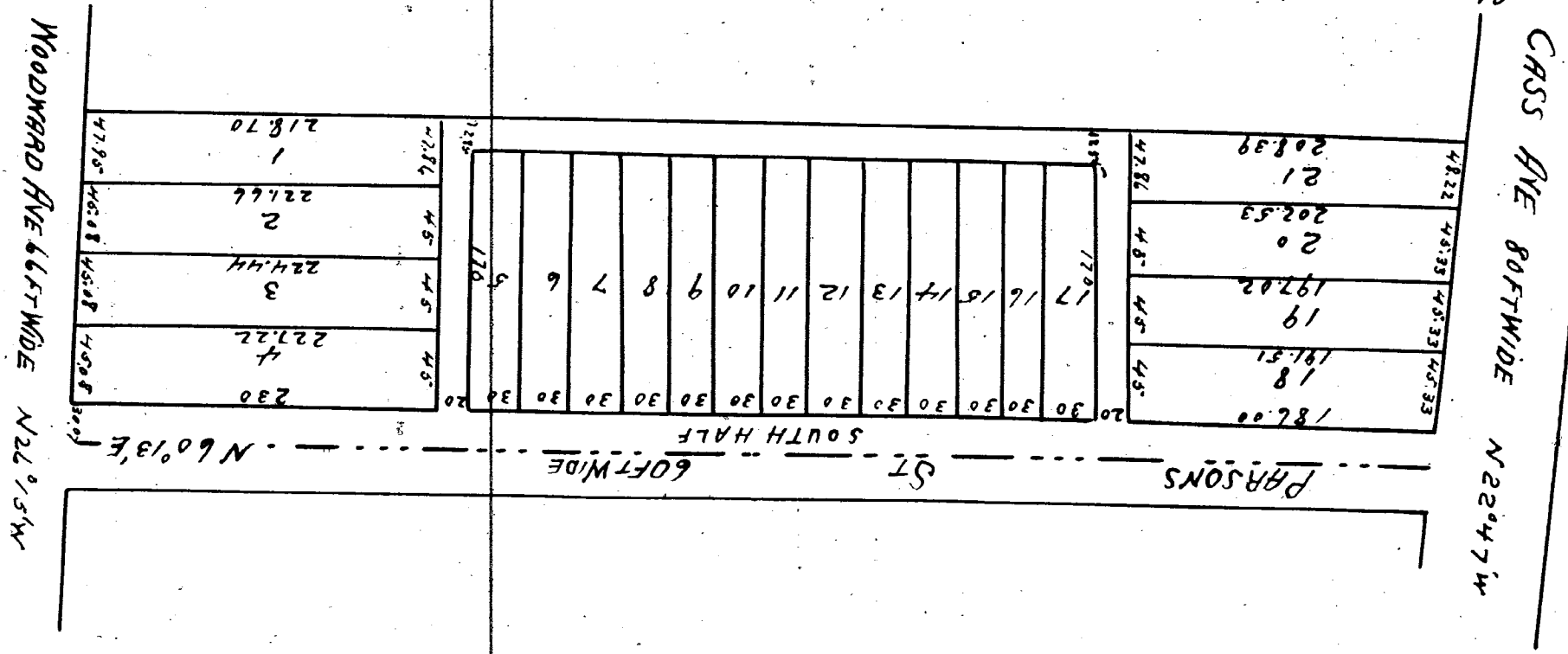
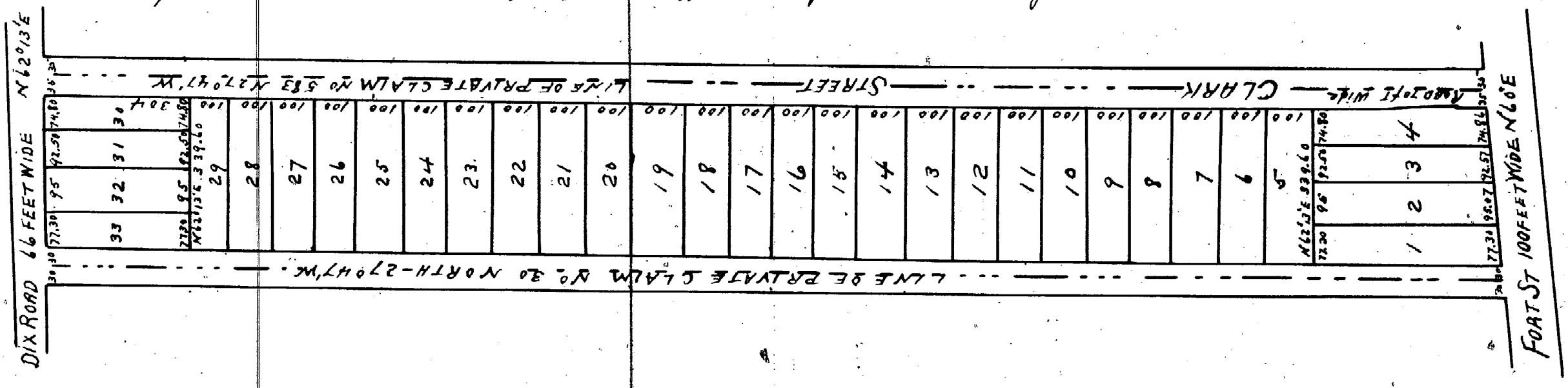


