



City of Detroit
Inter-Departmental Communication

TO: Richard Doherty, City Engineer
City Engineering/Department of Public Works

FROM: Debra Singleton, Engineer
Detroit Water and Sewerage Department

DATE: April 3, 2019

RE: Petition No. 678
Request Outright Vacation A Portion OF The East Side Of Stoepel Street At Lot
NO. 5 And The Vacated East/West Alley

The Detroit Water and Sewerage Department (DWSD) is in receipt of the subject petition. DWSD has no objection to the requested vacation.

If you have any questions, please feel free to call me at (313) 267-8309 or Mohammed Fa Siddique at (313) 964-9245.

Sincerely,

Debra Singleton
Engineer Permits Section

DS/MS/gl
Attachments
CC::Mohamad Farhart, CSF

City of Detroit
City Engineering Division, Department of Public Works
Survey Bureau

NOTICE OF PROPOSED CHANGE IN PROPERTY

Date: 02/12/2019

Petition: x678

- | | |
|--|---|
| <input type="checkbox"/> AT&T Telecommunication | <input type="checkbox"/> Berm Use |
| <input type="checkbox"/> Comcast Television (CATV) | <input type="checkbox"/> Conversion to Easement |
| <input type="checkbox"/> Detroit Edison (DTE) | <input type="checkbox"/> Dedication |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Great Lakes Water Authority | <input checked="" type="checkbox"/> Outright Vacation |
| <input type="checkbox"/> Land Bank Authority | <input type="checkbox"/> Temporary Closing |
| <input type="checkbox"/> Michcon (DTE) | |
| <input type="checkbox"/> Planning & Development Department | |
| <input type="checkbox"/> Public Lighting Authority | |
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| <input type="checkbox"/> Police Department | |
| <input type="checkbox"/> Solid Waste Division, DPW | |
| <input type="checkbox"/> Street Design Bureau, DPW | |
| <input type="checkbox"/> Street Maintenance Division, DPW | |
| <input type="checkbox"/> Traffic Engineering Division, DPW | |
| <input type="checkbox"/> Water and Sewerage Department | |
| <input type="checkbox"/> _____ | |

A petition drawing is attached. Property shown on the attached print is proposed to be changed as indicated. Kindly report (using the back of this sheet) the nature of your services, if any affected by the proposed change and the estimated costs of removing and rerouting such services (if necessary).

Please return one copy to City Engineering Division, DPW within two weeks of the submittal date. Retain one copy and print for you file.

Ron Brundidge, Director, Department of Public Works

By: Richard Doherty, CED DPW
City Engineer

**TO: City Engineering Division, DPW
2 Woodward Ave., Suite 642
Detroit, Michigan 48226-3462
Survey Bureau: 313-224-3970**

Petition: x678

The proposed change in property (referred to on the other side of this sheet) would affect our services as follows:

- ☐ Not Involved
- ☐ Involved; but asking you to hold action on this petition until further notice.
- ☐ Involved; but no objections to the property change.
- ☐ Involved; objection to the property change.
- ☐ Involved; but no objections to the property change...provided as easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- ☐ Involved; the nature of our services and the estimated costs of removing and/or rerouting such services are:

(Utility or City Department)

By

Title

Date

Area code – Telephone number

PETITION NO. 678
 BAGLEY FOREST PROPERTY LLC.
 C/O QUINN EVANS ARCHITECTS
 4219 WOODWARD AVE. SUITE 301
 DETROIT, MI. 48201
 BRANDON FRISKE
 PHONE NO. (313)462-2550



7 MILE ROAD 86 FT.WD.

100 FT. WD.

STOEPEL AVE. 70 FT.WD.

LIVERNOIS AVE. 120 FT.WD.

CLARITA AVE. 50 FT. WD.



- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 89 A

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED	KSM		
DATE	02-12-19	APPROVED			

