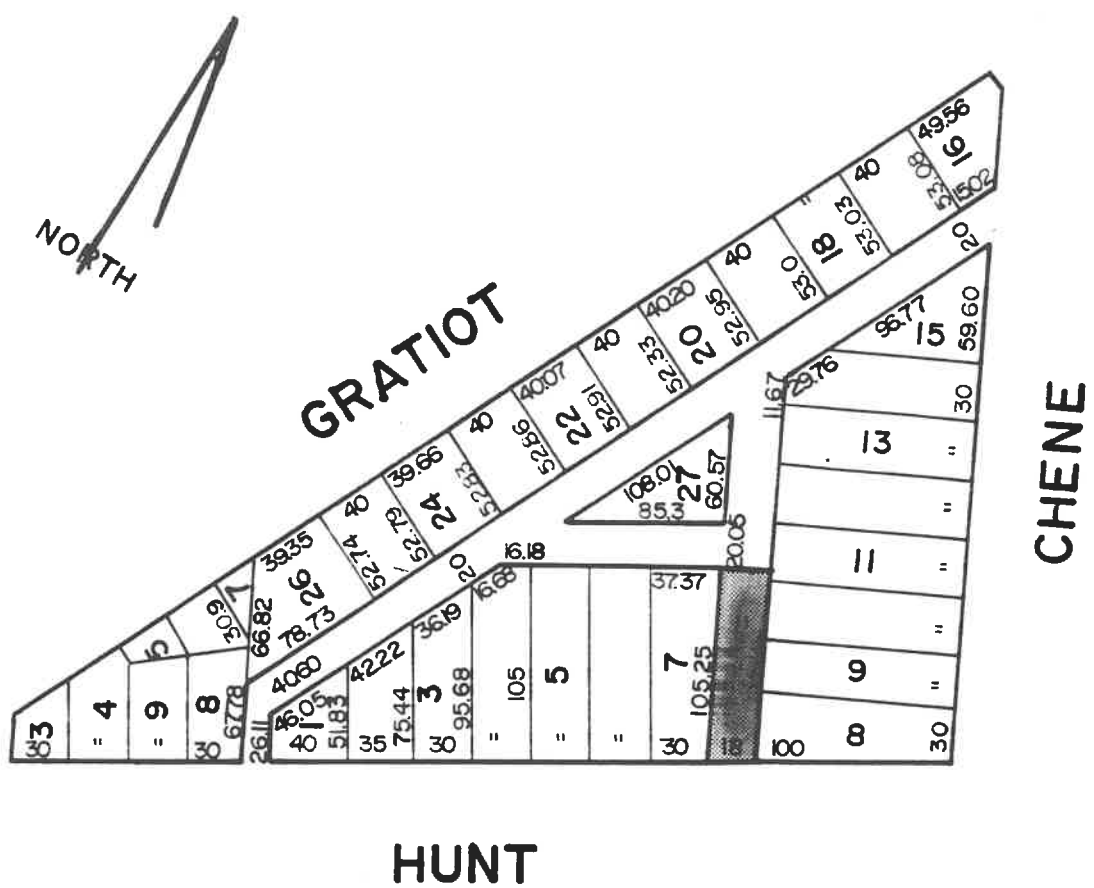
Adopted as follows:

Yeas — Council Members Butler, Cleveland, Collins, Eberhard, Hill, Hood, Kelley, Ravitz and President Mahaffey — 9.

Nays — None.

APRIL 11, 1990
J.C.C. PGS. 806-07

PETITION NO. 1898
C & E.D.D.
% R. RYBINSKI
PHONE: 224-2371



 REQUESTED CONV. TO EASEMENT.

SUB'N OF CAMPAU FARM BLK. 24

CARTO. NO. 39-E
SCALE: 1"= 100'

B					REQUESTED CONV. TO EASEMENT OF A PORTION OF THE N/S ALLEY, 18 FT.WD., IN THE BLK. BND. BY CHENE, HUNT & GRATIOT.	CITY OF DETROIT CITY ENGINEERING DEPARTMENT	
A							
DESCRIPTION		DRWN	CHKD	APPD			DATE
REVISIONS							
DRAWN BY J.D. FOSTER		APPROVED					
TRACED BY		APPROVED				JOB NO. 01-01	
CHECKED		APPROVED				DRWG. NO. X-1898	
						DATE 5/23/88	