

BY COUNCIL MEMBERS

RESOLVED, all that part of the East – West public alley, 18 feet wide, lying Southerly of and abutting the South line of Lots 102 through 109, both inclusive, and lying Northerly of and abutting the North line of Lots 101 and 110 all in the “Woodlawn Subdivision” of west 984.50 feet of North ½ of Northwest ¼ of Northwest ¼ of Section 3 T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 29, Page 54, Plats, Wayne County Records;

Also, all that part of the North – South public alley, 18 feet wide, lying Easterly of and abutting the East line of Lot 101 and lying Westerly of and abutting the West line of Lot 110 all in the “Woodlawn Subdivision” of west 984.50 feet of North ½ of Northwest ¼ of Northwest ¼ of Section 3 T.1S.R.11E., Greenfield Township (now City of Detroit) Wayne County, Michigan as recorded in Liber 29, Page 54, Plats, Wayne County Records;

Be and the same is hereby vacated as public alleys and is hereby converted into private easements for public utilities of the full width of the alleys, which easements 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 easements or rights-of-way over said vacated public alleys 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 easements for the purpose above set forth,

Second, Said utility easements or rights-of-way in and over said vacated alleys 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 easements or rights-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 easements 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 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, shall be built or placed upon said easements, 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 easements, 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 further

PROVIDED, that the alley remains open for the abutting property owners on Gardendale and Sheffield Avenues between West Eight Mile Road and Norfolk Avenue that also abuts Lots 85 through 100, both inclusive, Lots 111 through 126, both inclusive, in the Woodlawn Subdivision; Also, Lots 383 through 387, both inclusive, and 350 through 354, both inclusive, in the Greenacres Subdivision; and further

PROVIDED, That if it becomes necessary to remove the paved alley returns at the entrances (into Gardendale and Sheffield Avenues), 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 heir 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.

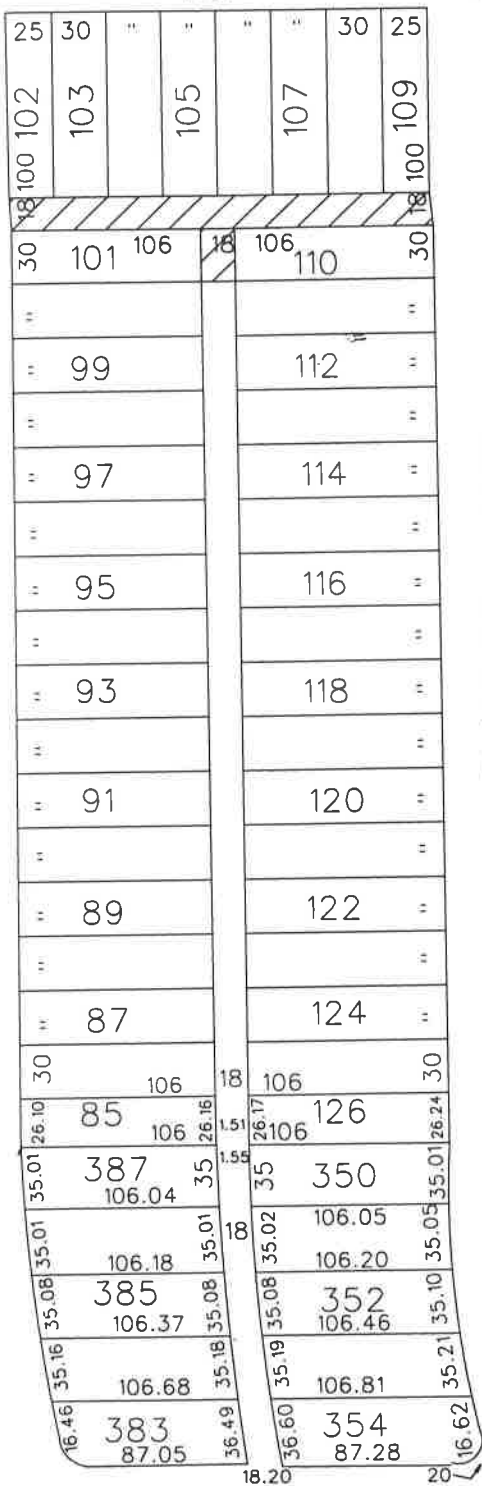
PETITION NO. 3259
 PLUNKETT & COONEY/ FIFTH THIRD BANK
 38505 WOODWARD, SUITE 2000
 BLOOMFIELD HILLS, MI 48304
 c/o BOB GEORGE
 CELL NO. 586-405-6866
 PHONE NO. 586-465-4636



W. EIGHT MILE 204 FT.WD.

SHEFFIELD 50 FT.WD.

GARDENDALE 50 FT.WD.



NORFOLK 50 FT.WD.


 - REQUESTED CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 27 C

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	NP		CHECKED		
DATE	02-07-05		APPROVED		

REQUESTED CONVERSION TO EASEMENT THE
 EAST - WEST PUBLIC ALLEY IN THE AREA
 OF W. EIGHT MILE, SHEFFIELD, NORFOLK,
 AND GARDENDALE.

CITY OF DETROIT	
CITY ENGINEERING DEPARTMENT	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	x3259.dgn