REQUEST TO OUTRIGHT VACATE 15 FT.
 OF THE R.O.W EAST SIDE OF STOEPEL AVE.
 AT LOT NO. 5 AND VACATED 18' ALLEY

CITY OF DETROIT
 CITY ENGINEERING DIVISION
 SURVEY BUREAU

JOB NO. 01-01

DRWG. NO. X 678



4219 WOODWARD AVENUE
SUITE 301
DETROIT, MI 48201

www.dunsmuir.com

7. LIV

19031 LIVERNOIS
AVE, DETROIT, MI
48221

DEA # 21651400

**ARCHITECTURAL
SITE PLAN**

LEGEND

BUILDING AREA

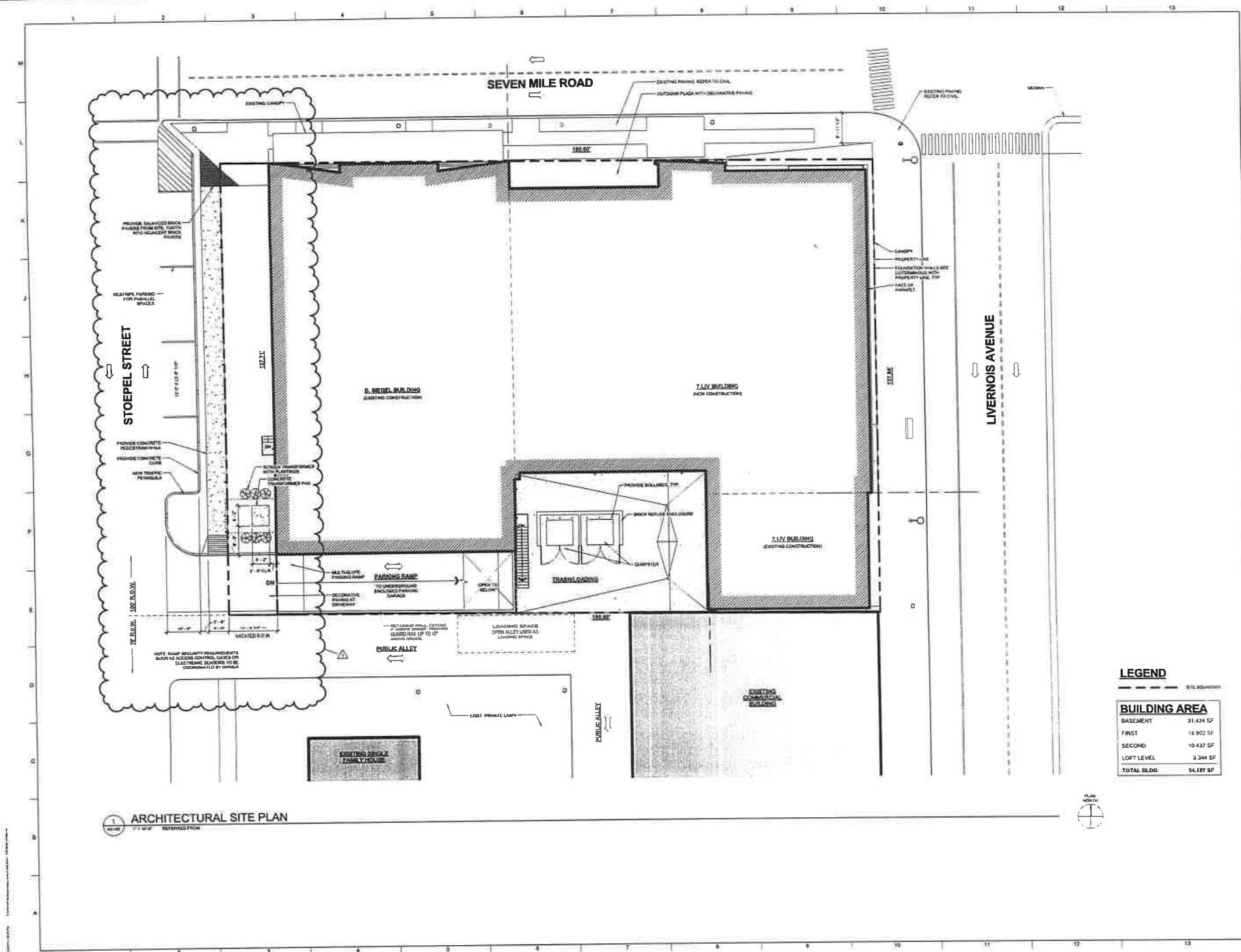
BASEMENT	21,424 SF
FIRST	18,902 SF
SECOND	10,437 SF
LOFT LEVEL	2,344 SF
TOTAL BLDG.	54,107 SF

FOR CONSTRUCTION
12/28/17

REVIEWS

NO	DESCRIPTION	DATE
1	R O W. PETITION	02.06.11
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AS100



Detroit Water & Sewerage Department
Provisions for Relocation Due to Vacation for Petition No. 678

Provided that the petitioner shall design and construct proposed sewers and to make the connections to the existing public sewers as required by the Detroit Water and Sewerage Department (DWSD) prior to construction of the proposed sewers,

Provided that the plans for the sewers shall be prepared by a registered engineer; and further

Provided that DWSD be and is hereby authorized to review the drawings for the proposed sewers and to issue permits for the construction of the sewers, and further

Provided that the entire work is to be performed in accordance with plans and specifications approved by DWSD and constructed under the inspection and approval of DWSD; and further