Recorded for Record March 28th 1867 at 11/2 O'clock A.M.
 W.E. Warner Register



State of Michigan ss
 County of Wayne ss
 I, A. Smith Baggs, hereby acknowledge that I have caused the above plat of subdivision of Park lot 65 in the City of Detroit to be made by Eugene Robinson City Surveyor of Detroit, Michigan
 My hand and seal this 14th day of March A.D. 1867
 A. Smith Baggs
 Notary Public
 Wayne County Michigan

PLAT OF THE SUBDIVISION
 OF PRIVATE CLAIM NO. 47
 IN THE TOWNSHIP OF SPRINGWELLS WAYNE COUNTY MICHIGAN



Know all men by these presents that we Albert M. Bontholmer, proprietor of the turn-
 ing machine in and covered by the within plat and Amanda M. wife of the said Albert
 do hereby make, execute and acknowledge the within plat as our free act and deed
 in witness whereof
 in presence of
 Edward R. Warner
 State of Michigan
 County of Wayne ss

On this 27th day of August in the year 1865 before me a Notary Public
 in and for said County personally came Albert M. Bontholmer
 and Amanda M. his wife to be the same persons who executed the above
 instrument and acknowledged that they had executed the same
 within plat as their free act and deed, and the said Amanda M. wife of the said Albert be-
 ing then + there examined by me separately and without fear or compulsion from any one in witness whereof
 I have hereunto affixed my Notarial seal this day + year first above written
 J.B. Green Notary Public
 Wayne County Michigan

10065

10064

Approved March 13, 1867
 Geo. A. Brown Commissioner
 City of Detroit
 City Surveyor
 I certify that the above plat of Park lot 65 in the City of Detroit was made by me ac-
 cording to law and from actual survey and
 calculation
 Eugene Robinson
 City Surveyor

This is to certify that the above plat has been compared with the original plat of record in the office of the Register of Deeds of Wayne County and found to be a true copy of the same
 A.H. Wilcox A.D. 1913
 Surveyor

This is to certify that the above plat has been compared with the original plat of record in the office of the Register of Deeds of Wayne County and found to be a true copy of the same
 A.H. Wilcox 1913
 Surveyor
 I certify that the above plat was made by me according to law and from actual survey and calculation
 Eugene Robinson
 City Surveyor
 I certify that the above plat of Park lot 65 in the City of Detroit was made by me according to law and from actual survey and calculation
 Eugene Robinson
 City Surveyor
 Dated this 1st day of June 1910
 John B. Fountain
 Clerk of the Court

