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Councilman Levin: **RESOLVED**, That all that part of any utility located or to be located in of Wayne, being part of Lots 15, 16, southerly line of Myrtle Street; east-west public alley 20 and 15 said property shall break or be 17, and 18 of the "Stimson's Subdivi- thence N. 43d 57m 7s E., along said t wide in the block bounded by damaged as a result of any action on sion of Park Lot 67," as recorded in southerly line of Myrtle Street, 103.32 ss, Woodward, Stimson, and Myrtle the part of the petitioner or assigns Liber 1, of Plats, Page 241, on May 4, feet to the point of beginning con- venue abutting the southerly line of (by way of illustration but not 1869, Wayne County Records; also taining 1,428 square feet or 0.0328 ertle Avenue as opened and abut- limitation), such as storage of ex- parts of Lot A of the "Stimson's acres more or less. g the westerly line of the 20 foot cessive weights of materials or con- Re-Subdivision of Lots 19 and 20 of in accord with the attached com- de north-south alley first westerly struction not in accordance with Park Lot 67," as recorded in Liber 9 munication, and be it further Woodward having been platted in Section 2, mentioned above, then in of Plats, Page 94, on August 12, 1886, **RESOLVED**, That in accordance e following subdivision: such event the petitioner or assigns Wayne County Records; parcel being with said Offer the City Controller be "Stimson's Subdivision" of part of, shall be liable for all costs incidental more particularly described as authorized and directed to issue a Quit Claim Deed for the described Park Lot 68, Detroit, Wayne County, to the repair of such broken or follows: Beginning at the intersection of property upon payment of \$425 cash, Michigan as recorded in Liber 1, Page damaged utility, and further the the southerly line of Myrtle Street, and be it further 17, Plats, Wayne County records; **PROVIDED**, That by reason of the the as opened by the City of Detroit on **RESOLVED**, That the Corporation City of Detroit does not waive any (as opened by the City of Detroit on July 25, 1961, J.C.C. Page 1554) and Counsel be and is hereby authorized rights to the sewers located or to be the the westerly line of the public alley, and directed to prepare said deeds. located therein, and, at all times, 20 feet wide, said alley being first Adopted as follows: "Stimson's Subdivision" of Park Lot City of Detroit does not waive any July 25, 1961, J.C.C. Page 1554) and Counsel be and is hereby authorized 7, Detroit, Wayne County, Michigan rights to the sewers located or to be the the westerly line of the public alley, and directed to prepare said deeds. as recorded in Liber 1, Page 241, located therein, and, at all times, 20 feet wide, said alley being first Adopted as follows: Plats, Wayne County records; and shall have the right to enter upon westerly of Woodward Avenue, 120 Years — Councilmen Browne, Hen- "Stimson's Re-Subdivision" of lots the premises, if found necessary to feet wide, thence S. 43d 57m 7s W. derson, Hood, Levin, Rogell, Van 9 and 20 of Park Lot 67, Detroit, repair said sewers, alter, service or along said southerly line of Myrtle Antwerp, and President Ravitz — 7. Wayne County, Michigan, as recorded install same, and further Street 177.74 feet to a point; thence Days — None. in Liber 9, Page 94, Plats, Wayne S. 29d 35m 4s E., a distance of 28.80 **Be and the same is hereby vacated** be constructed over said sewers without the prior approval of such **RESOLVED**, That in accordance with said Offer the City Controller be authorized and directed to issue a Quit Claim Deed for the described property upon payment of \$2,275 cash, and be it further **Be and the same is hereby vacated** without the prior approval of such building construction by the Sewer Services Section of the Detroit Metro Water Department and the Department of Buildings and Safety Engineering; and further **RESOLVED**, That the Community Development Commission be and is hereby authorized to accept the Offer to Purchase submitted by Joseph J. Piteo and Ida M. Piteo, his wife, for Ninety Stimson Associates, Limited Partnership, for the purchase of property described as: **Be and the same is hereby vacated** **PROVIDED**, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further **RESOLVED**, That if the sewer located or to be located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assigns (by way of illustration but not limitation, such as storage of excessive weights of materials, or any construction not in accordance with Provision 2, mentioned above), then in such event, the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged sewer; and shall also be liable for all claims for damages resulting from his action. **RESOLVED**, That the City Clerk is hereby directed to send a certified copy of this resolution to the Detroit Edison Company and the Michigan Bell Telephone Company; and further **RESOLVED**, That if at any time in the future it becomes necessary to remove the paved alley return at the entrance to the vacated alley the removal and construction of new curb and walk shall be performed at the expense of the petitioner; and further **RESOLVED**, That the Community Development Commission be and is hereby authorized to accept the Offer to Purchase submitted by the Model Neighborhood Development Corporation for the purchase of property described as: **Be and the same is hereby vacated** **Be and the same is hereby vacated** as a public alley and is hereby converted into an easement of the full width of the alley for the Detroit Edison Company and the Michigan Bell Telephone Company, 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 Detroit Edison Company and the Michigan Bell Telephone Company, an easement or right of way over said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing utilities such as 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 owners for their heirs and assigns further agree than 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 by the Detroit Edison Company and the Michigan Bell Telephone Company. **THIRD**, that if at any time in the future 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, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and-or relocation, unless such charges are waived by the utility owners, **Be and the same is hereby vacated** **Be and the same is hereby vacated** as a public alley and is hereby converted into an easement of the full width of the alley for the Detroit Edison Company and the Michigan Bell Telephone Company, 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 Detroit Edison Company and the Michigan Bell Telephone Company, an easement or right of way over said vacated public alley hereinabove described for the purposes of maintaining, installing, repairing, removing, or replacing utilities such as 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 owners for their heirs and assigns further agree than 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 by the Detroit Edison Company and the Michigan Bell Telephone Company. **THIRD**, that if at any time in the future 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, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and-or relocation, unless such charges are waived by the utility owners,

