10215

WALLACE BROTHERS' SUBD'N

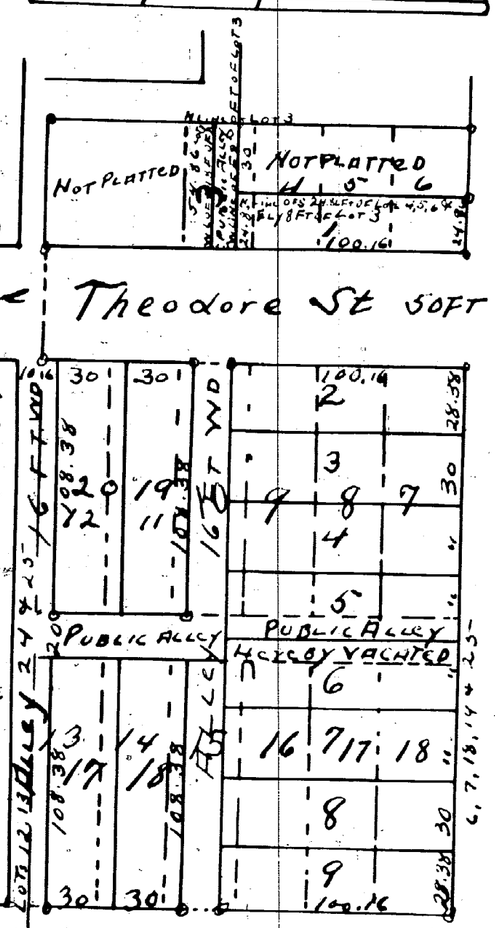
OF THE E'LY 18 FT. OF LOT 3 AND LOTS 4 TO 25 BOTH INCLUSIVE, OF WREFORD'S SUB. OF WEST 182.16 FT. OF LOT 7. O. L. 5, REAR CONCESSION OF P.C. 19 BEAUFAIT FARM

City of Detroit

WAYNE CO., MICHIGAN

MASON L. BROWN & CO.
CIVIL ENGINEERS
821-23 CHAMBER COMMERCE
DETROIT MICH.

SCALE = 160 FT PER INCH



Ave 66 FT.

Concord

Know all men by these presents that we James J. Wallace (unmarried) and Frank B. Wallace (unmarried) have caused the land included in the above plat to be surveyed laid out and platted to be known as Wallace Bros. Sub'd of the E'ly 18 ft of lot 3 and lot 4 to 25 both inclusive, of Wreford's sub. of West 182.16 ft of lot 7 O.L. 5, Rear Concession of P.C. 19 Beaufait Farm City of Detroit Wayne Co. Michigan and that the streets and alleys shown on said plat are hereby dedicated to the use of the public as witness our hands & seals this the 1st day of June A.D. 1904

In presence of James J. Wallace (L.S.)
Mason L. Brown Frank B. Wallace (L.S.)
M. A. Brennan

State of Michigan } ss On this 1st day
County of Wayne } of June 1904 before
me a notary Public in & for said County personally appeared the above named James J. Wallace (unmarried) and Frank B. Wallace (unmarried) known to me to be the same person who executed the above dedication and acknowledged the same to be their free act and deed.

Witness D. Denton Notary
Public Wayne Co. Mich
My Com. Expires Oct 22. 1904

I hereby certify that the above plat is correct and that monument consisting of oak stake 1¼ inches square and 15 inches long have been placed in the ground at all angles in the boundaries and at the intersection of streets or streets and alley - as shown by O.

Detroit May 28th 1904
Mason L. Brown & Co.
Engineers & Surveyors.

Register of Deeds office } ss
Wayne Co. Mich.

This instrument was received for record this 7th day of Sept. 1904 at 2.50 o'clock P.M. and recorded in Liber 23 of Plats on page 72 as proper certificate was furnished in compliance with Act 135 of Senate Bill No. 149 File 212 act of 1893.

Edmund O. Foster Dept. Reg. of Deeds.