Provided that the entire cost of the proposed sewers construction, including inspection, survey and engineering shall be borne by the petitioner; and further

Provided that the petitioner shall deposit with DWSD, in advance of engineering, inspection and survey, such amounts as the department deems necessary to cover the costs of these services; and further

Provided that the petitioner shall grant to the City a satisfactory easement for the sewers; and further

Provided that the Board of Water Commissioners shall accept and execute the easement grant on behalf of the City; and further

Provided, that the petitioner shall provide DWSD with as -built drawings on the proposed sewers; and further

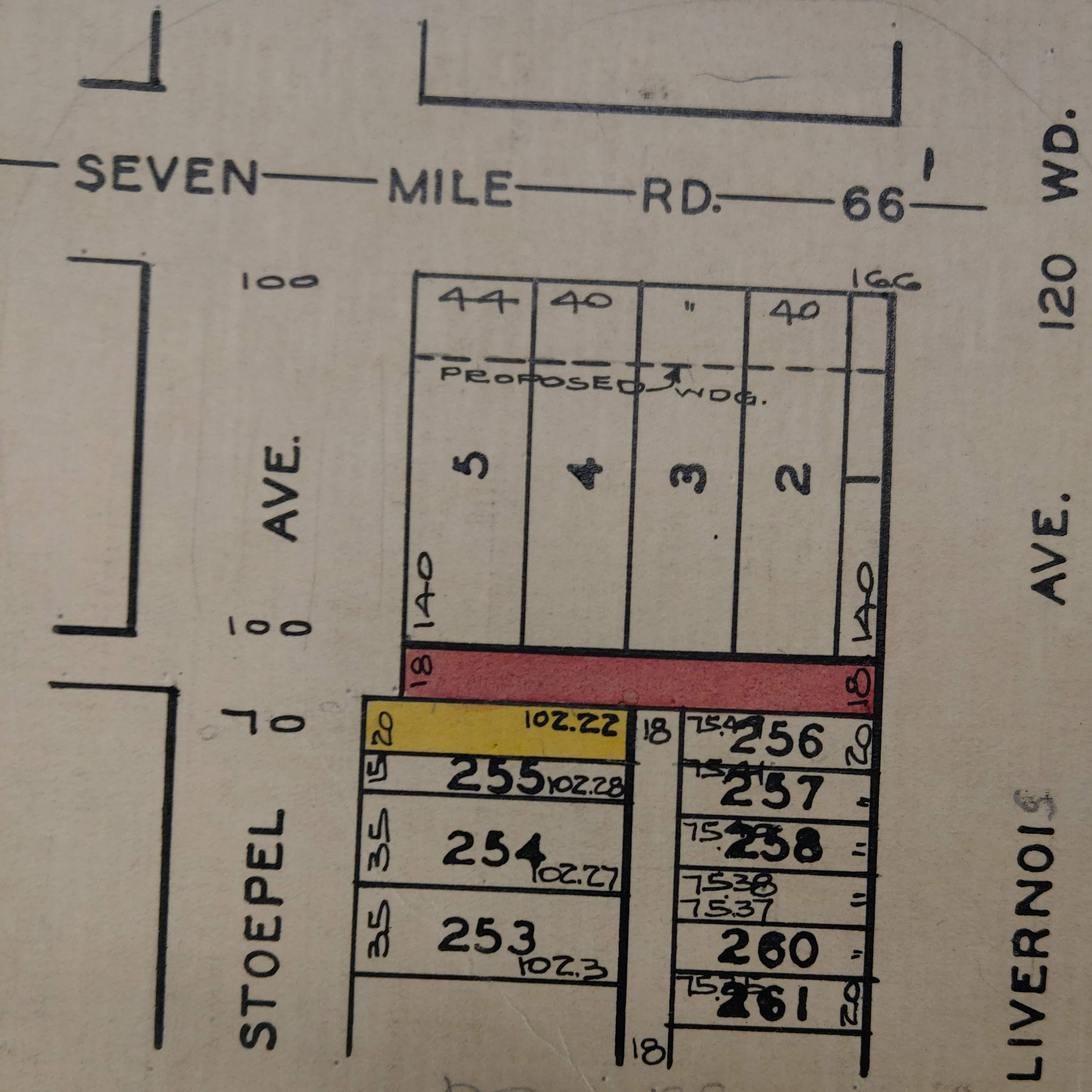
Provided that the petitioner shall provide a one (1) year warranty for the proposed sewers; and further

Provided that upon satisfactory completion, the sewers shall become City property and become part of the City system. And any existing sewers that were abandoned shall belong to the petitioner and will no longer be the responsibility of the City.