City Engineering Department
April 6, 1992
Honorable City Council:
Re: Petition No. 1567; Orchestra Hall,
Alley to Easement and Temporary
Alley Closing within the area
bounded by Cass, Woodward,
Davenport and Selden.
Petition No. 1567 of "Orchestra Hall"
requests the conversion of the northerly
half of the north-south public alley, 15
feet wide, first west of Woodward Avenue
between Parsons Street and Selden
Avenue into an easement for public utilities.
Also, the petitioner requests (in an
addendum letter dated March 2, 1992;
addressed to the City Engineering
Department) the temporary closing of the
northerly half of the north-south public
alley, 20 feet wide, first west of Woodward
Avenue between Davenport and
Parsons Streets.
The requests were 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.
If it becomes necessary to remove the
alley return entrance (into Selden), the
petitioner shall pay all incidental removal
costs.
The Water and Sewerage Department
will require unimpeded access to existing
sewers. Any fence and gate installation
(within the temporarily closed public
alley) must provide 15 feet horizontal
and 13 feet vertical clearance(s) for
maintenance vehicles.
The Department of Transportation and
the Department of Public Works -
Sanitation Division will require any gate
(within the temporarily closed public
alley) to be open for trash collection 7:00
a.m. to 5:00 p.m., Monday thru Friday.
All other city departments and
privately-owned utility companies have
reported no objections to the (temporary
public alley closing) proposal, provided
they have the right to ingress and egress
at all times to their facilities. Further, 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
Director
By Council Member Eberhard:
Resolved, The City Engineering
Department is hereby authorized and
directed to issue permits to "Orchestra
Hall" to close all that part of the north-
south public alley, 20 feet wide, first west
of Woodward Avenue between Davenport
and Parsons Streets lying westerly
of and abutting the west line of the
northerly 35.00 feet of Lot 1, and Lots 2
thru 4; also lying easterly of and abutting
the east line of Lot 5 of "Bagg's Subd.
Wayne County, Michigan as recorded in
Liber 1, Page 192, Plats, Wayne County
Records; on a temporary basis to expire
on May 1, 1997;
Provided, The petitioner shall file with
the Finance Department an indemnity
agreement in form approved by the Law
Department. The agreement shall save and
protect the City of Detroit harmless
from all claims, damages or expenses
that may arise by reason of the issuance
of permits and the faithful performance
further
by the petitioner of the terms thereof.
Further, the petitioner shall agree to pay
all claims, damages or expenses that
may arise out of the maintenance of the
temporary public alley closing; and
Provided, The permit shall be issued
after the City Clerk has recorded a certified
copy of this resolution with the
Wayne County Register of Deeds; and
Provided, The property owned by the
petitioner and adjoining the temporary
public alley closing shall be subject to the
proper zoning or regulated use (Board of
Zoning Appeals Grant) over the total
width and length of the alley; and
Provided, No building or other structure
(except necessary line fence), shall be
constructed on or over the alley. The
petitioner shall observe the rules and
regulations of the City Engineering
Department. The City of Detroit retains
all rights and interests in the temporarily
closed public alley. The City and all utility
companies retain their rights to service,
inspect, maintain, repair, install, remove
or replace utilities in the temporarily
closed public alley. Further, the petitioner
shall comply with all specific conditions
imposed to insure unimpeded 24-hour,
per-day access to the City and utility
companies; and
Provided, That at the expiration of the
permit, all obstructions shall be removed
at the petitioner's expense. The public
property shall be restored to a condition
satisfactory to the City Engineering
Department by the petitioner, at the petitioner's
expense; and
Provided, The petitioner's fence and
gate installation shall provide 15 feet horizontal
and 13 feet vertical clearance(s)
for utility maintenance vehicles; and
Provided, That if it becomes necessary
to place gates at either end of the temporarily
closed portion of public alley, the
petitioner shall open the gate(s) for trash
collection 7:00 a.m. to 5:00 p.m., Monday
thru Friday; and
Provided, The petitioner shall pay all
Public Lighting Department expenses to
reinstall alley light(s), if the temporarily
closed portion of public alley is reopened
for public use; and
Provided, This resolution is revocable
at the will, whim or caprice of the city
Council without cause. The petitioner
waives the right to claim damages or
compensation for removal of encroachments.
Further, the permittee acquires no
implied or other privileges hereunder
not expressly stated herein. If this permit
is continued for the five (5) year period,
the City Council may (upon written
request and if the circumstances justify,
accordingly) grant an extension thereto.
Provided, This permit shall not be
assigned or transferred without the written
approval of the City Council; and be it
Resolved, All that part of the north-
south public alley, 15 feet wide, first west
of Woodward Avenue between Parsons
Street and Selden Avenue lying westerly
of and abutting the west line of the
northerly 37.12 feet of Lot 1, and Lots 2
thru 4; also lying easterly of and abutting
the east line of Lot 5 of "Campbell's Subd.
division of the South Half of Park Lot 63",
City of Detroit, Wayne County, Michigan
as recorded in Liber 1, Page 215, Plats,
Wayne County Records;
Be and the same is hereby vacated as
into a public alley and is hereby converted
the alley, which easement shall be subject
to the following covenants 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 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 existing 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 alley return at the entrance
(into Selden Avenue), 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 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 Butler,
Cleveland, Eberhard, Everett, Hill,
Hood, Kelley, Ravitz, and President
Mahaffey - 9.
Nays - None.
10627
(10064)
661

STATE OF MICHIGAN) ss. SHORT FORM - TRUE COPY CERTIFICATE
CITY OF DETROIT)

I, JEFFERY D. BLAINE, DEPUTY CITY CLERK of the City of Detroit, do
hereby certify that the annexed paper is a True Copy of a Resolution

adopted by the City Council on April 15th, 1992

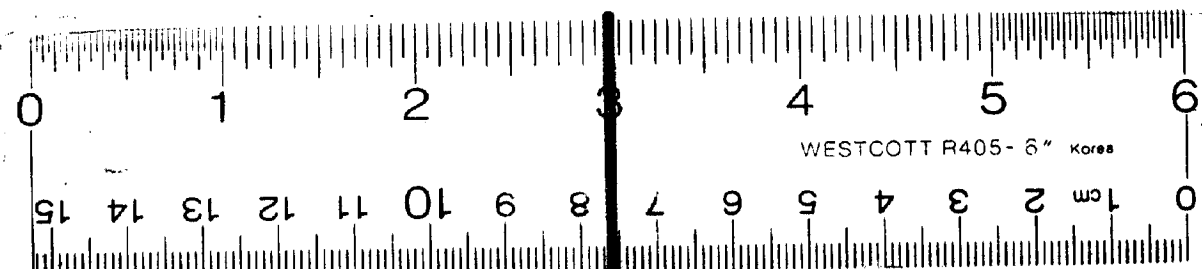
and approved by the Mayor on April 21st, 1992

as appears from the Detroit Legal News, April 21st, 1992
Journal of said City Council, on file in my office.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Corporate
Seal of said City, at Detroit, on

May 5th, 1992

Jeffery D. Blaine
Deputy City Clerk



16 X