

10553

**SUBDIVISION OF
OUTLOTS 22 & 23
PRIVATE CLAIM 30**

Received for Record May 19th 1871. at 10³/₄ O'Clock A.M.

Along Eaton Register

I hereby certify the above to be correct

Eugene Robinson City Surveyor (Stamp 5)

Know all men by these presents that we Julian Williams and his wife M. Elizabeth Williams and John C. Williams and his wife Charlotte Williams all of the County of Wayne and State of Michigan do hereby present for record the above plat being a subdivision of lots numbered twenty two (22) and twenty three (23) of the Williams Subdivision of the Springwells Farm Private Claim number thirty (30) in the Township of Springwells, Wayne County, Michigan and do dedicate to the perpetual use of the public that certain streets laid out thereon designated as John C. Street reserving to ourselves our heirs and assigns the reversion thereof whenever the same shall be discontinued by law Detroit May 18th A.D. 1871

Signed sealed & delivered in presence of

Ed. E. Kane

Henry P. Lee Jr.

Care of Robinson

Julian Williams

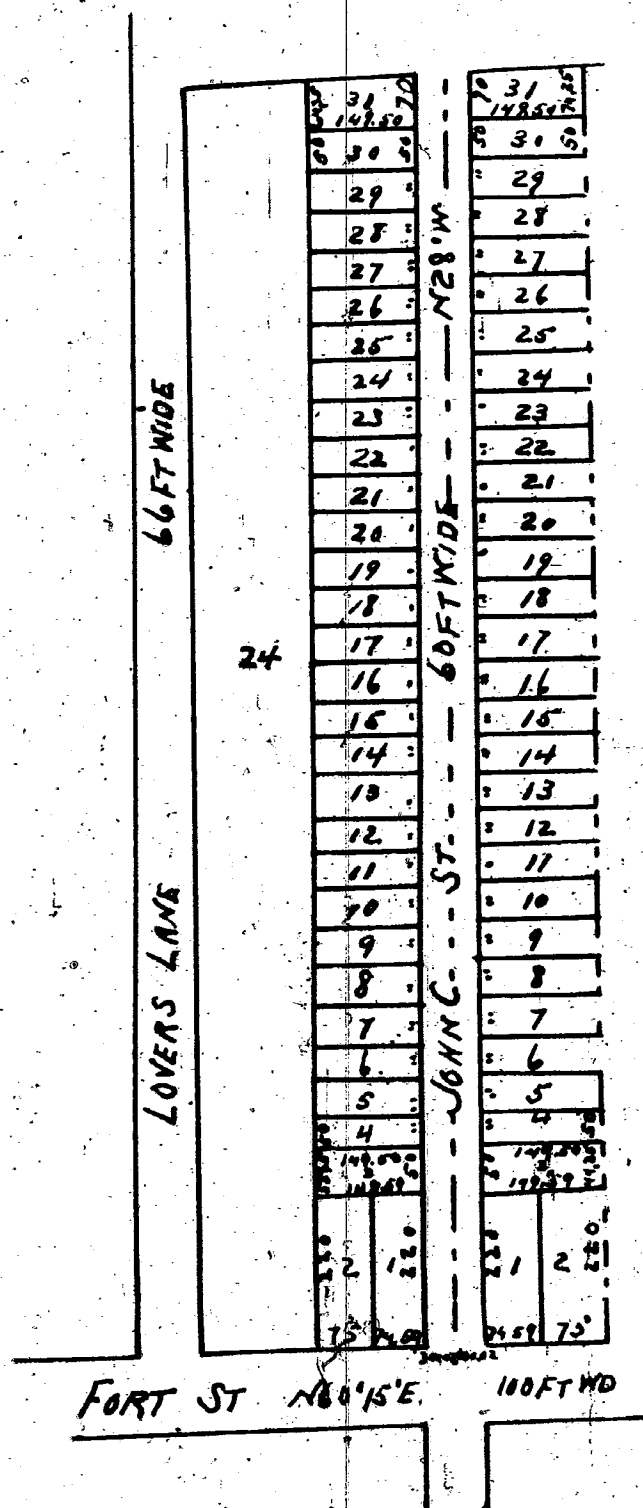
M. Elizabeth Williams

John C. Williams

Charlotte Williams

State of Michigan } ss on this eighteenth day of May in the year one thousand and eight hundred and County of Wayne } twenty one before me the subscriber a Notary Public in and for said county personally appeared Julian Williams and his wife M. Elizabeth Williams, and John C. Williams and his wife Charlotte Williams known to me to be the same persons described in and who executed the within instruments for the use and purposes therein mentioned and severally acknowledged the same to be their free act and deed and the said M. Elizabeth Williams and Charlotte Williams on a private examination by me separately and apart from their said husbands acknowledged that they executed the same freely and without any fear of a compulsion from anyone

Ed. E. Kane Notary Public
Wayne Co Mich



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. Willmarth Surveyor

Recd for Record May 24th 1871. at 11¹/₂ o'clock A.M.

