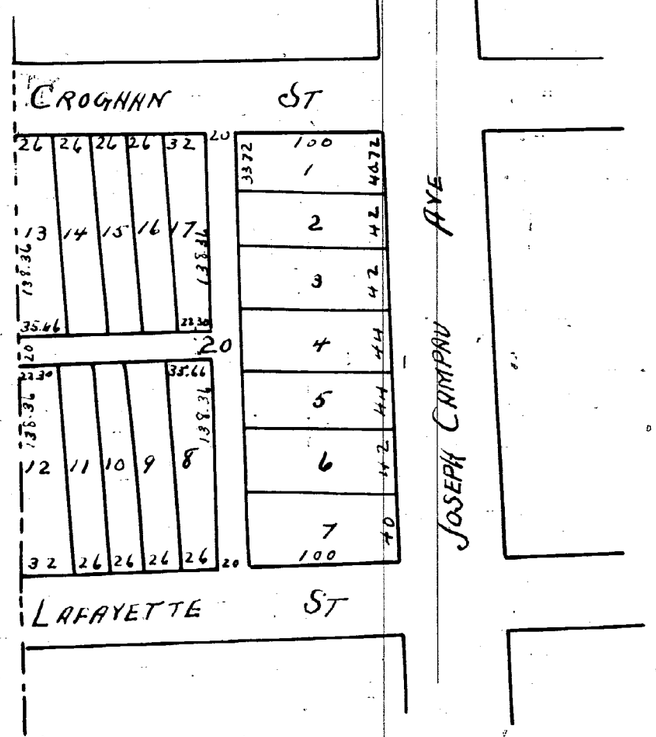
10626

ALEXANDER T. CAMPAU'S
SUBDIVISION OF BLOCK Nº 20.
PRIVATE CLAIM Nº 609.
DETROIT WAYNE CO MICHIGAN



Approved } Commissioners

Received for Record May 2.-1868 at 12 O.C.M. WE Warner Registe

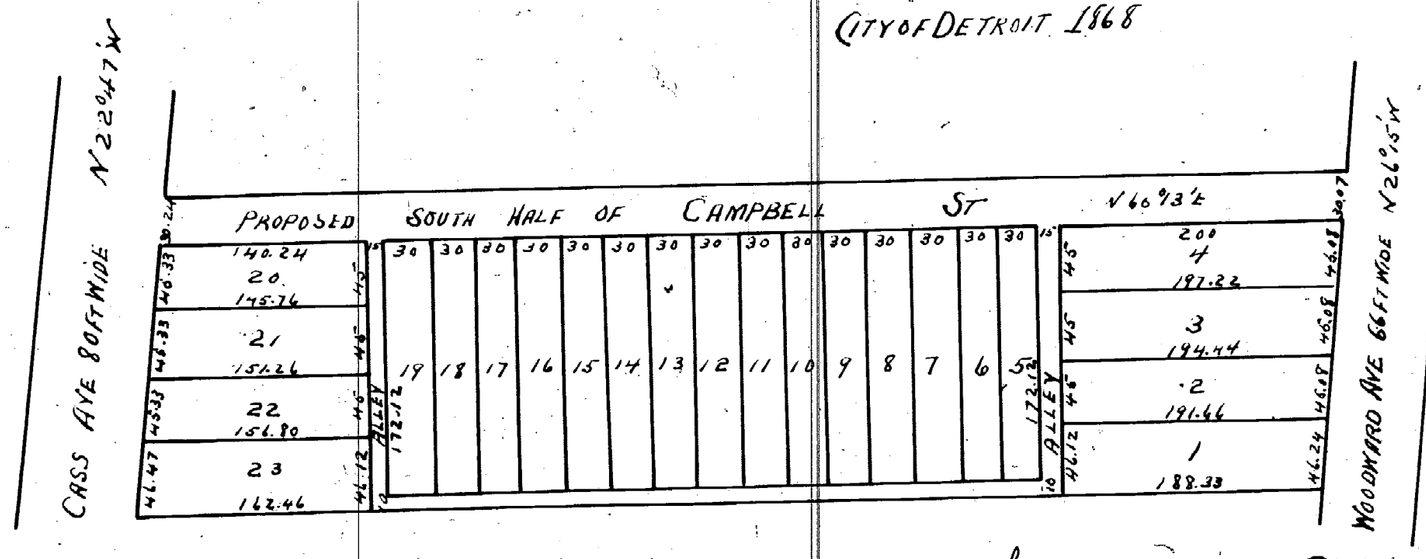
State of Michigan } ss
County of Wayne } I Alexander T Campau have caused the above Map or Plat of the Subdivision of Block numbered twenty (20) Private Claim number Six hundred and nine (609) City of Detroit Wayne County Michigan to be made by John L Munro Surveyor and do hereby adopt the same and dedicate the Alleys on said Plat for Public use
Detroit April 30. 1868
(Stamp 5¢) Alexr T Campau (LS)