State of Michigan } ss We Edmund O. Foster
Co. of Wayne } Dep. Reg. of Deeds and Mason L. Brown & Co. surveyors hereby certify that we have carefully compared the copy made hereon of Wallace Bros. Sub'd of the E'ly 18 ft of lot 3 and lot 4 to 25 both inclusive of Wreford's Sub. of West 182.16 ft of lot 7 O.L. 5 Rear Concession of P.C. 19 Beaufait Farm City of Detroit Wayne Co. Mich. and that it is an exact copy thereof and of the whole of said original survey or plat

Edmund O. Foster Dep Reg of Deeds
Mason L. Brown & Co. Surveyors

Description

The E'ly 18 ft of lot 3 except the S'ly 8 ft of the N'ly 30 ft of said lot 3 also the S'ly 24.86 ft of lots 4, 5 and 6 and all of lots 7 to 25 both inclusive also the public alleys all in Wreford's sub of W. 182.16 ft of lot 7 O.L. 5 being the west 182.16 ft of rear N.E. 2.45 acres of lot 5 Rear Concession of P.C. 19 as recorded in Liber 10 Page 85 of Plats.

EXAMINED & APPROVED
June 4th 1904
Jas. F. Wilkinson
Deputy Com. Sur.

Approved Sept 3. 1904
Wm. N. Mayberry
Comm of Public Works.

The streets on the annexed plat conform to the General Plan of the City as far as laid out adopted by Com. Council Aug 16. 1904.

R. H. McCormick
City Engineer
Per. T. H. M.

Aug 10. 1904

I hereby certify that the plat as made has been approved by the Committee on street openings of the Common Council at a meeting held on Aug 4th 1904

Ed. P. Schreder
Secy Common Council Com.

I hereby certify that the above Plat is a correct copy of the Plat now on record in the Register of Deeds office, being made under the supervision of the Auditor General by tracing the plat as recorded and affixing thereto as carefully compared copy of the dedication and certificates

Dated this 11th day of Feb. 1911

Ray C. Wagner
Clerk, and Ex-officio Dept.

Department of Public Works
City Engineering Division
August 8, 1994

Honorable City Council:

Re: Petition No. 3936 La Grasso Brothers, Inc. Alleys to Easement (western) north-south and east-west public alleys in the block bounded by Bellevue, Concord, E. Warren and Theodore.

Petition No. 3936 of "La Grasso Brothers, Inc." requests the conversion of the (western) north-south public alley, 16 feet wide, and the east-west public alley, 20 feet wide, in the block bounded by Bellevue, Concord, E. Warren and Theodore Avenues into a private easement for public utilities.

The requested conversion was approved by the Planning and Development Department, Solid Waste Division — DPW, and Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

The petitioner plans to use the paved alley return entrances (into Warren and Theodore Avenues) and requests such remain in their present status. The petitioner 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 private easement for public utilities. Provisions protecting utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,
WILLIAM L. TALLEY
Head Engineer

By Council Member Hood:

Resolved, All of the (western) north-south public alley, 16 feet wide, in the block bounded by Bellevue, Concord, E. Warren and Theodore Avenues lying westerly of and abutting the west line of Lot 17; also lying westerly of and abutting the west line of the east-west public alley (20 feet wide, in said block); also lying westerly of and abutting the west line of Lot 20 of "Wallace Brothers Subdivision of the Easterly 18 feet of Lot 3 and Lots 4 to 25 inclusive of Wreford's Subdivision of West 182.16 feet of Lot 7, Outlot 5, Rear Concession of Private Claim 19, Beaufait Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 72, Plats, Wayne County Records; also lying easterly of and abutting the east line of the south 26.78 feet of Lot 45, and Lots 38 thru 44 of "Heffron's Subdivision of Lots 8 and 7, Beaufait Farm, North of Gratiot Avenue", City of Detroit, Wayne County, Michigan as recorded in Liber 2, Page 35, Plats, Wayne County Records; and

All of the east-west public alley, 20 feet wide, in the block bounded by Bellevue, Concord, E. Warren and Theodore Avenues lying southerly of and abutting the south line of Lots 19 and 20; also lying northerly of and abutting the north line of Lots 17 and 18 of "Wallace Brothers Subdivision of the Easterly 18 feet of Lot 3 and Lots 4 to 25 inclusive of Wreford's Subdivision of West 182.16 feet of Lot 7, Outlot 5, Rear Concession of Private Claim 19, Beaufait Farm", City of Detroit, Wayne County, Michigan as recorded in Liber 23, Page 72, Plats, Wayne County Records;

Be and the same are hereby vacated as public alleys and are hereby converted into a private easement for public utilities of the full width of the alleys, 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 alleys 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 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 easement for the purpose above set forth,

Second, said utility easement or right-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 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 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 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 further

Provided, That if it becomes necessary to remove the paved alley return at the entrances (into Warren and/or Theodore 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 owners, 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 Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams, and President Mahaffey — 9.
Nays — None.