map attached
Li: 18565
Pa: 553
Rec: 8-10-73
Wayne
10581
559

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

I, GEORGE C. EDWARDS, CITY CLERK of the City of Detroit, do hereby certify that the annexed paper is a True Copy of a Resolution

adopted by the Common Council on July 31, 1973

And approved by the Mayor on August 7, 1973

as appears from the Journal of said Common Council, on file in my office.

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

August 10, 1973

George C. Edwards
City Clerk

581
559

DAVENPORT AVE.

AVE.

MYRTLE

WOODWARD AVE.

STIMSON

AVE

PARK LOT 67 & 68
STIMSON SUEN
TOPO NO. 29 B
SCALE 1"=100'

FOR OFFICE USE ONLY

B				
A				
DESCRIPTION		Drawn	Chkd	Appd
REVISIONS				
DRAWN BY <i>PLUNGIS</i>	APPROVED			
TRACED BY	APPROVED			
CHECKED	APPROVED			
CITY ENGINEER				

REQUESTED VACATION
OF THE E-W ALLEY
S. OF MYRTLE AND
W. OF WOODWARD

CITY OF DETROIT
Dept. of Public Works
City Engineers Office

Job No. 100

Drwg. No. X-4960

Date 9-8-72

By Councilman Rogell:

Resolved, That all that part of the north-south public alley, 15 feet wide, first easterly of Cass Avenue between Stimson and Myrtle Avenues lying between and abutting the northerly line of Stimson Avenue and the southerly line of Myrtle Avenue, as opened on December 26, 1962, J.C.C. 2928 to 2930, said alley appearing in the following subdivisions:

'Stimson's Subdivision of part of Park Lot 68', City of Detroit, as recorded in Liber 1, Page 217, Plats, Wayne County records;

Morhous Subdivision of lots 3 and 4 of Stimson's Subdivision of part of Park Lot 68, City of Detroit, Wayne County, Michigan, as recorded in Liber 20, Page 50, 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 hereinabove 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 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 by the Department of Public Works,

Third, that if at any time in the future 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, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and-or relocation, unless such charges are waived by the utility owners,

Provided Further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and further

Resolved, That if at any time in the future it becomes necessary to remove the paved alley returns, then such removal and construction of new curb and sidewalk will be done by City permit and inspection, and according to Department of Public Works specification with the entire cost being borne by the petitioner or his assigns.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Henderson, Hood, Levin, Rogell, and President Ravitz — 7.

Nays — None.

MAP ATTACHED

Li: 18615

Pa: 377

Rec: 10-1-73

Wayne
9789
10581

STATE OF MICHIGAN)
CITY OF DETROIT) ss.