Along Eaton Register

(Stamp 5)

The above plat is correct from actual survey Detroit May 17th 1871

afforded May 22nd 1871

J. H. Ford

This J. Compas

Emory Wendall

Commissioner on

Plan of the

City

State of Michigan } ss we Ira Davis and Helen M. Davis (wife of said Ira. County of Wayne } Davis) have caused the above map or plat of the subdivisions of Park Lot sixty (60) situated in the City of Detroit Wayne County Mich to be made by John F. Munro Surveyor and do hereby adopt the same and dedicate the street and alleys on said plat for public use.

Witness our hands and seals this 19th day of May 1871

Signed sealed & delivered

in presence of

John F. Bullock

Along Eaton

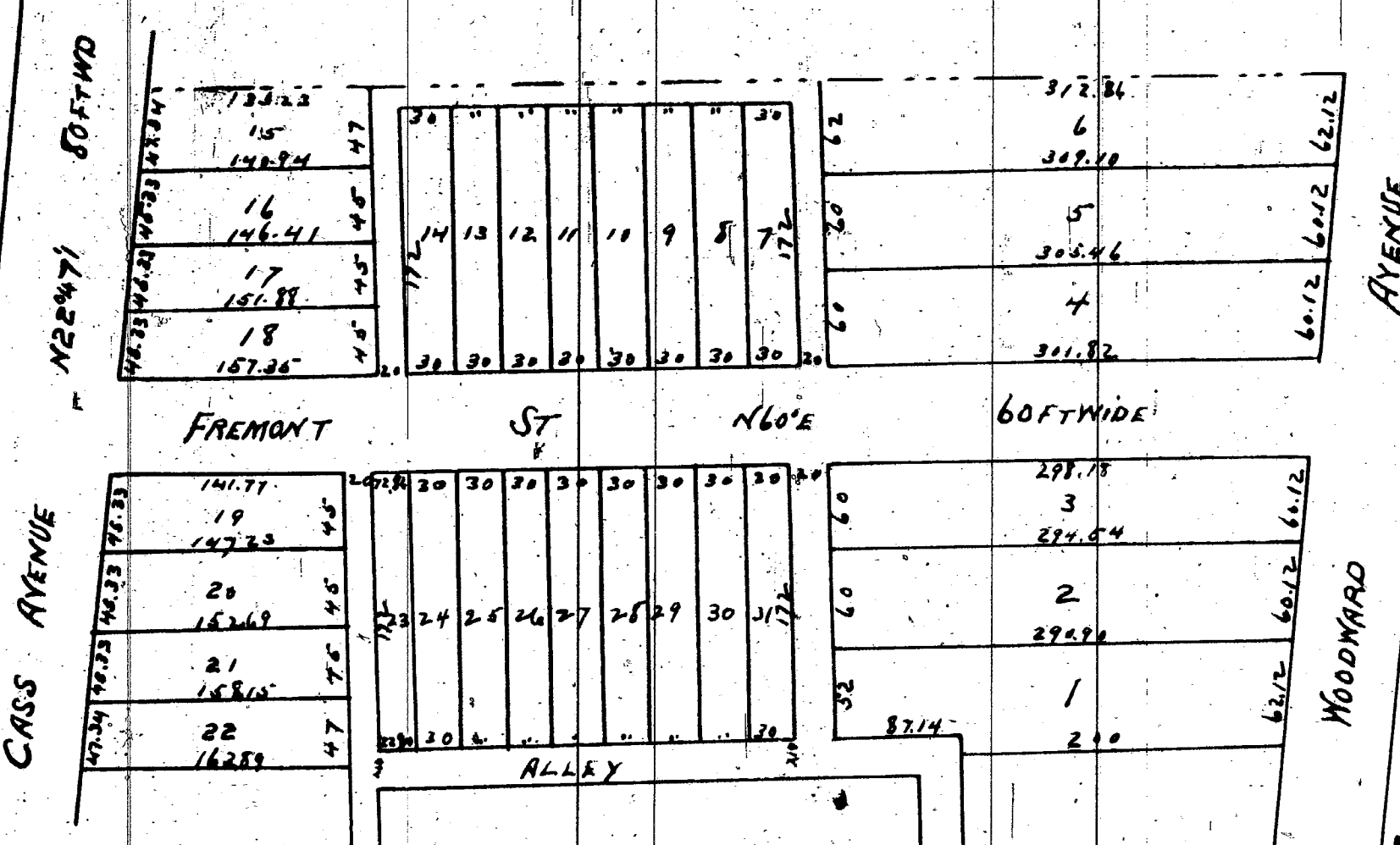
Ira Davis

Helen M. Davis

IRA DAVIS SUBDIVISION

OF PARK LOT NO. 60

CITY OF DETROIT



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. Willmarth Surveyor

State of Michigan } ss on this 19th day of May County of Wayne } A.D. 1871 before me a Notary Public in and for said county personally came the above named Ira Davis and Helen M. Davis his wife known to me to be the persons who executed the foregoing plat and acknowledged the same to be their free act and deed and the said Helen M. Davis in a private examination by me separately and apart from her said husband acknowledged that she executed the same freely and without fear of a compulsion from any one and on the same day and year personally appeared before me John F. Munro and acknowledged that he made the same

(Seal)

Along Eaton

Notary Public

Wayne Co

Mich

I hereby certify that these plates are correct copies of the plates now on record in the Register of Deeds office being made under the supervision of the Auditor General by tracing the plates on record and affixing carefully compared copies of the Deductions and Certificates Dated this 19th day of July 1910

John B. La Fountaine

Clerk And Gen. Depts.

City Engineering Department
June 29, 1994
Honorable City Council:
Re: Petition No. 3255, Kughn Enterprises (Whitney mansion) together with Wayne State University, Alloys to Easement, U-shaped public alleys north of W. Canfield between Cass and Woodward.