06/30/14







VACATED. JAN. 2, 1946.
J.C.C. PGS. 13-14.

DEED ACCEPTED MAR. 19, 1946.
J.C.C. PG.

1946.

Sub.," east side Rutherford between Warren and Whitlock, \$400.00 cash, city to pay all taxes and assessments to date including 1945 city taxes.

Alpha H. Smith (11), "all that part of lot 411, Brown and Babcock's Sub. of Wly. 41 2-3 acres of $\frac{1}{4}$ Sec. 29 and Wly. 25.06 acres of $\frac{1}{4}$ Sec. 32, 10,000 Acre Tract, Greenfield, Wayne Co., Mich., etc." S. W. cor. Burlingame and Martindale, \$35.00 cash, and further

Resolved, That the City Controller be and he is hereby authorized and directed to enter into land contract with Leonard D. Brand and Ann Brand, his wife (4), covering "Lot 144, Murphy Bros. Loyola Estates Sub.," southwest cor. Pinehurst and Santa Clara, for the sum of \$500.00 with \$125.00 down and the balance at \$10.00 or more per month including interest at 5% per annum, also 1-12 of the taxes monthly, entire amount to be paid within 2 years from date of contract; city to pay all taxes and assessments to date including 1945 city taxes, and further

Resolved, That upon payment of said contract in full, the City Controller is authorized to issue quitclaim deed, and further

Resolved, That the Corporation Counsel be and he is hereby directed to prepare said deeds and land contract.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Oakman, Rogell, Van Antwerp, and the President Pro Tem.—7.

Nays—None.

Sewers

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Jack C. Kaumeyer et al (8415), for construction of lateral sewer in block bounded by Artesian, Warwick, Ford Rd. and Kirkwood. After consultation with the Dept. of Public Works, and careful consideration of the request, your committee recommends that same be denied.

Respectfully submitted,

FRANK CODY,

Chairman.

Accepted and adopted.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Harry Dunitz et al (7658), for the vacation of alley in block bounded by Stoepel, Livernois, Clarita Aves. and Seven Mile Road. After consultation with the City Plan Commission, and careful consideration of the re-

quest, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

FRANK CODY,

Chairman.

By Councilman Cody:

Resolved, That all of east and west public alley, 18 feet wide, in block bounded by Stoepel Avenue, Livernois Avenue, Clarita Avenue and Seven Mile Road, more particularly described as all of east and west public alley, 18 feet wide, as platted in Canterbury Gardens, being a subdivision of the N. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Sec. 9, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Michigan, as recorded in Liber 37 page 65 of plats of Wayne County Records, lying south of and adjoining the southerly line of lots 2 to 5, both inclusive, south of and adjoining the southerly line of the westerly 16.63 feet of lot 1 and north of and adjoining the northerly line of the easterly 87.22 feet of lot 255, north of and adjoining the northerly line of north and south public alley, 18 feet wide, and north of and adjoining the northerly line of the westerly 75.49 feet of lot 256, all lots as platted in last mentioned subdivision, said alley above described also lying between the westerly line of said lot 5, extended southerly 18 feet, and the westerly line of Livernois Avenue, 120 feet wide as now established.

Be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property

Provided, owners in fee deed to the City of Detroit the northerly 20 feet of lot 255 of Canterbury Gardens, being a subdivision of the N. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Sec. 9, T. 1 S., R. 11 E., Greenfield Twp., Wayne Co., Michigan, as recorded in Liber 37 page 65 of plats of Wayne County Records, to be used for alley purposes, and further,

Provided, petitioners pay into the City Treasury the sum of \$739.50, said sum being the estimated cost of rerouting Public Lighting Commission primary wires necessitated by the closing of the above described alley, said amount to be credited to Public Lighting Commission Revenue Fund Code No. 123-9300-0-9, and further

Provided, petitioners pay into the City Treasury the sum of \$250.00, said sum being the estimated cost of rerouting Fire Department's telegraph circuits, said amount to be credited to Fire Department Fund Code No. 106-9400-0, and further,

Provided, petitioners pay into the City Treasury the sum of \$196.73, said sum being the estimated cost of rerouting Police Department signal circuits necessitated by the closing

of the above described alley, said amount to be credited to Police Department Fund No. 118-6220-1, and further,

Provided, petitioners deposit with the Permit Division of the Department of Public Works the sum of \$2,365.00, said amount being the estimated cost of rerouting existing lateral sewers located in alley herein vacated, said rerouting to be done in accordance with plans on file in the City Engineer's Office and in accordance with specifications of the City of Detroit relating to such work. Should the actual construction costs of this work, including City inspection costs, be less than the amount of the deposit, the difference shall be refunded to the petitioners, and further,

