

104-E  
DEC. 2, 1998  
J.C.C. pgy

**Department of Public Works**

November 17, 1998

Honorable City Council:

Re: Petition No. 356 — Henry Ford Health System, Requesting alley to easement in the block of W. Outer Drive, Thatcher, Southfield X-Way Service Drive, and Lindsay.

Petition No. 356 of "Henry Ford Health System" requests the conversion of an east-west public alley, 18 feet wide, in the block bounded by W. Outer Drive, Thatcher, Southfield Freeway Service Drive and Lindsay into a private easement for public utilities.

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

This is our report:

The requested alley closing was approved by Solid Waste Division — DPW and Traffic Engineering Division — DPW.

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

I am recommending adoption of the attached resolution.

Respectfully submitted,

SUNDAY JAIYESIMW

City Engineer

By Council Member Scott:

Resolved, All of the east-west public alley, 18 feet wide, in the block bounded by W. Outer Drive, Southfield Freeway Service Drive, Thatcher and Lindsay Avenue lying southerly of and abutting the south line of lot 29; also lying northerly of and abutting the north line of lots 30 thru 32 of the "Rutland Outer Drive

Subdivision" of the W. 1/2 of the W. 1/2 of the N.E. 1/4 of the S.W. 1/4 of Section 12, T. 1S., R. 10E., Redford Twp., Wayne County, Michigan as recorded in Liber 44, Page 100, 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:

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 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 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; said fence and gate installations shall be subject to the review and approval of the Fire Marshal and Buildings and Safety Engineering Department, if necessary) 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 become 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 entrance (into Lindsay 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.

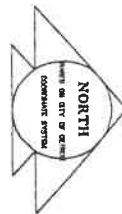
Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Hood, Scott, Tinsley-Williams, and President Hill — 6.  
Nays — None.

PETITION No. 365 <sup>356</sup>  
 HENRY FORD HEALTH SYSTEM  
 C/O CHRISTOPHER P. COBB  
 1 FORD PLACE, 4AB  
 DETROIT, MI 48202-3450

PHONE: (313) 874-4568  
 FAX: (313) 874-1678

SOUTHFIELD FRWY.



150 FT. WD.

W. OUTER DRIVE

BERTHA M. FISHER  
 HOME FOR AGED

SEC.12

THATCHER AVE.

50 FT. WD.



ALLEY CONVERSION  
 TO EASEMENT

CARTO 104E

RUTLAND OUTER DRIVE  
 SUBDIVISION

45	30	119	132.44	132.44	132.45	132.46	132.47	132.47	132.48	132.49	132.50	132.51	132.52	132.53	19	35
45	32	119	132.44	132.44	132.45	132.46	132.47	132.47	132.48	132.49	132.50	132.51	132.52	132.53	19	35
42.6	32	119	132.44	132.44	132.45	132.46	132.47	132.47	132.48	132.49	132.50	132.51	132.52	132.53	19	35

LINDSAY ST.

60 FT. WD.

73

SCALE: N.T.S.

(FOR OFFICE USE ONLY)

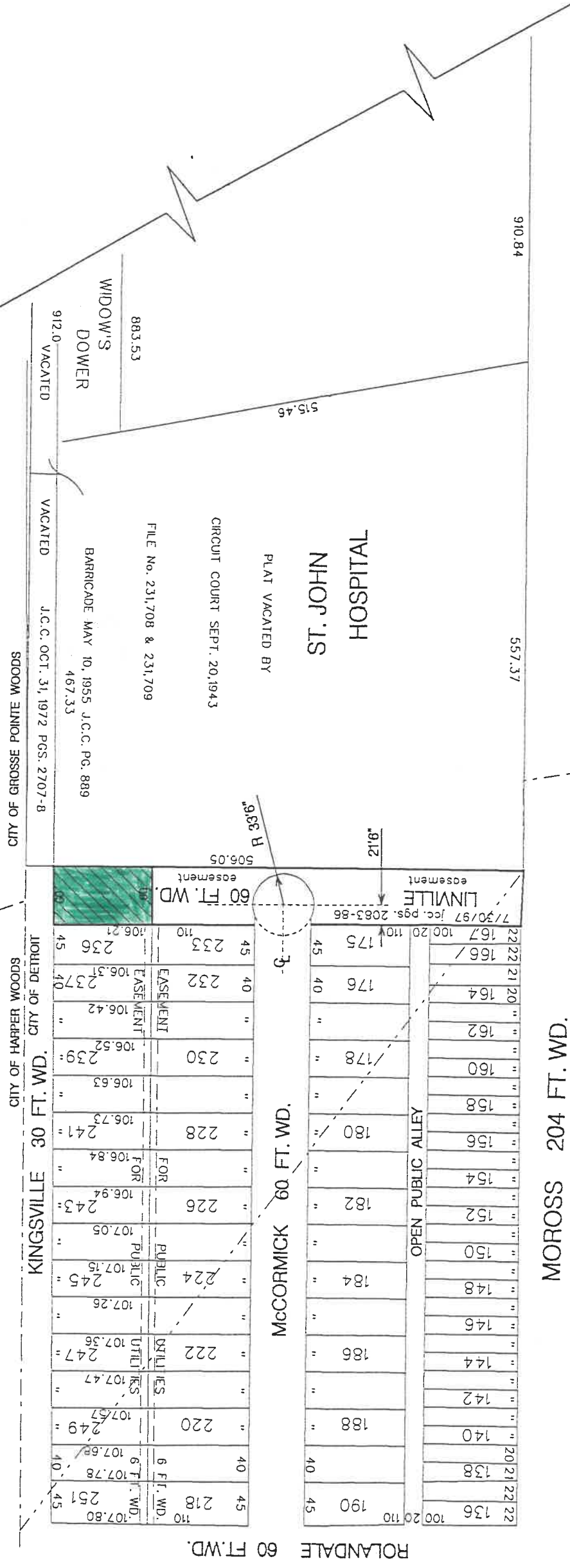
B					
A					
DESCRIPTION					
REVISIONS					
DRAWN BY	LGS	CHECKED	JDF	DATE	
DATE	5-14-1998	APPROVED			

REQUESTED CONVERSION TO EASEMENT  
 OF E-W ALLEY (18 FT. WD.) IN THE BLOCK  
 BOUNDED BY W. OUTER DRIVE, LINDSAY,  
 THATCHER AND SOUTHFIELD FRWY.

CITY OF DETROIT  
 CITY ENGINEERING DEPARTMENT  
 SURVEY BUREAU  
 JOB NO. 01-01  
 DRWG. NO. X356.DGN

PETITION NO. 3676  
ST. JOHN HOSPITAL AND MEDICAL CENTER  
CO DIMITRIS BITZARAKIS  
DIRECTOR, DESIGN/CONSTRUCTION SERVICES  
PHONE: 313.343.3308

NOTE: PROPERTY OWNER IN HEAVY OUT-LINE  
HAS NOT CONSENTED TO PETITION.



## REQUESTED CONVERSION TO EASEMENT

CARTO. NO. 107A

ROLAND ESTATE SUBN

(FOR OFFICE USE ONLY)

REQUESTED CONVERSION TO EASEMENT OF A PORTION OF LINVILLE ST. 60 FT. WD.  
BETWEEN MOROSS ST. AND KINGSVILLE ST.

CITY OF DETROIT  
CITY ENGINEERING DEPARTMENT  
SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X3676 DGN