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

I, Jackie L. Currie 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 September 7, 1994

and approved by the Mayor on September 19, 1994

Detroit Legal News of September 12, 1994
as appears from the ~~JOURNAL~~ of said City Council, on file in my office.

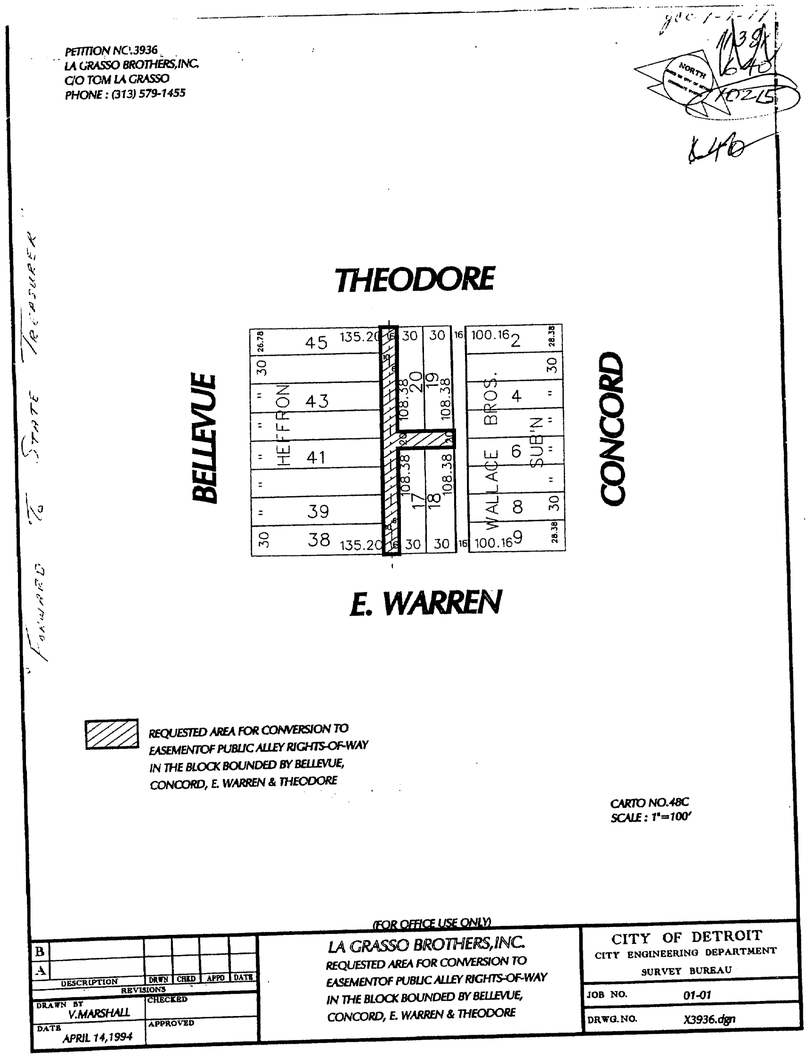
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City, at Detroit, on

September 26, 1994

Jackie L. Currie
City Clerk

MAP ATTACHED
LI # 27689
PA # 724
Rec'd date: 10-26-94

PETITION NO. 3936
LA GRASSO BROTHERS, INC.
C/O TOM LA GRASSO
PHONE : (313) 579-1455



REQUESTED AREA FOR CONVERSION TO EASEMENT OF PUBLIC ALLEY RIGHTS-OF-WAY IN THE BLOCK BOUNDED BY BELLEVUE, CONCORD, E. WARREN & THEODORE

CARTO NO. 48C
SCALE : 1"=100'

(FOR OFFICE USE ONLY)

REVISIONS				
DESCRIPTION	DRWN	CHKD	APP'D	DATE
B				
A				

DRAWN BY V.MARSHALL
CHECKED
DATE APRIL 14,1994
APPROVED

LA GRASSO BROTHERS, INC.
REQUESTED AREA FOR CONVERSION TO EASEMENT OF PUBLIC ALLEY RIGHTS-OF-WAY IN THE BLOCK BOUNDED BY BELLEVUE, CONCORD, E. WARREN & THEODORE

CITY OF DETROIT
CITY ENGINEERING DEPARTMENT
SURVEY BUREAU
JOB NO. 01-01
DRWG. NO. X3936.dgn

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