Provided, petitioners pay into the City Treasury the sum of \$329.62, to reimburse the City of Detroit for the cost of the original paving of Stoepel Avenue across the intersection of the alley herein vacated, said sum to be credited to General Road Fund Revenue Fund Code No. 143-6221-1, and further,

Provided, petitioners deposit with the Permit Division of the Department of Public Works the sum of \$1,525.90, said amount being the estimated cost of removing existing paved alley returns on the east side of Stoepel Avenue and the west side of Livernois Avenue at the intersection of the alley herein vacated, reconstructing the curbing and sidewalks incidental with such removal, constructing new paved return on east side of Stoepel Avenue at intersection of alley herein dedicated, stoning said dedicated alley, and constructing a retaining wall on the south side of the alley herein dedicated, and further

Provided, petitioners reimburse the owners to the extent of the value of any utilities now installed in alley herein vacated which it may be necessary to abandon due to the closing of said alley, or bear the entire expense of relocating or rerouting any public utilities which it may be necessary to relocate or reroute due to the closing of the same, and further,

Resolved, That upon compliance with the above provisos the City Clerk be and he is hereby directed to cause a certified copy of this resolution to be recorded in the office of the Register of Deeds for Wayne County, and that an additional certified copy be sent to the State Auditor General's Office within 30 days from the date of this resolution.

Adopted as follows:

Yeas—Councilmen Cody, Comstock, Dorais, Oakman, Rogell, Van Antwerp, and the President Pro Tem—7.
Nays—None.

By Councilman Cody:

AN ORDINANCE to amend Sections 3 (a), (b), (d), (f) as last amended, and (i), and Section 4 (a), (b), and (c) of Chapter 13 of the Compiled Ordinances for the City of Detroit for 1945.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. Sections 3 (a), (b), (d), (f) as last amended, and (i), and Section 4 (a), (b) and (c) of Chapter 13 of the Compiled Ordinances for the City of Detroit for 1945, be and the same are hereby amended to read as follows:

Sec. 3 (a). **PREMIUM PAY FOR HOLIDAYS, LEAVES AND WORK IN EXCESS OF THE NORMAL SERVICE DAY AND WEEK.**

When an emergency caused by the lack of necessary manpower arises, city employees and officers may, subject to the prior approval of the Mayor, work an extra sixth day of eight (8) hours or fraction thereof per week in addition to the regular work week.

(a-1) In case of other emergency, such city employees and officers may work beyond the eight hours in any day except as herein otherwise provided in Sec. 2 (a) (16 hour limitation) or beyond the normal service week.

(b) The basic rate of salaried employees and officers as herein defined shall be the established rate of pay as determined by the Common Council and such employees and officers shall be paid every two weeks. The basic daily or hourly rate of salaried employees and officers under the terms of this ordinance shall be computed by dividing their yearly salary by the number of working days or hours in each fiscal year, excluding sixth and seventh days, and such payroll computation, when paid bi-weekly, exclusive of odd cents at the end of the fiscal year, shall be considered to have completely paid the annual rate of employees.

(d) For the six holidays consisting of Independence Day, Labor Day, Thanksgiving, Christmas, New Years and Memorial Day, employees and officers under the terms of this Ordinance shall be compensated as follows:

(1) If an employee works and is not absent for reasons other than paid sick leave, vacation, or the liquidation of compensatory time, for any portion of either of the scheduled service days immediately before or after the holiday, he shall be paid 200% of his basic daily or hourly rate.

(2) If an employee works but is absent for reasons other than paid sick leave, vacation, or the liquidation of compensatory time, for any por-

tion of either of the scheduled service days immediately before or after the holiday, he shall be entitled to only straight time for that holiday.

(3) If a salaried employee does not work and is absent for reasons other than sick leave, vacation or liquidation of compensatory time for any portion of either of the scheduled service days immediately before or after a holiday, he shall receive no pay for the holiday.

(4) If an employee is scheduled to work on a holiday and fails to do so for reasons other than paid sick leave, vacation or liquidation of compensatory time, he shall receive no pay for the holiday.

(5) Seasonal employees working on holidays shall not be entitled to premium pay.