SHORT FORM---TRUE COPY CERTIFICATE

I, GEORGE C. EDWARDS, CITY CLERK of the City of Detroit, do hereby certify that the annexed paper is a True Copy of a Resolution

adopted by the Common Council on September 18, 1973

And approved by the Mayor on September 24, 1973

as appears from the Journal of said Common 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 28, 1973

George C. Edwards
City Clerk

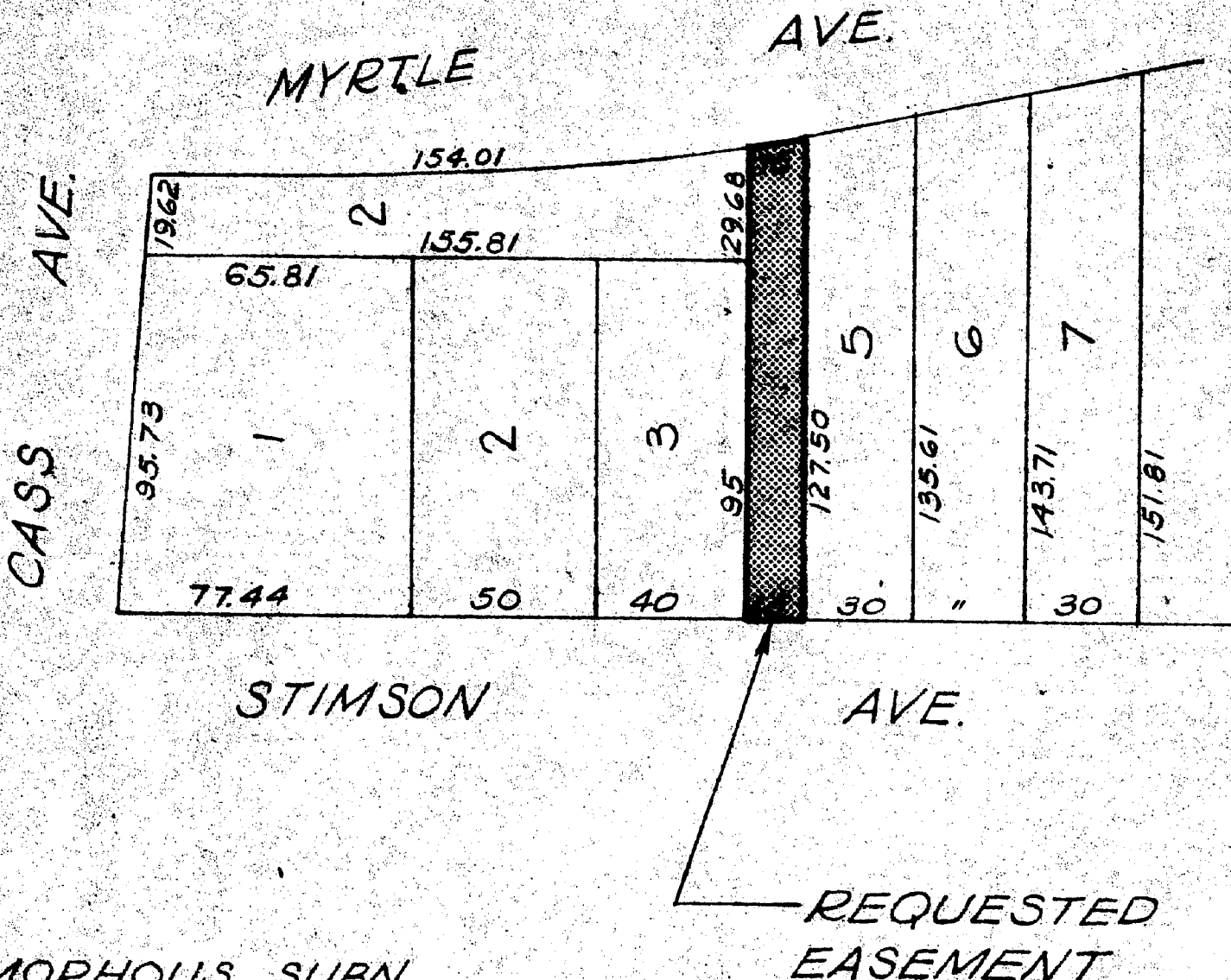
FORWARD TO

PETITION NO. 4512
MISSIONARY WORKERS
ATTY. FOR PETITIONER
JAMES C. MORAN
PHONE - 962-5232

STATE TREASURER

April 9-18-73

9789
10581



MORHOUS SUBN.
STIMSON SUBN.
TOPO NO. 29 B
SCALE 1"=50'

FOR OFFICE USE ONLY

B					
A					
DESCRIPTION		Drawn	Chkd	Appd	Date
REVISIONS					
DRAWN BY PLUNGIS		APPROVED			
TRACED BY		APPROVED			
CHECKED ER		APPROVED			
CITY ENGINEER					

REQUESTED CONVERSION TO EASEMENT OF THE ALLEY E. OF CASS BET. MYRTLE AND STIMSON.

CITY OF DETROIT Dept. of Public Works City Engineers Office	
Job No.	1(1)
Drwg. No.	X-4512
Date	8-2-72