State of Michigan } ss
County of Wayne } On this 30th day of April 1868 before me the undersigned a Notary Public in and for said County personally appeared Alexander T Campau and John L Munro Surveyor each known to me to be the persons who Executed the above map or plat and acknowledged the same to be their free act and deed
Robert N Brown
Notary Public
Wayne Co Mich
(Stamp 5¢)

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

10627

CAMPBELL'S SUBN
OF THE SOUTH HALF OF
PARK LOT 63.
CITY OF DETROIT 1868



I hereby certify that these plats are correct copies of the plats now on file record in the Register of Deeds office being made under the supervision of the Auditor General by tracing the plats on record and affixing thereto carefully compared copies of the dedications & Certificates
Dated this 8th day of June 1910
John B La Fountain
Clerk and Gen Dept.

Received for Record May 19th 1868 at 3 O.C.P.M. William E Warner Regr.
By Eaton Defty.

State of Michigan } Know all men by these presents that we Colin Campbell and Caroline his
County of Wayne } wife of Detroit Michigan do hereby present for record the above Plat of the Subdivision of the south half of Park lot 63 and we do hereby dedicate to the perpetual use of the public the streets and alleys laid out in said Plat reserving to ourselves our heirs and assigns the proposed south half of streets until such times as the north half shall be dedicated of an equal width. Witness our hands and seals in presence of
G K Thomas
Arthur Tredway
Colin Campbell LS
Caroline Campbell LS

State of Michigan } On the 15 day of May A.D. 1868 personally appeared before me a Notary
County of Wayne } Public in and for said County Colin Campbell and Caroline his wife and acknowledged the above Plat of the Subdivision of the south half of Park Lot No 63 to be their free act and deed and the said Caroline on a private Examination by me separate and apart from her said husband acknowledged that she executed the same freely and without fear or Compulsion from any one
Arthur Tredway
Notary Public Wayne County Mich

Correct Eugene Rebenun City Surveyor

State of Michigan } ss On this 16th day of May A.D. 1868 personally came before me Eugene Robinson
County of Wayne } city surveyor and acknowledged the above Plat to be Correct
Arthur Tredway Notary Public
Wayne County Michigan
(Stamp 5¢)

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

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 gates (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 Subdivison of Park Lot 65", City of Detroit, 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 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; and

Provided, This permit shall not be assigned or transferred without the written approval of the City Council; and be it further

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 Subdivision 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 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 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.

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6.
9-99

L.L. 25745
P.A. 755
REC'D MAY 6 92

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

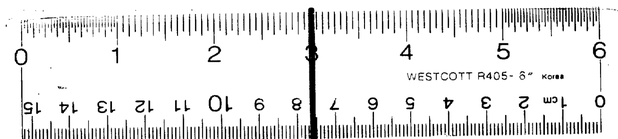
and approved by the Mayor on April 21st, 1992

Detroit legal News April 21st 1992

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

ClibPDF - www.fastio.com



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