

PETITION NO. 3180
 56 MONIER KHALIL
 PHONE: 962-1383

"FORWARD TO STATE TREASURER" 088. 3/2/86
 290. 129-30
 C.S.

1995
 10702

KALINE DRIVE
 REQUESTED CONVERSION OF ALLEY TO EASEMENT

12th
 HARRISON
 MICHIGAN

PLAT OF LOGNON FARM
 FOR OFFICE USE ONLY

SCALE: 1" = 100'
 TOPO NO. 19-F

DESCRIPTION	REVISIONS	Drawn	Checked	Approved	Date
DRAWN BY C. MACHLEIT	APPROVED				
TRACED BY	APPROVED				
CHECKED	APPROVED				

REQUESTED CONVERSION OF ALLEY TO EASEMENT IN BLK. BND. BY 12th, HARRISON, MICHIGAN, AND KALINE DRIVE

CITY OF DETROIT
 City Engineering
 Job No. 01-01
 Drwg. No. X-3180
 Date NOV. 26, 1984

City Engineering Department
 March 5, 1986
 Honorable City Council
 Re: Petition No. 3180, Monier Khalil conversion to easement of a portion of north-south alley in the block bounded by Rosa Parks Boulevard, Michigan and Kaline Drive.

The above petition requests the conversion of a portion of the north-south public alley, 14 feet wide, in the block bounded by Rosa Parks Boulevard, Harrison and Michigan Avenues, and Kaline Drive into an easement for public utilities.

The requested conversion into easement for public utilities was approved by the Company and Economic Development Department. The petition was referred to us for investigation and report. Our report accompanied by the original petition is as follows:

The petitioner plans to utilize the paved alley vehicle entrance and to leave such remains in its present location. Also, by filed letter the petitioner has agreed to pay all incidental costs at any time whenever discontinuance of use makes removal necessary.

All involved City departments and privately-owned utility companies reported they have no objection to the conversion of public right-of-way into easement provided provisions are incorporated into the existing resolution respecting their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
 CLYDE E. HOPKINS
 Director

By Council Member Ravitz: Resolved, That all that part of the north-south public alley, 14 feet wide, in the block bounded by Rosa Parks Boulevard, Harrison and Michigan Avenues, and Kaline Drive lying west of and abutting the west line of Lot 67, of 1st of 5th and 6th Streets, Detroit, Michigan, and lying east of and abutting the east line of Lot 68, of 1st of 5th and 6th Streets, Detroit, Michigan, be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the City of Detroit, with the following conditions and agreements, terms, 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 to 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 adjoining properties for repairs and utility easements, 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 building or structures of any nature whatsoever including, but not limited to, over or under drives or driveways, retaining or partition walls (except necessary upon said easement, nor any 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, upon whose property the poles or other utilities are located pay all costs incidental to such removal and/or relocation.

Provided further, that if any utility located or to be located in said property shall 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 be it further:

Resolved, that if it becomes necessary to remove the paved alley surface at the alley entrance, 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.

Adopted as follows:
 Yes - Council Members Hood, Kelley, Mahaffey, Peoples, Davis and President
 Nay - None

STATE OF MICHIGAN) SS.
 CITY OF DETROIT)

I, JAMES H. BRADLEY, 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 March 12, 1986 and approved by the Mayor on March 21, 1986 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

May 7, 1986
 James H. Bradley
 City Clerk
 JAMES H. BRADLEY