(f) For work on the sixth normal service days after approval by the Mayor as authorized under Sec. 3 (a), salaried employees shall be paid 150% of their basic hourly rate. For all work on the sixth day, prevailing rate employees shall be paid one hundred and fifty (150%) per cent of their basic daily or hourly rate. Provided, that no such employee or officer shall be paid such premium time until he shall have actually worked forty (40) hours within the first six normal service days of the work week: Provided, that time off for liquidation of compensatory time or for any of the six holidays including Independence Day, Labor Day, Thanksgiving, Christmas, New Year's and Memorial Day, shall be permitted in lieu of said forty (40) hours or any portion thereof: Provided further that time allowed to compensate for any such holidays within a vacation period shall be considered as a service day in computing the forty (40) hour week to qualify for premium time: Provided also, that for employees paid on a per hour or per day basis, any overtime in excess of four (4) hours and not exceeding sixteen (16) hours in any one work week may be substituted in lieu of an equal number of said forty (40) hours for that week: Provided further, that such overtime shall have been worked in an emergency situation.

(i) Compensation for all employees and officers for sick leave and annual leave shall be based on the five or 6-day rate of the legal service week, whichever is in effect.

Sec. 4 (a) Salaried Employees, Excess Service and Compensation for Overtime beyond the Normal Service Day and Normal Service Week.

When services of salaried employees and officers under the terms of this ordinance are required beyond the normal service week or the normal service day in any one of the service days, except the seventh day and the

holidays as defined in this ordinance, and except the sixth normal service day when authorized in accordance with Section 3 (a), time for such services shall be computed at their regular basic or hourly rates: Provided, that no compensation shall be allowed for such excess service except as herein otherwise provided: Provided, also, that it shall be the duty of the department head at such times as the working conditions of the department shall permit, to allow such salaried employees or officers time off for such extra services subject to the exceptions and limitations herein otherwise provided.

(b) No salaried employee or officer under the terms of this ordinance shall be permitted to accumulate time in excess of the normal service days or the normal service week (overtime) beyond a net balance of eighty (80) hours in any one fiscal year. Provided also, that not more than such net balance of eighty (80) hours for any one fiscal year shall be carried forward to succeeding fiscal years: Provided, that any such balance or accumulation of balances carried forward to the next succeeding fiscal year, shall not be used in computing the eighty (80) hour limitation on excess service (overtime) within any succeeding fiscal year: Provided further, that no department head shall permit any salaried employee to accumulate such excess time beyond a net balance of eighty (80) hours in any one fiscal year except by approval of the Common Council upon petition of such department head. Compensatory time off shall first be charged to current accumulated time and then to any prior year.

(c) No salaried employee shall receive compensation for excess services as defined in Sec. 4 (a) in any one fiscal year except for services beyond the net balances of eighty (80) hours in such fiscal year: Provided, however, that the department head may be granted permission by the Common Council to pay for such excess time at the employee's regular rate upon petition of said department prior to the time such services are rendered.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 3. This ordinance is declared to be necessary for the preservation of the public peace, health and safety and shall be deemed to be effective Monday, January 7, 1946.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

Read twice by title, ordered printed and laid on the table.

By Councilman Cody:

AN ORDINANCE to amend Chapter 14 of the Compiled Ordinances of the City of Detroit for 1945.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. Chapter 14 of the Compiled Ordinances of the City of Detroit for 1945 is hereby amended to read as follows:

Section 1. Hereafter for the purposes of compensation and leaves, employees of the Fire Department shall be classified as civilian or non civilian employees. The department shall assign all employees to either one or the other of these two groups, subject to the approval of the Mayor and the Common Council.

Employees with classifications assigned to the civilian group shall be governed and compensated according to all ordinances and resolutions covering regular city employees. Those employees with classifications assigned to the non civilian group shall be governed and compensated according to the provisions of this ordinance and the Charter of the City of Detroit.

Sec. 2. Employees of the Department of Police as defined in Title IV, Chapter XXI, Sec. 14 (c) of the Charter of the City of Detroit shall be governed and compensated according to the provisions of this ordinance.

Sec. 3. The basic rate of police officers and non civilian employees of the Fire Department shall be the established rate of pay as determined by the Common Council and such employees and officers shall be paid every two weeks. The daily rate of police officers and non civilian employees of the Fire Department shall be determined by dividing the annual rate by the number of days in the fiscal year and such payroll computation, when paid bi-weekly, exclusive of odd cents at the end of the fiscal year, shall be considered to have completely paid the annual rate of employees.

Sec. 4. This ordinance is declared to be necessary for the preservation of the public peace, health and safety and shall be deemed to be effective Monday, January 7, 1946, and the Controller and the City Treasurer be and they are hereby directed and authorized to honor pay rolls.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Approved:

WILLIAM E. DOWLING,
Corporation Counsel.

Read twice by title, ordered printed and laid on the table.

And the Council then adjourned.

JOHN C. LODGE,
President Pro Tem.

THOMAS D. LEADBETTER,
City Clerk.