Petition No. 3255 of "Kughn Enterprises, owner of the Whitney mansion, together with Wayne State University, requests the conversion of the U-shaped public alleys, (all) 20 feet wide, north of W. Canfield Avenue between Cass and Woodward Avenue into a private easement for public utilities.

The requested conversion 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 petitioners plan to use the paved alley return entrance (into W. Canfield Avenue) and request such remain in their present status. The first public alley return east of Cass Avenue enters into "Wayne State" properties, and the first public alley return west of Woodward Avenue enters into "The Whitney" properties. The petitioners 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 east-west public alley, 20 feet wide, first North of W. Canfield Avenue between Cass and Woodward Avenue (the southern half) lying northerly of and abutting the north line of Lot 7 thru 14 of "Ira Davis" Subdivision of Park Lot 60, City of Detroit, Wayne County Michigan as recorded in Liber 1, Page 289, Plats, Wayne County Records; also lying northerly of and abutting the north line of the west 38.14 feet of Lot 4, 5, 6 and part of an alley of the "Re-subdivision of Park Lot 60, Town 2 South, Range 12 East," City of Detroit, Wayne County Michigan as recorded in Liber 9, Page 28, Plats, Wayne County Records; also lying northerly of and abutting the north line of the west 38.14 feet of Lot 4, 5, 6 and part of an alley of the "Re-subdivision of Park Lot 60, Town 2 South, Range 12 East," City of Detroit, Wayne County Michigan as recorded in Liber 9, Page 28, Plats, Wayne County Records; also (the northern half) being

part of Park Lot 58 of the "Plat of Park Lots," City of Detroit, Wayne County, Michigan as recorded in Liber 34, Page 542, Deeds, Wayne County Records; also

All of the north-south public alley, 20 feet wide, first East of Cass Avenue and North of W. Canfield Avenue lying easterly of and abutting the east line of Lots 15 thru 18; also lying westerly of and abutting the west line of Lot 14; also lying westerly of and abutting the west line of the southern half of the east-west public alley (20 feet wide, first North of W. Canfield Avenue between Cass and Woodward Avenue) of "Ira Davis" Subdivision of Park Lot 60, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 289, Plats, Wayne County Records; also

