

**City Engineering Department**  
June 6, 1990

Honorable City Council:

Re: Petition No. 1995. Pat Grauel, et al.  
Alley to Easement east-west public  
alley in the block bounded by West  
Parkway, Beaverland, Fenkell, and  
Keeler.

Petition No. 1995 of "Pat Grauel, et al"  
requests the conversion of the east-west  
public alley, 18 feet wide, in the block  
bounded by West Parkway, Beaverland,  
Fenkell, and Keeler Avenues into an  
easement for public utilities.

The requested conversion was  
approved by the Community and Eco-  
nomic Development Department. The  
petition was referred to the City Engi-  
neering Department for investigation and  
report. This is our report:

The petitioner plans to use the paved  
alley return entrance (into West Parkway  
and Beaverland) and requests such  
remain in its present status. The peti-  
tioner shall pay all incidental removal  
costs whenever discontinuance of use  
makes removal necessary.

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

The adoption of the attached resolu-  
tion is recommended.

Respectfully submitted,  
CLYDE R. HOPKINS,  
Director

By Council Member Kelley:

Resolved, All that part of the east-west  
public alley, 18 feet wide, in the block  
bounded by West Parkway, Beaverland,  
Fenkell, and Keeler Avenues lying  
southerly of and abutting the south line of  
Lot 187, the vacated north-south public  
alley (16 feet wide; having been previ-  
ously vacated by Council on December  
11, 1981 — J.C.C. pgs. 2951-57), and  
Lot 248; also lying northerly of and abut-  
ting the north line of Lots 249 to 260 as  
platted in "B. E. Taylor's Brightmoor-  
Pierce-Hayes Subdivision lying South of  
Grand River Avenue being part of the  
Southeast Quarter of Section 16, the  
Northwest Quarter of the Northeast  
Quarter and part of the Northeast Quar-  
ter of the Northwest Quarter of Section  
21, Town 1 South, Range 10 East, Red-  
ford Township", City of Detroit, Wayne  
County, Michigan as recorded in Liber  
45, Page 35, 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 pur-  
poses of maintaining, installing, repair-  
ing, removing, or replacing public utilities  
such as water mains, sewers, gas lines

or mains, telephone, electric light con-  
duits 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 ease-  
ment for the purpose above set forth.

Second, said utility easement for 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 com-  
panies, or those specifically authorized  
by them, for the purpose of inspecting,  
installing, maintaining, repairing, remov-  
ing, 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 nec-  
essary 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 com-  
panies, other than that specifically pro-  
hibited 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, with-  
out 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 con-  
struction 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 West Parkway and/or  
Beaverland Avenues), 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 petitioner, 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 petitioner 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.

JUNE 20, 1990  
J.C.C. Pgs. 1395-96



KEELER

WEST PARKWAY

BEAVERLAND

34	235	117	16	117	200	34
"						"
"	237				198	"
"						"
"	239				196	"
"						"
"	241				194	"
34						34
35	243				192	35
"						"
"	245				190	"
"						"
"	247				188	"
35	248	117	16	117	187	35
19	249	100				19
27	73	20				27
27	251	73				27
20		100				20
"	253					"
"						"
"	255					"
"						"
"	257					"
"						"
20	259	20				20
25	260	100				25

FENKELL



REQUESTED CONV.  
TO EASEMENT.

PET. NO. 1995  
CARTO NO. 121-F