ORDINANCE NO. 291-D

(File in container and make notation at Chapter 209 on page 503)

AN ORDINANCE changing the name of LaLonde Avenue, between Ellis and West Chicago Avenues to Forrer Avenue.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That the name of LaLonde Avenue, between Ellis and West Chicago Avenues, be and the same is hereby changed to and shall hereafter be known as Forrer Avenue.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Approved October 27, 1942.

EDWARD J. JEFFRIES, JR.,
Mayor.

Attest:

THOMAS D. LEADBETTER,
City Clerk.

The above ordinance will take effect on the 26th day of November, 1942.

THOMAS D. LEADBETTER,
City Clerk.

ORDINANCE NO. 27-E

Street Car Operation

AN ORDINANCE to repeal Chapter 277 of the Compiled Ordinances of the City of Detroit of 1945.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Chapter 277 of the Compiled Ordinances of the City of Detroit of 1945 be and the same is hereby repealed.

Sec. 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

(J. C. C. 1207, 1945.)

Passed July 10, 1945.

Approved July 17, 1945.

Published July 18, 19, 20, 1945.

Effective August 16, 1945.

THOMAS D. LEADBETTER,
City Clerk.

on September 17, 1987, are hereby approved with the following conditions specified by the City Planning Commission:

1. That pedestrian/bicycle access be provided through the Harbortown project from the west on Wight or Franklin during hours to be specified by the Recreation Department; and

2. That these hours of access be clearly posted near this pedestrian/bicycle access point.

Adopted as follows:

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

Nays — None.

City Planning Commission

September 29, 1987

Honorable City Council:

Re: Resolution setting Public Hearing for temporary closing of E. McNichols between Conner and French Rd.

Attached hereto for your consideration is a resolution setting a public hearing on the proposed closing of East McNichols between Conner and French Road in conjunction with the Council's October 20, 1987 Evening Community Meeting.

This public hearing was requested by Council Members at the Committee of the Whole meeting on September 17, 1987.

Respectfully submitted,
MARSHA BRUHN
Director

By Council Member Peoples:

Resolved, That, in conjunction with its October 1987 Evening Community Meeting, a public hearing will be held by this body (location to be determined later) on Tuesday, October 20, 1987, at 7:30 P.M. to consider the proposal of the Detroit City Airport to temporarily close (for five years) East McNichols (Six Mile Road) between Conner and French Road, at which time all interested persons are invited to be present to be heard as to their views.

Adopted as follows:

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

Nays — None.

City Engineering Department

September 22, 1987

Honorable City Council:

Re: Petition No. 1264, Gordon J. Piche, Request permission to retain existing garage encroachment into utility easement at the rear of 5510 Bluehill.

Petition No. 1264 of Gordon J. Piche requests permission to retain an existing garage encroaching 4.20 feet into the public utility easement (8 feet wide) at the rear of 5510 Bluehill Avenue (east side), north of Southampton Avenue.

The petition was referred by the City Council to the City Engineering Department for investigation and report. This is our report:

The City Engineering Department has made a field investigation of the request.

All involved City departments and privately-owned utility companies have reported no objection to this encroachment. Should damages to utilities occur the petitioner shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations.

An appropriate resolution, granting the petition, is attached for consideration by your Honorable Body.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Hood:

Resolved, The City Engineering Department is hereby authorized to issue permits to Gordon J. Piche to retain an existing garage encroaching into the rear public utility easement (8 feet wide) at 5510 Bluehill Avenue (east side), north of Southampton Avenue, property described as:

The north 4.00 feet of Lot 1 and the south 35.00 feet of Lot 2 of "DeSeranno Subdivision of part of Private Claim 506", City of Detroit, Wayne County, Michigan as recorded in Liber 70, Page 8, Plats, Wayne County Records;

Encroachment to consist of a 2½ car frame garage (approximately 20.3 feet by 20.00 feet) extending 4.20 feet into the public utility easement, in the rear of the above described property;

Provided, The use and maintenance of said garage encroachment shall comply with the rules and regulations of the City Engineering Department and the Buildings and Safety Engineering Department; and

Provided, That the petitioner shall be liable for all incidental repair costs and/or damages to any public or private utility installations located therein. Additionally, if it becomes necessary to repair or replace the utilities located or to be located in said public utility easement, by the acceptance of this permission, the owners for themselves, their heirs and assigns, waive claims for any damages to the encroaching installations and agree to pay the costs incurred in their removal, if their removal becomes necessary; and

Provided, That permittee at the time of obtaining said permits file with the

Finance Department an indemnity agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachment; and

Provided, That this resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby waives any right to claim damages or compensation for removal of encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That this permit shall not be assigned or transferred without the written approval of the City Council; and

Provided, 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 Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

City Engineering Department

September 18, 1987

Honorable City Council:

Re: Petition No. 1061, Dunitz Management Company. Conversion to easement of portion of the east-west public alley in the block bounded by Santa Rosa, Stoepel, Clarita and West Seven Mile.