All of the north-south public alley, 20 feet wide, first West of Woodward Avenue and North of W. Canfield Avenue being the east 20.00 feet of the west 38.14 feet of Lot 4 of the "Re-subdivision of Lots 4, 5, 6 and part of an alley of the Davis Subdivision of Park Lot 60, Town 2 South, Range 12 East," City of Detroit, Wayne County, Michigan as recorded in Liber 9, Page 28, Plats, Wayne County Records (said public alley having been dedicated to the City of Detroit on July 19 1899 as recorded in Liber 339, Page 401, Deeds, 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, telephones, 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 alleys 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 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 assessed 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 5, 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 returns at the entrances (into W. Canfield 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 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

a quit-claim deed to transfer the following vacated public (alley) right-of-way to "The Richard P. Kughn 1978 Trust" (Suite 310, Franklin Center, 29100 Northwestern Highway, Southfield, MI 48034), for the fair market value and/or other valuable considerations:

"Land in the City of Detroit, Wayne County, Michigan being all of the north-south public alley, 20 feet wide, first West of Woodward Avenue and North of W. Canfield Avenue; said public alley having been placed as the east 20.00 feet of the west 38.14 feet of Lot 4 of the "Re-subdivision of Lots 4, 5, 6 and part of an alley of Ira Davis Subdivision of Park Lot 60, Town 2 South, Range 12 East," as recorded in Liber 9, Page 28, Plats, Wayne County Records (said public alley having been dedicated to the City of Detroit on July 19, 1899 as recorded in Liber 339, Page 401, Deeds, Wayne County Records); subject to a private easement for public utilities."

Adopted as follows:
Yes — Council Members Cleveland, Cokar, Everett, Hill, Hood, Ravitz, Scott, Tinley-Williams and President Mahaffey — 9.
Nays — None.

SEP 06 1994

10554

501

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

I, Vernon C. Allen, 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 July 20th, 1994

and approved by the Mayor on July 27th, 1994

Detroit Legal News July 26th, 1994
as appears from the ~~XXXXXX~~ of said City Council, on file in my office.

MAP ATTACHED

LI # 2754.9

PA # 385

Rec'd Date: Aug. 10, 1994

August 8th, 1994

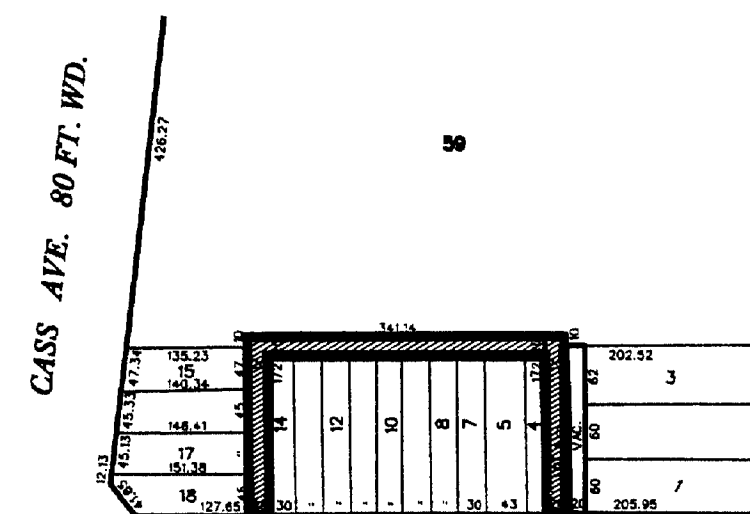
Vernon C. Allen
Deputy City Clerk

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

"FORWARD TO STATE TREASURER"

10554

PETITION NO. 3255
KUGHN ENTERPRISES-WHITNEY MANSION
BY WAYNE STATE UNIV.
CO. RARY SHEA
PHONE: (313) 949-4100



CANFIELD AVE. 60 FT. WD.

REQUESTED CONVERSION TO EASEMENT OF THE U-SHAPED PUBLIC ALLEYS NORTH OF W. CANFIELD BETWEEN CASS AND WOODWARD

CARTO NO. 308
SCALE 1"=20'

(FOR OFFICE USE ONLY)

B					
A					
DESCRIPTION	BY	CHKD	APP	DATE	
DRAWN BY	CHKD				
DATE	APPROVED				

KUGHN ENTERPRISES
REQUESTED CONVERSION TO EASEMENT OF THE U-SHAPED PUBLIC ALLEYS NORTH OF W. CANFIELD BETWEEN CASS AND WOODWARD

CITY OF DETROIT
CITY ENGINEERING DEPARTMENT
SURVEY BUREAU
JOB NO. 81-01
DRWG. NO. 13275.dgn