Petition No. 1061 of Dunitz Management Company requests the conversion of a portion of east-west public alley, 18 feet wide, in the block bounded by Santa Rosa Drive, Stoepel and Clarita Avenues, and West Seven Mile Road into an easement for public utilities.

The requested conversion into a public utility easement was approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The petitioner has deposited with the City Treasurer the following city department reimbursement cost:

City Engineering Department—Inter-section Fund: \$278.00, Receipt No. C-9245. For the original cost of paving the west one-half of Stoepel at the public alley intersection.

The petitioner plans to use the paved alley return entrance and requests such remain in its present status. The petitioner has submitted a letter agreeing to pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately-owned utility companies have reported no objection to the conversion of public right-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
Director

By Council Member Mahaffey:

Resolved, That all that part of the east-west public alley, 18 feet wide, in the block bounded by Santa Rosa Drive, Stoepel and Clarita Avenues, and West Seven Mile Road lying southerly of and abutting the south line of the east 11.00 feet of Lot 8, Lots 6 and 7; also lying northerly of and abutting the north line or Lot 198 of "Canterbury Gardens" being a subdivision of the Northeast Quarter of the Northeast Quarter of Section 9, Town 1 South, Range 11 East, Greenfield Township, City of Detroit, Wayne County, Michigan as recorded in Liber 37, Page 65, Plats, Wayne County Records;

Be and the same is hereby vacated as a 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 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 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 any 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, 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 Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

City Engineering Department

September 17, 1987

Honorable City Council:

Re: Petition No. 929. Interval Medical Associates Conversion to easement of portion of the east-west public alley in the block bounded by Winthrop, Greenfield, Clarita and West Seven Mile.

Petition No. 929 of Interval Medical Associates requests the conversion of a portion of east-west public alley, 20 feet wide, in the block bounded by Winthrop, Greenfield and Clarita Avenues, and West Seven Mile Road into an easement for public utilities.

The requested conversion into a public utility easement was approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The petitioner has deposited with the City Treasurer the following city department reimbursement cost:

City Engineering Department—Intersection Fund: \$229.00, Receipt No. C-8721. For the original cost of paving the east one-half of Winthrop at the public alley intersection.

The petitioner plans to use the paved alley return entrance and requests such remain in its present status. The petitioner has submitted a letter agreeing to pay all incidental removal costs when ever discontinuance of use makes removal necessary.

City departments and privately-owned utility companies have reported no objection to the conversion of public right-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
Director

By Council Member Mahaffey:

Resolved, That all that part of the east-west public alley, 20 feet wide, in the block bounded by Winthrop, Greenfield and Clarita Avenues, and West Seven Mile Road lying southerly of and abutting the south line of the west 3.20 feet of lot 77, and Lots 68 to 76; also lying northerly of and abutting the north line of Lot 67 of "Feldman and Feldman's College Park Drive Subdivision" of part of the East Half of the Northeast Quarter of the Northeast Quarter of Section 12, Town 1 South, Range 10 East, Redford Township, City of Detroit, Wayne County, Michigan as recorded in Liber 51, Page 69, Plats, Wayne County Records;

Be and the same is hereby vacated

as a 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 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 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 any 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, 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 Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Community & Economic Development Department

September 18, 1987

Honorable City Council:

Re: Sale of Property by Development Agreement; 129 & 137 W. Alexandrine between Woodward and Cass (E. 32.64 feet and W. 43 feet of E. 75.64 feet of Lot 14-15, Park Lots 61 & 62).

We are in receipt of an offer from the Children's Center of Wayne County, a Michigan Non-Profit Corporation, in the amount of \$4,100.00 to purchase and develop the captioned property. This property is vacant land, measuring 8169.12 square feet, and is zoned B-4.

The Offeror proposes to use this property for a surface parking lot to supplement parking for a new three-story structure.

We, therefore, request that your Honorable Body authorize the sale and authorize the Finance Director to execute an agreement to purchase and develop this property with The Children's Center of Wayne County, a Michigan Non-Profit Corporation, in the amount of \$4,100.00.

Respectfully submitted,
THEODORE SPENCER
Executive Assistant Director

By Council Member Mahaffey:

Resolved, That in accordance with the Offer to Purchase and the foregoing communication, the City Finance Director be and is hereby authorized to